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House Chamber, Lansing, Thursday, April 2, 1998.

10:00 a.m.

The House was called to order by Acting Speaker DeHart.

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—present
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—excused	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—excused	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—e/d/s
DeHart—present	Jelinek—present	Parks—present	Whyman—present
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. Derrick Hale, from the 14th District, offered the following invocation:

“May we bow our heads. I would like to say that I am honored to give the invocation today, this is the last invocation that we will have before our Easter break. I hope that during the break we will reflect upon what Easter is all about, the life, the death, and the resurrection of our Lord Jesus Christ. Hopefully we will take those moments to reflect and spend time with our families and continue to do the work of the citizens of the State of Michigan.

I would like to read a passage from Colossians 3:23. ‘Whatever you do, work at it with all your heart, as working for the Lord, not for men.’

We always talk about not having time to do our jobs. There is not enough time to do this and to do that. Hopefully we can have time to worship the Lord and to stick to the path of doing the job of the State of Michigan. It is not how many hours you put in or how much you put into the hours so hopefully we can reflect upon this and do the job of the State of Michigan. Amen.”

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

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

Notices

April 2, 1998

In accordance with House Rule 10, I hereby designate Representative Eileen DeHart, to be the Presiding Officer for all, or part of today’s session.

In accordance with House Rule 10, I hereby designate Representative Michael Hanley, to be the Presiding Officer for all, or part of today’s session.

Sincerely,
Curtis Hertel
Speaker of the House

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

The Speaker laid before the House
House Resolution No. 237.

A resolution to call on the federal government to take all necessary and appropriate actions to ensure that Japan establishes and maintains an open and competitive market for United States exports.

(For text of resolution, see House Journal No. 26, p. 463.)

(The resolution was reported by the Committee on Urban Policy on April 1, consideration of which was postponed until today under the rules.)

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 Resolution No. 246.

A resolution recognizing the month of April as Fair Housing Month in Michigan.

(For text of resolution, see House Journal No. 31, p. 575.)

(The resolution was reported by the Committee on Urban Policy on April 1, consideration of which was postponed until today under the rules.)

The question being on the adoption of the resolution,
 The resolution was adopted, a majority of the members serving voting therefor.
 Reps. Alley, Birkholz, Curtis, Gilmer, Harder, Jansen, Jellema, McBryde, Raczkowski, Rison, Vaughn, Voorhees and Wallace were named co-sponsors of the resolution.

—
 The Speaker assumed the Chair.

The Committee on Labor and Occupational Safety, by Rep. Murphy, Chair, reported
House Resolution No. 245.

A resolution recognizing April 3, 1998, as National Pay Inequity Awareness Day.
 (For text of resolution, see House Journal No. 31, p. 575.)
 With the recommendation that the resolution be adopted.

Favorable Roll Call

HR 245 To Report Out:

Yeas: Reps. Murphy, Agee, Bogardus, Callahan, Schermesser, Byl,
 Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Murphy, Chair of the Committee on Labor and Occupational Safety, was received and read:

Meeting held on: Thursday, April 2, 1998, at 8:30 a.m.,
 Present: Reps. Murphy, Agee, Bogardus, Callahan, Schermesser, Byl,
 Absent: Reps. Cherry, Freeman, Llewellyn, Raczkowski, Rhead,
 Excused: Reps. Cherry, Freeman, Llewellyn, Raczkowski, Rhead.

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

Rep. Gagliardi moved that Rule 77 be suspended.

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

The question being on the adoption of the resolution,

Rep. Gustafson moved to amend the resolution as follows:

1. Amend the first Resolving clause, line 2, after "Day" by striking out the balance of the resolution and inserting a period.

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

The question being on the adoption of the resolution,

Rep. DeHart demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

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

Roll Call No. 232

Yeas—103

Agee	Dobronski	Jellema	Price
Alley	Emerson	Johnson	Profit
Anthony	Fitzgerald	Kaza	Prusi
Baade	Frank	Kelly	Quarles
Baird	Freeman	Kilpatrick	Raczkowski
Bankes	Gagliardi	Kukuk	Rhead
Basham	Galloway	LaForge	Richner
Birkholz	Geiger	Law	Rison
Bobier	Gernaat	Leland	Rocca

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

Nays—1

Whyman

In The Chair: Hertel

Reps. Alley, Bankes, Basham, Bodem, Cassis, Crissman, Curtis, Dobb, Frank, Gagliardi, Geiger, Gilmer, Gire, Harder, Jelinek, Johnson, LaForge, McBryde, Oxender, Price, Raczkowski, Vaughn, Willard and Wojno were named co-sponsors of the resolution.

The Speaker called Acting Speaker Hanley to the Chair.

Rep. Wetters entered the House Chambers.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. DeHart, Hanley, Cherry, Thomas, Dobronski, Kukuk, Schermesser, Gilmer, Goschka, McNutt, Voorhees, Godchaux, Martinez, Harder, Tesanovich, LaForge, Jansen, Horton, Crissman, Sikkema, Parks, Quarles, Baird, Freeman, Baade, McBryde, Schauer, Kilpatrick, Anthony, Murphy, Whyman, Rhead, Raczkowski, Scranton, Jelinek, Varga, Gire, Bogardus, Middleton, Birkholz, London, Kelly, Brackenridge, Profit, Vaughn, Bankes, Basham, Bodem, Cassis, Cropsey, Curtis, Dalman, DeVuyst, Dobb, Emerson, Frank, Gagliardi, Geiger, Gubow, Gustafson, Hale, Hammerstrom, Jellema, Llewellyn, Lowe, Middaugh, Owen, Prusi, Rocca, Scott, Willard and Wojno offered the following resolution:

House Resolution No. 258.

A resolution to urge the Governor and the Family Independence Agency to apply for an exemption from the federal requirement that Social Security numbers be included in state licensing procedures.

Whereas, In an effort to better coordinate programs to find parents delinquent in child support, the federal government now requires the states to include Social Security numbers on various state licenses. Under the provisions of federal law, states must require Social Security information on marriage, driver's, occupational, and other licenses; and

Whereas, While we strongly support the ultimate goal of this federal mandate—to track down deadbeat parents—the mechanism of Social Security numbers is inappropriate, unfair, and, quite likely, ineffective. The requirement strikes

at our fundamental right to privacy. It imposes a burden on the vast majority of people who are not violating child support orders or any other laws. The potential harm that could result in violating privacy rights far exceeds the benefits to be gained. This is especially true in considering more effective methods of tracking down parents delinquent in their moral and legal responsibilities. Better results could likely be obtained by putting more people on the task of finding lawbreakers; and

Whereas, The right to privacy should not be disregarded; now, therefore, be it

Resolved by the House of Representatives, That we urge the Governor and the Family Independence Agency to apply for an exemption from the federal requirement that Social Security numbers be included in state licensing procedures; and be it further

Resolved, That copies of this resolution be transmitted to the office of the Governor and to the Family Independence Agency.

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,

Rep. Gustafson moved to amend the resolution as follows:

1. Amend the first Whereas clause, line 5, after "on" by inserting "applications for".

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

The question being on the adoption of the resolution,

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

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

Roll Call No. 233

Yeas—102

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

Nays—0

In The Chair: Hanley

Reps. Hanley, DeHart, Cherry, Thomas, Dobronski, Kukuk, Schermesser, Gilmer, Goschka, McNutt, Voorhees, Godchaux, Martinez, Harder, Tesanovich, LaForge, Jansen, Horton, Crissman, Sikkema, Parks, Quarles, Baird, Freeman, Baade, McBryde, Schauer, Anthony, Murphy, Whyman, Rhead, Raczkowski, Scranton, Jelinek, Varga, Gire, Bogardus, Middleton, Birkholz, London, Kelly, Brackenridge, Profit, Vaughn, Bankes, Basham, Bodem, Brater, Byl, Cassis, Cropsey, Dalman, DeVuyst, Dobb, Frank, Gagliardi, Gernaat, Gubow, Gustafson, Jellema, Johnson, Kilpatrick, Law, Lowe, Middaugh, Olshove, Owen, Oxender, Perricone, Prusi, Rison, Rocca, Scott, Walberg, Willard and Wojno offered the following concurrent resolution:

House Concurrent Resolution No. 95.

A concurrent resolution to urge the Governor and the Family Independence Agency to apply for an exemption from the federal requirement that Social Security numbers be included in state licensing procedures.

Whereas, In an effort to better coordinate programs to find parents delinquent in child support, the federal government now requires the states to include Social Security numbers on various state licenses. Under the provisions of federal law, states must require Social Security information on marriage, driver's, occupational, and other licenses; and

Whereas, While we strongly support the ultimate goal of this federal mandate—to track down deadbeat parents—the mechanism of Social Security numbers is inappropriate, unfair, and, quite likely, ineffective. The requirement strikes at our fundamental right to privacy. It imposes a burden on the vast majority of people who are not violating child support orders or any other laws. The potential harm that could result in violating privacy rights far exceeds the benefits to be gained. This is especially true in considering more effective methods of tracking down parents delinquent in their moral and legal responsibilities. Better results could likely be obtained by putting more people on the task of finding lawbreakers; and

Whereas, The right to privacy should not be disregarded; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Governor and the Family Independence Agency to apply for an exemption from the federal requirement that Social Security numbers be included in state licensing procedures; and be it further

Resolved, That copies of this resolution be transmitted to the office of the Governor and to the Family Independence Agency.

Pending the reference of the concurrent resolution to a committee,

Rep. Gagliardi moved that Rule 77 be suspended and the concurrent 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 concurrent resolution,

Rep. Gustafson moved to amend the concurrent resolution as follows:

1. Amend the first Whereas clause, line 5, after "on" by inserting "applications for".

The motion prevailed and the amendment was 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.

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

Third Reading of Bills

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.

(The bill was considered on Third Reading and postponed temporarily on March 26, see House Journal No. 31, p. 573.)

The question being on the passage of the bill,

Reps. McNutt, LaForge and Horton moved to amend the bill as follows:

1. Amend page 7, following line 12, following subsection (9), by inserting:

"Enacting section 1. The family independence agency shall request from the federal government an exemption from the provisions regarding the recording of social security numbers added by this 1998 amendatory act, which are intended to be used for the collection of child support, as required by federal law in order for this state to receive certain federal funds. Upon the granting of the exemption, those provisions referred to by this enacting section shall not be utilized or enforced by the state or a local governmental entity."

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

Reps. Cropsey and Raczkowski moved to amend the bill as follows:

1. Amend page 7, following line 12, following subsection (9), by inserting:

“(10) AN APPLICANT WHO OBJECTS TO OBTAINING OR DISCLOSING HIS OR HER SOCIAL SECURITY NUMBER ON AN APPLICATION FOR RELIGIOUS, MORAL, OR PHILOSOPHICAL REASONS IS EXEMPT FROM THE REQUIREMENT UNDER THIS SECTION TO INCLUDE A SOCIAL SECURITY NUMBER ON AN APPLICATION. THE SECRETARY OF STATE SHALL INFORM THE APPLICANT OF THIS POSSIBLE EXEMPTION.”.

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

Rep. Gubow moved to reconsider the vote by which the House adopted the amendment.

The question being on the motion by Rep. Gubow,

Rep. Cropsey demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Gubow,

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

Roll Call No. 234

Yeas—16

Agee	Callahan	Gubow	Price
Baird	Dobronski	LeTarte	Rison
Brater	Godchaux	Martinez	Schroer
Brewer	Griffin	Parks	Wallace

Nays—89

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

In The Chair: Hanley

Rep. Thomas moved to amend the bill as follows:

1. Amend page 7, following line 12, subsection (9), after “SHALL” by inserting “VERBALLY”.

2. Amend page 7, following line 12, subsection (10), after “SHALL” by inserting “VERBALLY”.

The motion was seconded and the amendments were 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. 235**Yeas—58**

Agee	Dobb	Hertel	Murphy
Baade	Dobronski	Hood	Oxender
Bankes	Emerson	Jansen	Parks
Birkholz	Fitzgerald	Jelinek	Price
Bobier	Frank	Jellema	Richner
Bodem	Gagliardi	Johnson	Rison
Brackenridge	Geiger	Kelly	Schauer
Brewer	Gernaat	Kilpatrick	Scott
Brown	Gilmer	LaForge	Sikkema
Byl	Gire	Leland	Thomas
Cassis	Godchaux	LeTarte	Varga
Ciaramitaro	Griffin	London	Vaughn
Crissman	Gustafson	Mathieu	Wallace
Dalman	Hammerstrom	McBryde	Wojno
DeVuyst	Hanley		

Nays—35

Anthony	Freeman	Middleton	Sanborn
Baird	Green	Nye	Schermesser
Basham	Harder	Olshove	Schroer
Bogardus	Horton	Owen	Tesanovich
Brater	Kaza	Palamara	Walberg
Callahan	Kukuk	Profit	Wetters
Cropsey	Lowe	Prusi	Whyman
Curtis	Martinez	Quarles	Willard
DeHart	Middaugh	Rocca	

In The Chair: Hanley

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

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”.

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.

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.

(The bill was read a third time and postponed temporarily on March 26, see House Journal No. 31, p. 566.)

The question being on the passage of the bill,

Rep. Gustafson moved to amend the bill as follows:

1. Amend page 2, following line 4, by inserting:

“Enacting section 1. This amendatory act takes effect July 1, 1998.”.

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

Reps. McNutt, Horton and LaForge moved to amend the bill as follows:

1. Amend page 2, following line 4, following enacting section 1, by inserting:

“Enacting section 2. The family independence agency shall request from the federal government an exemption from the provisions regarding the recording of social security numbers added by this 1998 amendatory act, which are intended to be used for the collection of child support, as required by federal law in order for this state to receive certain federal funds. Upon the granting of the exemption, those provisions referred to by this enacting section shall not be utilized or enforced by the state or a local governmental entity.”.

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

Reps. McNutt and Gire moved to amend the bill as follows:

1. Amend page 2, line 4, after “LAW.” by inserting “AN OCCUPATIONAL REGULATORY AGENCY SHALL NOT DISPLAY A LICENSEE’S SOCIAL SECURITY NUMBER ON THE LICENSEE’S OCCUPATIONAL LICENSE.”.

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

Reps. Cropsey and Raczkowski moved to amend the bill as follows:

1. Amend page 2, following line 4, following subsection (3), by inserting:

“(4) AN APPLICANT WHO OBJECTS TO OBTAINING OR DISCLOSING HIS OR HER SOCIAL SECURITY NUMBER ON AN APPLICATION FOR RELIGIOUS, MORAL, OR PHILOSOPHICAL REASONS IS EXEMPT FROM THE REQUIREMENT UNDER THIS SECTION TO INCLUDE A SOCIAL SECURITY NUMBER ON AN APPLICATION. THE OCCUPATIONAL REGULATORY AGENCY SHALL VERBALLY INFORM THE APPLICANT OF THIS POSSIBLE EXEMPTION.”.

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. 236

Yeas—76

Agee	Dobb	Hertel	Olshove
Baade	Dobronski	Hood	Oxender
Baird	Emerson	Jansen	Parks
Bankes	Fitzgerald	Jelinek	Perricone
Birkholz	Frank	Jellema	Price
Bobier	Gagliardi	Johnson	Rhead
Bodem	Galloway	Kelly	Richner
Bogardus	Geiger	Kilpatrick	Rison
Brackenridge	Gernaat	LaForge	Schauer
Brewer	Gilmer	Law	Scott
Brown	Gire	Leland	Scranton
Byl	Godchaux	LeTarte	Sikkema
Callahan	Goschka	Llewellyn	Stallworth
Cassis	Griffin	London	Thomas
Ciaramitaro	Gustafson	Martinez	Varga
Crissman	Hale	Mathieu	Vaughn
Curtis	Hammerstrom	McBryde	Wallace
Dalman	Hanley	McNutt	Wetters
DeVuyst	Harder	Murphy	Wojno

Nays—30

Anthony	Horton	Palamara	Schermesser
Basham	Kaza	Profit	Schroer
Brater	Kukuk	Prusi	Tesanovich
Cropsey	Lowe	Quarles	Voorhees
DeHart	Middaugh	Raczkowski	Walberg

Freeman
Green
Gubow

Middleton
Nye
Owen

Rocca
Sanborn

Whyman
Willard

In The Chair: Hanley

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

“An act to provide for the suspension of certain occupational licenses under certain circumstances; and to provide for certain powers and duties for certain state agencies.”.

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.

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

“Mr. Speaker and members of the House:

I voted no on SB 797 because this bill sets the precedent that a person’s Social Security Number will be used as a national identification number. If this bill becomes law it will further erode public confidence between its elected legislatures and their constituents.

Only today have we asked the FIA administration and Governor’s office for a waiver from invasion of privacy. (HCR #95 and HR # 258)

I do believe that we need to protect and help the children of divorced parents that they receive the financial support that courts have granted them, but I think that we can do this without every person having to give their Social Security Number as a national identification number.”

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.

(The bill was read a third time, amended and bill postponed temporarily on March 26, see House Journal No. 31, p. 567.)

The question being on the passage of the bill,

Rep. Gustafson moved to amend the bill as follows:

1. Amend page 5, following line 16, by inserting:

“Enacting section 1. This amendatory act takes effect July 1, 1998.”.

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

Reps. Horton, McNutt and LaForge moved to amend the bill as follows:

1. Amend page 5, following line 16, following enacting section 1, by inserting:

“Enacting section 2. The family independence agency shall request from the federal government an exemption from the provisions regarding the recording of social security numbers added by this 1998 amendatory act, which are intended to be used for the collection of child support, as required by federal law in order for this state to receive certain federal funds. Upon the granting of the exemption, those provisions referred to by this enacting section shall not be utilized or enforced by the state or a local governmental entity.”.

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

Reps. McNutt and Gire moved to amend the bill as follows:

1. Amend page 3, line 14, after “APPLICATION.” by inserting “THE STATE REGISTRAR SHALL NOT REQUIRE A MARRIAGE LICENSE APPLICANT’S SOCIAL SECURITY NUMBER TO BE DISPLAYED ON THE MARRIAGE LICENSE.”.

2. Amend page 4, line 2, after “NUMBER.” by inserting “THE DEPARTMENT SHALL NOT DISPLAY AN APPLICANT’S SOCIAL SECURITY NUMBER ON HIS OR HER LICENSE OR REGISTRATION.”.

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

Reps. Cropsey and Raczkowski moved to amend the bill as follows:

1. Amend page 5, following line 7, following subsection (4), by inserting:

“(5) AN APPLICANT WHO OBJECTS TO OBTAINING OR DISCLOSING HIS OR HER SOCIAL SECURITY NUMBER ON AN APPLICATION FOR RELIGIOUS, MORAL, OR PHILOSOPHICAL REASONS IS EXEMPT FROM

THE REQUIREMENT UNDER THIS SECTION TO INCLUDE A SOCIAL SECURITY NUMBER ON AN APPLICATION. THE DEPARTMENT SHALL VERBALLY INFORM THE APPLICANT OF THIS POSSIBLE EXEMPTION.”.

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. 237**Yeas—63**

Agee	Gagliardi	Jelinek	Oxender
Baade	Geiger	Jellema	Parks
Baird	Gernaat	Johnson	Perricone
Bankes	Gilmer	Kelly	Price
Birkholz	Gire	Kilpatrick	Richner
Bobier	Godchaux	LaForge	Schauer
Brewer	Goschka	Law	Scott
Brown	Griffin	Leland	Scranton
Byl	Gustafson	LeTarte	Sikkema
Callahan	Hale	Llewellyn	Stallworth
Ciaramitaro	Hammerstrom	London	Thomas
Curtis	Hanley	Mathieu	Varga
Dalman	Harder	McBryde	Vaughn
DeVuyst	Hertel	McNutt	Wallace
Dobronski	Hood	Murphy	Wojno
Fitzgerald	Jansen	Olshove	

Nays—41

Anthony	Frank	Middaugh	Rocca
Basham	Freeman	Middleton	Sanborn
Bodem	Galloway	Nye	Schermesser
Bogardus	Green	Owen	Schroer
Brackenridge	Gubow	Palamara	Tesanovich
Brater	Horton	Profit	Voorhees
Cassis	Kaza	Prusi	Walberg
Crissman	Kukuk	Quarles	Wetters
Cropsey	Lowe	Raczkowski	Whyman
DeHart	Martinez	Rhead	Willard
Dobb			

In The Chair: Hanley

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 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to provide for sanctions for

violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending the title and sections 2811, 2813, and 16177 (MCL 333.2811, 333.2813, and 333.16177), the title as amended by 1994 PA 170 and section 16177 as amended by 1993 PA 80, and by adding section 21533.

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 Speaker laid before the House

Senate Bill No. 794, entitled

A bill to amend 1974 PA 163, entitled "An act to provide for the creation of a law enforcement information network policy council; to provide for the establishment of policy and promulgation of rules governing the use of the law enforcement information network; and to provide for the appointment and compensation of council members," by amending section 4 (MCL 28.214).

(The bill was received from the Senate on March 31, with amendment to the House substitute (H-2) and full title agreed to, consideration of which, under the rules, was postponed until April 1, see House Journal No. 32, p. 633.)

The question being on concurring in the adoption of the amendment made to the House Substitute (H-2) by the Senate,

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

Roll Call No. 238

Yeas—88

Agee	Emerson	Jelinek	Price
Anthony	Fitzgerald	Jellema	Prusi
Baade	Freeman	Johnson	Quarles
Baird	Gagliardi	Kelly	Rhead
Banks	Galloway	Kilpatrick	Richner
Basham	Geiger	LaForge	Rison
Birkholz	Gernaat	Law	Rocca
Bobier	Gilmer	Leland	Sanborn
Bodem	Gire	LeTarte	Schermesser
Bogardus	Godchaux	Llewellyn	Scott
Brackenridge	Goschka	London	Scranton
Brewer	Griffin	Mathieu	Sikkema
Brown	Gubow	McBryde	Stallworth
Byl	Gustafson	McNutt	Tesanovich
Callahan	Hale	Middaugh	Thomas
Cassis	Hammerstrom	Murphy	Varga
Crissman	Hanley	Olshove	Vaughn
Curtis	Harder	Owen	Voorhees
Dalman	Hertel	Oxender	Wallace
DeVuyst	Hood	Palamara	Wetters
Dobb	Horton	Parks	Willard
Dobronski	Jansen	Perricone	Wojno

Nays—14

Brater	Green	Middleton	Rackowski
Cropsey	Kaza	Nye	Walberg
DeHart	Kukuk	Profit	Whyman
Frank	Lowe		

In The Chair: Hanley

Rep. Gagliardi moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

The Speaker resumed the Chair.

Second Reading of Bills

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).

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

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

Reps. Gire, LaForge and Horton moved to amend the bill as follows:

1. Amend page 1, line 1, after "2." by inserting "(1)".
2. Amend page 2, following line 14, by inserting:

"(2) A PERSON SHALL NOT INTENTIONALLY DISCLOSE, IN A MANNER NOT AUTHORIZED BY LAW OR RULE, A SOCIAL SECURITY NUMBER COLLECTED AS REQUIRED BY THIS SECTION. A VIOLATION OF THIS SUBSECTION IS A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR A FINE OF NOT MORE THAN \$500.00, OR BOTH. A SECOND OR SUBSEQUENT VIOLATION OF THIS SUBSECTION IS A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A FINE OF NOT MORE THAN \$2,000.00, OR BOTH."

The question being on the adoption of the amendments offered by Reps. Gire, LaForge and Horton,

Rep. Cropsy moved to amend the Gire, LaForge and Horton amendment as follows:

1. Amend Reps. Gire, LaForge and Horton's Amendment No. 2, page 2, following line 14, subsection (2), after "SHALL NOT" by striking out "INTENTIONALLY".

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

The question being on the adoption of the amendments offered previously by Reps. Gire, LaForge and Horton,

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

Rep. Dalman moved to amend the bill as follows:

1. Amend page 2, following line 14, by inserting:

"SEC. 2A. (1) EXCEPT AS PROVIDED IN SUBSECTION (3), A MAN AND A WOMAN WHO INTEND TO APPLY FOR A MARRIAGE LICENSE SHALL TOGETHER COMPLETE A PROGRAM IN PREMARITAL EDUCATION OR COUNSELING AS PRESCRIBED IN SECTION 2B. THE INDIVIDUALS APPLYING FOR THE MARRIAGE LICENSE SHALL VERIFY COMPLETION OF THE PROGRAM BY A STATEMENT TO THAT EFFECT IN THE APPLICATION AFFIDAVIT AND BY FILING WITH THE APPLICATION A CERTIFICATE OF COMPLETION FROM THE PROGRAM ADMINISTRATOR.

(2) EXCEPT AS PROVIDED IN SUBSECTION (3), IF AN INDIVIDUAL WHO IS INTENDING TO APPLY FOR A MARRIAGE LICENSE IS LESS THAN 18 YEARS OF AGE, BOTH PARTIES APPLYING FOR THE LICENSE AND AT LEAST 1 PARENT OR GUARDIAN OF EACH PARTY WHO IS A MINOR SHALL COMPLETE AND VERIFY A PROGRAM OF PREMARITAL EDUCATION OR COUNSELING AS PRESCRIBED IN SECTION 2B. THE PARENT'S OR GUARDIAN'S ATTENDANCE REQUIREMENT PRESCRIBED BY THIS SUBSECTION DOES NOT APPLY IF THE MINOR WHO INTENDS TO APPLY FOR A MARRIAGE LICENSE IS EMANCIPATED AS PROVIDED IN 1968 PA 293, MCL 722.1 TO 722.6.

(3) AN INDIVIDUAL APPLYING FOR A MARRIAGE LICENSE MAY CHOOSE NOT TO COMPLY WITH THIS SECTION. IF EITHER PARTY TO A MARRIAGE LICENSE APPLICATION DOES NOT COMPLY WITH THIS SECTION, THE LONGER WAITING PERIOD IN SECTION 3A APPLIES.

SEC. 2B. (1) A PREMARITAL EDUCATION OR COUNSELING PROGRAM REQUIRED BY SECTION 2A SHALL BE CONDUCTED ONLY BY 1 OR MORE OF THE FOLLOWING:

(A) A LICENSED PROFESSIONAL COUNSELOR, LICENSED MARRIAGE AND FAMILY THERAPIST, OR LICENSED OR LIMITED LICENSED PSYCHOLOGIST LICENSED AS PROVIDED IN ARTICLE 15 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.16101 TO 333.18838.

(B) A SOCIAL WORKER OR CERTIFIED SOCIAL WORKER MEETING THE REQUIREMENTS OF AND REGISTERED UNDER, RESPECTIVELY, SECTION 1605 OR 1606 OF THE OCCUPATIONAL CODE, 1980 PA 299, MCL 339.1605 AND 339.1606.

(C) A PSYCHIATRIST AS THAT TERM IS DEFINED IN SECTION 100C OF THE MENTAL HEALTH CODE, 1974 PA 258, MCL 330.1100C.

(D) AN OFFICIAL REPRESENTATIVE OF A RELIGIOUS INSTITUTION OR HIS OR HER DESIGNEE.

(2) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A PROGRAM REQUIRED BY SECTION 2A SHALL INCLUDE, BUT IS NOT LIMITED TO, TRAINING FOR COUPLES INTENDING TO MARRY COVERING THE FOLLOWING TOPICS:

(A) CONFLICT MANAGEMENT.

(B) COMMUNICATION SKILLS.

(C) FINANCIAL RESPONSIBILITIES.

(D) CHILDREN AND PARENTING RESPONSIBILITIES.

(E) IF 1 OF THE PARTIES IS A MINOR, BOTH OF THE FOLLOWING:

(i) MINORS AND MARRIAGE.

(ii) EXTENDED FAMILY ROLES AND THE MARRIAGE.

(3) IF THE INDIVIDUAL CONDUCTING A PROGRAM DESCRIBED IN THIS SECTION IS AN OFFICIAL REPRESENTATIVE OF A RELIGIOUS INSTITUTION OR HIS OR HER DESIGNEE, THE PROGRAM MAY OMIT TRAINING COVERING A TOPIC LISTED IN SUBSECTION (2) IF TRAINING ON THAT TOPIC WOULD VIOLATE A TENET OF THE RELIGIOUS INSTITUTION.

(4) A PROGRAM PROVIDER SHALL OFFER A FEE SCHEDULE FOR THE PROGRAM DESCRIBED IN THIS SECTION THAT ACCOMMODATES FAMILIES OF VARIOUS FINANCIAL MEANS, INCLUDING ALLOWING PARTICIPATION BY INDIGENT INDIVIDUALS FOR NO FEE. PAYMENT FOR AN EDUCATION OR COUNSELING PROGRAM SHALL BE MADE DIRECTLY TO THE PROGRAM PROVIDER.

Sec. 3. (1) ~~Every person who becomes~~ AN INDIVIDUAL WHO IS 18 years of age ~~shall be~~ OR OLDER IS capable by law of contracting marriage. ~~Every person who becomes~~ AN INDIVIDUAL WHO IS 16 years of age but is less than 18 years of age ~~shall be~~ IS capable of contracting marriage with the written consent of 1 of the INDIVIDUAL'S parents ~~of the person~~ or the ~~person's~~ INDIVIDUAL'S legal guardian, as provided in this section. As proof of age, the party to the intended marriage, in addition to the statement of age in the application, when requested by the county clerk, shall submit a birth certificate or other proof of age.

(2) The county clerk on the application made shall fill out the blank spaces of the license according to the sworn answers of the applicant, taken before the county clerk, or some person duly authorized by law to administer oaths. When it appears from the affidavit that either the applicant is applying for a license for the marriage to ~~a person~~ AN INDIVIDUAL who has not become 18 years of age or that the applicant has not become 18 years of age, or both ~~persons~~ INDIVIDUALS applying for a license are less than 18 years of age, the county clerk shall require that there first be produced the written consent of 1 of the parents of each of the ~~persons~~ INDIVIDUALS who is less than 18 years of age or of the ~~person's~~ INDIVIDUAL'S legal guardian to the marriage and to the issuing of the license for which application is made. The consent shall be given personally in the presence of the county clerk or be acknowledged before a notary public or other officer authorized to administer oaths unless the ~~person~~ INDIVIDUAL does not have a living parent or guardian.

(3) A license shall not be issued by the county clerk until the requirements of SECTION 2A AND this section are complied with. The written consent shall be preserved on file in the office of the county clerk. If the parties are legally entitled to be married, the county clerk shall sign the license and certify the fact that it is properly issued, and the clerk shall make a correct copy of the license in the books of registration.

(4) ~~(2)~~ A fee of \$20.00 shall be paid by the party applying for the license, which shall be paid by the county clerk into the general fund of the county. The county board of commissioners shall allocate \$15.00 of each fee collected to the circuit court for family counseling services, which shall include counseling for domestic violence and child abuse. If family counseling services are not established in the county, the circuit court may use the money allocated to contract with public or private agencies providing similar services. ~~Funds~~ MONEY allocated to the circuit court ~~pursuant to~~ BY this section ~~which are~~ THAT IS not expended shall be returned to the general fund of the county to be held in escrow until circuit court family counseling services are established ~~pursuant to Act No. 155 of the Public Acts of 1964, as amended, being sections 551.331 to 551.344 of the Michigan Compiled Laws~~ UNDER THE CIRCUIT COURT FAMILY COUNSELING SERVICES ACT, 1964 PA 155, MCL 551.331 TO 551.344. A probate court may order the county clerk to waive the marriage license fee in cases in which the fee would result in undue hardship. If both parties named in the application are nonresidents of the state, an additional fee of \$10.00 shall be paid by the party applying for the license, which shall be deposited by the county clerk into the general fund of the county.

(5) The county clerk shall give the license filled out and signed, together with the blank form of certificate, to the party applying, for delivery to the clergyman or magistrate who is to officiate at the marriage. On the return of the license to the county clerk, with the certificate of the clergyman or magistrate that the marriage has been performed, the county clerk shall record in the book of registration in the proper place of entry the information prescribed by the director of public health. The licenses and certificates issued and returned shall be forwarded to the state registrar appointed by the director of public health on the forms and in the manner prescribed by the director.

(6) ~~(3)~~ A charter county ~~which~~ THAT has a population of over 2,000,000 may impose by ordinance a marriage license fee or nonresident marriage license fee, or both, different in amount than the fee prescribed by subsection ~~(2)~~ (4). The charter county shall allocate the fee for family counseling services as prescribed by subsection ~~(2)~~ (4). A charter county shall not impose a fee ~~which~~ THAT is greater than the cost of the service for which the fee is charged.

Sec. 3a. (1) A license to marry shall not be delivered within a period of 3 days including the date of application. However, the county clerk of each county, for good and sufficient cause shown, may deliver the license immediately following the application. A marriage license issued UNDER THIS SUBSECTION is void unless a marriage is solemnized under the license within 33 days after the application. THIS SUBSECTION DOES NOT APPLY IF SUBSECTION (2) APPLIES.

(2) IF A PARTY TO A MARRIAGE LICENSE APPLICATION DOES NOT COMPLY WITH SECTION 2A, THE CLERK SHALL NOT DELIVER THE MARRIAGE LICENSE WITHIN 60 DAYS AFTER THE DATE OF THE APPLICATION. A MARRIAGE LICENSE ISSUED UNDER THIS SUBSECTION IS VOID UNLESS A MARRIAGE IS SOLEMNIZED UNDER THE LICENSE WITHIN 93 DAYS AFTER THE APPLICATION.”.

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

Rep. Dalman demanded the yeas and nays.

The demand was supported.

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

Point of Order

Rep. LaForge requested the Chair to rule on the question of whether or not the amendment offered by Rep. Dalman was germane.

The Chair ruled that the amendment is not germane pursuant to House Rule 64; it introduces a new proposition which is not germane to the subject matter of the bill as introduced and as it is before the House.

Reps. Cropsey and Raczkowski moved to amend the bill as follows:

1. Amend page 2, following line 14, following subsection (2), by inserting:

“(3) A REQUIREMENT UNDER THIS SECTION TO INCLUDE A SOCIAL SECURITY NUMBER ON AN APPLICATION DOES NOT APPLY TO AN APPLICANT WHO IS EXEMPT UNDER FEDERAL LAW FROM OBTAINING A SOCIAL SECURITY NUMBER OR WHO IS EXEMPT UNDER FEDERAL OR STATE LAW FROM INCLUDING HIS OR HER SOCIAL SECURITY NUMBER ON SUCH AN APPLICATION. THE COUNTY CLERK SHALL INFORM THE APPLICANT OF THIS POSSIBLE EXEMPTION.”.

The question being on the adoption of the amendment offered by Reps. Cropsey and Raczkowski,

Rep. Cropsey moved to amend the Cropsey and Raczkowski amendment as follows:

1. Amend Reps. Cropsey and Raczkowski Amendment No. 5, page 2, line 6, following subsection (3), by inserting:

“(3) AN APPLICANT WHO OBJECTS TO OBTAINING OR DISCLOSING HIS OR HER SOCIAL SECURITY NUMBER ON AN APPLICATION FOR RELIGIOUS, MORAL, OR PHILOSOPHICAL REASONS IS EXEMPT FROM THE REQUIREMENT UNDER THIS SECTION TO INCLUDE A SOCIAL SECURITY NUMBER ON AN APPLICATION. THE COUNTY CLERK SHALL VERBALLY INFORM THE APPLICANT OF THIS POSSIBLE EXEMPTION.”.

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

The question being on the adoption of the amendment offered previously by Reps. Cropsey and Raczkowski,

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

Reps. Gire, Horton and LaForge moved to amend the bill as follows:

1. Amend page 1, following “THE PEOPLE OF THE STATE OF MICHIGAN ENACT:” by inserting:

“TITLE

An act establishing the minimum ages for contracting marriages; ~~for the requiring of~~ TO REQUIRE a civil license in order to marry ; and ~~the due~~ ITS registration; ~~of the same,~~ TO PROVIDE FOR THE IMPLEMENTATION OF FEDERAL LAW; and to provide a penalty for the violation of ~~the provisions of the same~~ THIS ACT.”.

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

Rep. Gustafson moved to amend the bill as follows:

1. Amend page 2, following line 14, by inserting:

“Enacting section 1. This amendatory act takes effect July 1, 1998.”.

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

Reps. Horton, McNutt and LaForge moved to amend the bill as follows:

1. Amend page 2, following line 14, following enacting section 1, by inserting:

“Enacting section 2. The family independence agency shall request from the federal government an exemption from the provisions regarding the recording of social security numbers added by this 1998 amendatory act, which are intended to be used for the collection of child support, as required by federal law in order for this state to receive certain federal funds. Upon the granting of the exemption, those provisions referred to by this enacting section shall not be utilized or enforced by the state or a local governmental entity.”.

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

Reps. McNutt and Gire moved to amend the bill as follows:

1. Amend page 2, line 14, after “REGISTRAR.” by inserting “THE STATE REGISTRAR SHALL NOT REQUIRE AN APPLICANT’S SOCIAL SECURITY NUMBER TO BE DISPLAYED ON THE MARRIAGE LICENSE.”.

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

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).

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

Roll Call No. 239

Yeas—63

Agee	Gagliardi	Johnson	Perricone
Baade	Geiger	Kelly	Price
Baird	Gilmer	Kilpatrick	Richner
Banks	Gire	LaForge	Rison
Birkholz	Godchaux	Law	Schauer
Bobier	Goschka	Leland	Scott
Brewer	Gustafson	LeTarte	Scranton
Brown	Hale	London	Sikkema
Byl	Hammerstrom	Mathieu	Stallworth
Callahan	Hanley	McBryde	Thomas
Ciaramitaro	Harder	McNutt	Varga
Curtis	Hertel	Murphy	Vaughn
DeVuyst	Hood	Olshove	Wallace
Dobronski	Jansen	Owen	Wetters
Emerson	Jelinek	Oxender	Wojno
Fitzgerald	Jellema	Parks	

Nays—40

Anthony	DeHart	Kukuk	Rhead
Basham	Dobb	Llewellyn	Rocca
Bodem	Frank	Lowe	Sanborn
Bogardus	Freeman	Martinez	Schermesser
Brackenridge	Galloway	Middaugh	Schroer
Brater	Gernaat	Middleton	Tesanovich
Cassis	Green	Nye	Voorhees

Crissman
Cropsey
Dalman

Gubow
Horton
Kaza

Prusi
Quarles
Raczkowski

Walberg
Whyman
Willard

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 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 the title and section 2 (MCL 551.102).

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.

Second Reading of Bills

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.

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

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

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

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

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

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

The Speaker called the Speaker Pro Tempore to the Chair.

By unanimous consent the House returned to the order of

Third Reading of Bills

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.

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

Roll Call No. 240

Yeas—62

Agee
Baade
Baird
Birkholz
Bobier
Bogardus
Brackenridge
Brewer
Brown
Byl

Dobronski
Emerson
Fitzgerald
Gagliardi
Geiger
Gernaat
Gilmer
Gire
Godchaux
Goschka

Jelinek
Jellema
Johnson
Kelly
Kilpatrick
LaForge
Law
Leland
LeTarte
Llewellyn

Murphy
Olshove
Oxender
Perricone
Price
Rhead
Richner
Rison
Schauer
Scranton

Callahan	Griffin	London	Sikkema
Cassis	Gustafson	Martinez	Thomas
Ciaramitaro	Hammerstrom	Mathieu	Varga
Crissman	Hanley	McBryde	Wallace
Curtis	Harder	McNutt	Wojno
DeVuyst	Jansen		

Nays—42

Anthony	Galloway	Nye	Schroer
Banks	Green	Owen	Scott
Basham	Gubow	Palamara	Stallworth
Bodem	Hale	Parks	Tesanovich
Brater	Hood	Prusi	Vaughn
Cropsey	Horton	Quarles	Voorhees
Dalman	Kaza	Raczkowski	Walberg
DeHart	Kukuk	Rocca	Wetters
Dobb	Lowe	Sanborn	Whyman
Frank	Middaugh	Schermesser	Willard
Freeman	Middleton		

In The Chair: Murphy

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

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

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 43559 (MCL 324.43559), as amended by 1996 PA 585.

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.

Second Reading of Bills

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.

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

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

Rep. Gustafson moved to amend the bill as follows:

1. Amend page 11, following line 7, by inserting:

"Enacting section 1. This amendatory act takes effect July 1, 1998." and renumbering the remaining enacting section.

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

Reps. LaForge and Horton moved to amend the bill as follows:

1. Amend page 1, following "THE PEOPLE OF THE STATE OF MICHIGAN ENACT:" by inserting:

"Sec. 1. As used in this act:

(a) "Child born out of wedlock" means a child begotten and born to a woman who was not married from the conception to the date of birth of the child, or a child ~~which~~ THAT the court has determined to be a child born or conceived during a marriage but not the issue of that marriage.

- (b) "Child" means a child born out of wedlock.
- (c) "Mother" means the mother of a child born out of wedlock.
- (d) "Court" means the circuit court.

(E) "TESTING MATERIAL" MEANS ANY SUBSTANCE OR INFORMATION USED FOR OR PRODUCED BY GENETIC PATERNITY TESTING CONDUCTED UNDER THIS ACT OTHER THAN A REPORT SUBMITTED TO A COURT FOR A PATERNITY DETERMINATION."

2. Amend page 5, following line 26, by inserting:

"Sec. 4a. (1) The summons or other initial notice to a party in an action under this act shall contain notification that the party's obligation to support the child will be determined and that the party's rights to custody of and parenting time with the child may be determined during the paternity action.

(2) THE FAMILY INDEPENDENCE AGENCY OR ITS DESIGNEE THAT REQUIRES A PARTY TO APPEAR FOR GENETIC PATERNITY TESTING AS PROVIDED IN SECTION 4, OR THE PARTY REQUESTING GENETIC PATERNITY TESTING IF A COURT ORDERS GENETIC PATERNITY TESTING FOR AN INDIVIDUAL AS PROVIDED IN SECTION 4, SHALL SERVE NOTICE OF THE TESTING ON THE MOTHER AND THE ALLEGED FATHER. THE NOTICE SHALL INCLUDE EXPLANATIONS OF ALL OF THE FOLLOWING:

- (A) THE TEST TO BE PERFORMED.
- (B) THE PURPOSE AND POTENTIAL USES OF THE TEST.
- (C) HOW THE TEST RESULTS WILL BE USED TO ESTABLISH PATERNITY OR NONPATERNITY AS PROVIDED IN SECTION 6.
- (D) HOW THE INDIVIDUAL WILL BE PROVIDED WITH THE TEST RESULTS.
- (E) THE INDIVIDUAL'S RIGHT TO KEEP THE TEST RESULTS CONFIDENTIAL AS PROVIDED IN SECTION 6A."

3. Amend page 9, following line 2, by inserting:

"SEC. 6A. (1) EXCEPT AS AUTHORIZED UNDER THIS ACT, A PERSON SHALL NOT DISCLOSE INFORMATION OBTAINED FROM GENETIC PATERNITY TESTING THAT IS AUTHORIZED UNDER THIS ACT.

(2) IF AN ALLEGED FATHER WHO IS TESTED AS PART OF AN ACTION UNDER THIS ACT IS FOUND TO BE THE CHILD'S FATHER, THE CONTRACTING LABORATORY SHALL RETAIN THE GENETIC TESTING MATERIAL OF THE ALLEGED FATHER, MOTHER, AND CHILD FOR NO LONGER THAN THE PERIOD OF YEARS PRESCRIBED BY THE NATIONAL STANDARDS UNDER WHICH THE LABORATORY IS ACCREDITED. IF A MAN IS FOUND NOT TO BE THE CHILD'S FATHER, THE COURT SHALL ORDER THE MAN'S GENETIC TESTING MATERIAL TO BE DESTROYED AFTER ITS USE IN THE PATERNITY ACTION, AND THE GENETIC TESTING MATERIAL OF THE MOTHER AND CHILD TO BE RETAINED FOR NO LONGER THAN THE PERIOD OF YEARS PRESCRIBED BY THE NATIONAL STANDARDS UNDER WHICH THE LABORATORY IS ACCREDITED. A CONTRACTING LABORATORY SHALL DESTROY AN INDIVIDUAL'S TESTING MATERIAL AS PROVIDED IN THIS SUBSECTION AND SHALL NOTIFY THE ADULT INDIVIDUAL, OR THE PARENT OR LEGAL GUARDIAN OF A MINOR INDIVIDUAL, BY CERTIFIED MAIL THAT THE TESTING MATERIAL WAS DESTROYED.

(3) A CONTRACTING LABORATORY, THE FAMILY INDEPENDENCE AGENCY OR ITS DESIGNEE, OR ANOTHER ENTITY INVOLVED WITH THE GENETIC PATERNITY TESTING ARE ALL REQUIRED TO PROTECT THE CONFIDENTIALITY OF TESTING MATERIAL, EXCEPT AS REQUIRED FOR A PATERNITY DETERMINATION UNDER THIS ACT. THE COURT, ITS OFFICERS, AND THE FAMILY INDEPENDENCE AGENCY SHALL NOT USE OR DISCLOSE TESTING MATERIAL FOR A PURPOSE OTHER THAN THE PATERNITY DETERMINATION AS AUTHORIZED BY THIS ACT.

(4) A PERSON SHALL NOT SELL, TRANSFER, OR OFFER TESTING MATERIAL OBTAINED UNDER THIS ACT EXCEPT AS AUTHORIZED BY THIS ACT.

(5) A VIOLATION OF THIS SECTION IS A MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN \$5,000.00. A SECOND OR SUBSEQUENT VIOLATION OF THIS SECTION IS A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF NOT MORE THAN \$10,000.00, OR BOTH."

The question being on the adoption of the amendments offered by Reps. LaForge and Horton,

Point of Order

Rep. Dalman requested a ruling of the Chair on whether or not the amendments offered by Reps. LaForge and Horton are germane to the bill.

The Chair ruled that the amendment is germane. It does not add a new proposition to the bill as before the House.

The question being on the adoption of the amendments offered previously by Reps. LaForge and Horton, The amendments were adopted, a majority of the members serving voting therefor. Rep. Cropsey moved that consideration of the bill be postponed temporarily. The motion prevailed.

Rep. Wetters asked and obtained a temporary excuse from today's session.

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.

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

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

Reps. Raczkowski, Dalman and Baird moved to amend the bill as follows:

1. Amend page 1, following "THE PEOPLE OF THE STATE OF MICHIGAN ENACT:" by inserting:

"Sec. 22. (1) ~~Whenever the court shall think proper~~ IF A COURT DECIDES to award to either party any of the real and personal estate of either party, or ~~any money in lieu thereof, such~~ INSTEAD OF THAT PROPERTY, THE court may require either party to disclose on oath ~~what~~ THE real and personal estate THAT has come to either party by reason of the marriage ; and how it has been disposed of, and what portion ~~thereof~~ OF THE PROPERTY still remains in the hands of either party.

(2) FOR PURPOSES OF PROPERTY DIVISION, THE COURT SHALL GIVE SUBSTANTIAL WEIGHT TO A FINDING OF FAULT THAT IS BASED ON THE CONDUCT OF A PARTY TO A DIVORCE, WHICH WEIGHT THE COURT SHALL CONSIDER GREATER THAN ANY OTHER FACTOR. UNLESS THE COURT FINDS ON THE RECORD THAT THE FACTS OF THE PARTICULAR CASE MAKE A DISPROPORTIONAL PROPERTY DIVISION INEQUITABLE, A PROPERTY DIVISION IS EQUITABLE AND REASONABLE EVEN THOUGH IT AWARDS AN OTHERWISE DISPROPORTIONAL PORTION OF THE PROPERTY TO THE PARTY NOT FOUND TO HAVE FAULT."

The question being on the adoption of the amendment offered by Reps. Raczkowski, Dalman and Baird,

Point of Order

Rep. LaForge requested the Chair to rule on the question of whether or not the amendment offered by Reps. Raczkowski, Dalman and Baird was germane.

The Chair ruled that the amendment is not germane pursuant to House Rule 64; it introduces a new proposition which is not germane to the subject matter of the bill as introduced and as it is before the House.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 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.

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

Roll Call No. 241**Yeas—86**

Agee	Fitzgerald	Jellema	Price
Anthony	Frank	Johnson	Prusi
Baade	Freeman	Kelly	Quarles
Baird	Gagliardi	Kilpatrick	Rhead
Banks	Galloway	LaForge	Richner
Basham	Geiger	Law	Rison
Birkholz	Gernaat	Leland	Rocca
Bobier	Gilmer	LeTarte	Sanborn
Bodem	Godchaux	Llewellyn	Schauer
Bogardus	Goschka	London	Schermesser
Brackenridge	Green	Martinez	Schroer
Brater	Griffin	Mathieu	Scott
Brewer	Gustafson	McBryde	Scranton
Brown	Hale	McNutt	Sikkema
Cassis	Hammerstrom	Middaugh	Stallworth
Crissman	Hanley	Murphy	Thomas
Curtis	Harder	Olshove	Varga
DeHart	Hertel	Owen	Vaughn
DeVuyst	Hood	Oxender	Voorhees
Dobb	Horton	Parks	Wallace
Dobronski	Jansen	Perricone	Wojno
Emerson	Jelinek		

Nays—12

Cropsey	Kaza	Nye	Walberg
Dalman	Kukuk	Raczkowski	Whyman
Gubow	Lowe	Tesanovich	Willard

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

—

Rep. Thomas moved that Rep. Callahan be excused temporarily from today's session.

The motion prevailed.

Second Reading of Bills**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.

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

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

Reps. Gire, LaForge and Horton moved to amend the bill as follows:

1. Amend page 7, line 3, after "(T)" by striking out the balance of the subdivision and inserting "RECREATIONAL OR SPORTING LICENSE" MEANS A HUNTING, FISHING, OR FUR HARVESTER'S LICENSE ISSUED UNDER THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.101 TO 324.90106, BUT DOES NOT INCLUDE A COMMERCIAL FISHING LICENSE OR PERMIT ISSUED UNDER PART 473 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.47301 TO 324.47362."

2. Amend page 7, line 11, by striking out all of subdivision (W) and relettering the remaining subdivisions.

3. Amend page 23, line 12, after "license," by striking out "RECREATIONAL LICENSE," and inserting "OR RECREATIONAL".

4. Amend page 23, line 18, after "license," by striking out "RECREATIONAL LICENSE," and inserting "OR RECREATIONAL".

5. Amend page 32, line 3, after "license," by striking out "RECREATIONAL LICENSE," and inserting "OR RECREATIONAL".

6. Amend page 32, line 4, after "COMBINATION" by striking out "THEREOF" and inserting "OF THE LICENSES".

7. Amend page 32, line 10, after "license," by striking out "RECREATIONAL LICENSE," and inserting "OR RECREATIONAL".

8. Amend page 32, line 21, after "license," by striking out "RECREATIONAL LICENSE," and inserting "OR RECREATIONAL".

9. Amend page 32, line 22, after "COMBINATION" by striking out "THEREOF" and inserting "OF THE LICENSES".

10. Amend page 34, line 10, by striking out "RECREATIONAL LICENSE," and inserting "OR RECREATIONAL".

11. Amend page 34, line 10, after the second "OR" by striking out the balance of the line through "THEREOF" on line 11 and inserting "ANY COMBINATION OF THE LICENSES,".

12. Amend page 34, line 19, after "license," by striking out "RECREATIONAL LICENSE," and inserting "OR RECREATIONAL".

13. Amend page 34, line 20, after "COMBINATION" by striking out "THEREOF" and inserting "OF THE LICENSES".

14. Amend page 35, line 19, after "43559" by striking out "OR 81116A".

15. Amend page 35, line 20, after "324.43559" by striking out the balance of the line through "324.81116A" on line 21.

16. Amend page 36, line 24, after "license," by striking out "RECREATIONAL LICENSE," and inserting "OR RECREATIONAL".

17. Amend page 38, line 2, after "license," by striking out "RECREATIONAL LICENSE," and inserting "OR RECREATIONAL".

18. Amend page 40, line 13, after "license," by striking out "RECREATIONAL LICENSE," and inserting "OR RECREATIONAL".

19. Amend page 41, line 26, after "43559" by striking out "OR 81116A".

20. Amend page 41, line 27, after "324.43559" by striking out "AND 324.81116A".

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

Rep. Horton moved to amend the bill as follows:

1. Amend page 37, line 7, after "ACTIVITY." by inserting "THE COURT SHALL NOT ENTER AN ORDER USING THIS SUBDIVISION UNLESS THE PAYER'S ARREARAGE IS UNDER A CHILD SUPPORT ORDER AND A CHILD WHO IS THE SUBJECT OF THAT ORDER IS RECEIVING FINANCIAL ASSISTANCE UNDER TITLE IV OF THE SOCIAL SECURITY ACT, CHAPTER 531, 49 STAT. 620, 42 U.S.C. 601 TO 603, 604 TO 608, 609 TO 619, 620 TO 629e, 651 TO 660, 663 TO 669b, 670 TO 673, 673b, 674 TO 679, 679b, AND 681 TO 687. THIS SUBDIVISION DOES NOT ALTER THE COURT'S AUTHORITY TO INCLUDE PROVISIONS IN AN ORDER ISSUED UNDER THIS SECTION CONCERNING A PAYER'S EMPLOYMENT OR HIS OR HER SEEKING OF EMPLOYMENT AS THAT AUTHORITY EXISTS ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBDIVISION."

2. Amend page 38, line 11, after "ACTIVITY." by inserting "THE COURT SHALL NOT ENTER AN ORDER USING THIS SUBDIVISION UNLESS THE PAYER'S ARREARAGE IS UNDER A CHILD SUPPORT ORDER AND A CHILD WHO IS THE SUBJECT OF THAT ORDER IS RECEIVING FINANCIAL ASSISTANCE UNDER TITLE IV OF THE SOCIAL SECURITY ACT, CHAPTER 531, 49 STAT. 620, 42 U.S.C. 601 TO 603, 604 TO 608, 609 TO 619, 620 TO 629e, 651 TO 660, 663 TO 669b, 670 TO 673, 673b, 674 TO 679, 679b, AND 681 TO 687. THIS SUBDIVISION DOES NOT ALTER THE COURT'S AUTHORITY TO INCLUDE PROVISIONS IN AN ORDER ISSUED UNDER THIS SECTION CONCERNING A PAYER'S EMPLOYMENT OR HIS OR HER SEEKING OF EMPLOYMENT AS THAT AUTHORITY EXISTS ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBDIVISION."

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

Reps. Sanborn and Horton moved to amend the bill as follows:

1. Amend page 24, line 5, after “court” by striking out the comma and “upon” and inserting “MAY DO 1 OR BOTH OF THE FOLLOWING:

(A) UPON”.

2. Amend page 24, line 7, after “hearing,” by striking out “may”.

3. Amend page 25, following line 6, by inserting:

“(B) UPON PETITION BY THE FAMILY INDEPENDENCE AGENCY, FRIEND OF THE COURT, OR RECIPIENT OF SUPPORT AND AFTER NOTICE TO A MINOR PAYER’S PARENT AND AN OPPORTUNITY FOR A HEARING, THE COURT MAY ORDER THE MINOR PAYER’S PARENT TO PAY THE PAYER’S ARREARAGE OR ONGOING CHILD SUPPORT OBLIGATION, OR BOTH, UNTIL THE PAYER IS 18 YEARS OLD. THIS SUBDIVISION DOES NOT APPLY UNLESS THE CUSTODIAL PARENT OF THE CHILD WHO IS THE BASIS OF THE CHILD SUPPORT IS A MINOR AND THE CHILD’S CUSTODIAL PARENT OR THE CHILD IS RECEIVING FINANCIAL ASSISTANCE UNDER TITLE IV OF THE SOCIAL SECURITY ACT, CHAPTER 531, 49 STAT. 620, 42 U.S.C. 601 TO 603, 604 TO 608, 609 TO 619, 620 TO 629e, 651 TO 660, 663 TO 669b, 670 TO 673, 673b, 674 TO 679, 679b, AND 681 TO 687.”.

The question being on the adoption of the amendments offered by Reps. Sanborn and Horton, Rep. Sanborn demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Sanborn and Horton,

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

The motion prevailed.

The House returned to the consideration of

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.

(The bill was considered earlier today, see today’s Journal, p. 670.)

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 1, line 7, after “proper.” by striking out the balance of the subsection.

2. Amend page 6, line 3, after “cross examination.” by inserting “Either party may demand a trial by jury.”.

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

Rep. Cropsey demanded the yeas and nays.

The demand was supported.

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

Rep. Gubow moved that the amendments be considered separately.

The motion prevailed.

The question being on the adoption of the amendment No. 1 offered by Rep. Cropsey,

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

Roll Call No. 242

Yeas—84

Anthony	Frank	Kaza	Perricone
Baade	Freeman	Kelly	Profit
Baird	Gagliardi	Kilpatrick	Prusi
Banks	Galloway	Kukuk	Raczkowski
Basham	Geiger	Law	Rhead
Birkholz	Gernaat	Leland	Richner
Bodem	Gilmer	LeTarte	Rocca
Bogardus	Gire	Llewellyn	Sanborn
Brackenridge	Godchaux	London	Schauer
Brown	Goschka	Lowe	Schermesser
Byl	Green	Martinez	Scott
Cassis	Griffin	Mathieu	Scranton
Crissman	Gustafson	McBryde	Sikkema

Cropsey	Hammerstrom	McNutt	Stallworth
Curtis	Harder	Middaugh	Tesanovich
Dalman	Hood	Middleton	Thomas
DeHart	Horton	Nye	Vaughn
DeVuyst	Jansen	Olshove	Voorhees
Dobb	Jelinek	Owen	Walberg
Dobronski	Jellema	Oxender	Whyman
Fitzgerald	Johnson	Parks	Wojno

Nays—13

Agee	Hale	Murphy	Rison
Brater	Hanley	Price	Schroer
Brewer	LaForge	Quarles	Willard
Gubow			

In The Chair: Murphy

The question being on the adoption of the amendment No. 2 offered by Rep. Cropsey,

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

Roll Call No. 243**Yeas—99**

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

Nays—0

In The Chair: Murphy

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

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.

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

Roll Call No. 244

Yeas—101

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

Nays—0

In The Chair: Murphy

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

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

A bill to amend 1956 PA 205, entitled "An act to confer upon circuit courts jurisdiction over proceedings to compel and provide support of children born out of wedlock; to prescribe the procedure for determination of such liability; to authorize agreements providing for furnishing of such support and to provide for the enforcement thereof; and to prescribe penalties for the violation of certain provisions of this act," by amending sections 1, 2, 4, 4a, 5, 6, and 9

(MCL 722.711, 722.712, 722.714, 722.714a, 722.715, 722.716, and 722.719), section 1 as amended by 1986 PA 107, sections 4 and 6 as amended by 1996 PA 308, section 4a as added by 1994 PA 388, section 5 as amended by 1989 PA 258, and section 9 as amended by 1996 PA 18, and by adding section 6a.

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.

Second Reading of Bills

The House returned to the consideration of

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.

(The bill was considered earlier today, see today's Journal, p. 673.)

The question being on the adoption of the amendments offered previously by Reps. Sanborn and Horton,

Rep. Sanborn withdrew the amendments.

Reps. Cropsey and Raczkowski moved to amend the bill as follows:

1. Amend page 11, line 9, after "NUMBER." by inserting "THE REQUIREMENT OF THIS SUBDIVISION TO PROVIDE A SOCIAL SECURITY NUMBER WITH THE INFORMATION DOES NOT APPLY TO A PAYER OR PAYEE WHO IS EXEMPT UNDER FEDERAL LAW FROM OBTAINING A SOCIAL SECURITY NUMBER OR WHO IS EXEMPT UNDER FEDERAL OR STATE LAW FROM DISCLOSURE OF HIS OR HER SOCIAL SECURITY NUMBER UNDER THESE CIRCUMSTANCES. THE COURT SHALL INFORM THE PAYER AND PAYEE OF THIS POSSIBLE EXEMPTION."

The question being on the adoption of the amendment offered by Reps. Cropsey and Raczkowski,

Rep. Cropsey moved to amend the Cropsey and Raczkowski amendment as follows:

1. Amend the Cropsey and Raczkowski Amendment, page 11, line 9, after "EXEMPTION." by inserting:

"(7) A PAYER OR PAYEE WHO OBJECTS TO OBTAINING OR DISCLOSING HIS OR HER SOCIAL SECURITY NUMBER FOR RELIGIOUS, MORAL, OR PHILOSOPHICAL REASONS IS EXEMPT FROM THE REQUIREMENT UNDER THIS SECTION TO INFORM THE FRIEND OF THE COURT OF HIS OR HER SOCIAL SECURITY NUMBER. THE FRIEND OF THE COURT SHALL VERBALLY INFORM THE APPLICANT OF THIS POSSIBLE EXEMPTION." and renumbering the remaining subsection.

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

The question being on the adoption of the amendment offered by Reps. Cropsey and Raczkowski,

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

Reps. LaForge, Horton and Gire moved to amend the bill as follows:

1. Amend page 26, line 18, by striking out all of subsection (6) and inserting:

"(6) TO PERFECT A LIEN CREATED BY SECTION 25A, THE OFFICE OF THE FRIEND OF THE COURT MUST RECORD THE LIEN WITH THE REGISTER OF DEEDS IN THE COUNTY WHERE THE REAL PROPERTY IS LOCATED, OR FOR PERSONAL PROPERTY, IN THE APPROPRIATE STATE OR COUNTY OFFICE. A LIEN RECORDED AS PROVIDED IN THIS SUBSECTION TAKES EFFECT ON THE DATE AND AT THE TIME OF THAT RECORDING."

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

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

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

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

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

The Speaker resumed the Chair.

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

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.

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

Roll Call No. 245

Yeas—71

Agee	Dalman	Hood	Olshove
Baade	DeVuyst	Horton	Owen
Baird	Dobb	Jansen	Oxender
Bankes	Dobronski	Jelinek	Parks
Basham	Emerson	Jellema	Perricone
Birkholz	Fitzgerald	Johnson	Price
Bobier	Freeman	Kelly	Richner
Bodem	Gagliardi	LaForge	Rocca
Bogardus	Galloway	Leland	Schauer
Brackenridge	Geiger	LeTarte	Schroer
Brater	Gernaat	Llewellyn	Scranton
Brown	Gire	London	Sikkema
Byl	Godchaux	Martinez	Stallworth
Callahan	Goschka	Mathieu	Thomas
Cassis	Hammerstrom	McBryde	Varga
Ciaramitaro	Hanley	McNutt	Wallace
Crissman	Harder	Middleton	Wojno
Curtis	Hertel	Murphy	

Nays—27

Anthony	Gustafson	Nye	Scott
Brewer	Hale	Prusi	Tesanovich
Cropsey	Kaza	Raczkowski	Vaughn
DeHart	Kilpatrick	Rhead	Walberg
Frank	Kukuk	Rison	Whyman
Green	Lowe	Sanborn	Willard
Gubow	Middaugh	Schermesser	

In The Chair: Hertel

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

"An act to provide for and to supplement statutes that provide for the enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody, and spouse support; to prescribe certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts,".

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

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.

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

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

Reps. Gire, LaForge and Horton moved to amend the bill as follows:

1. Amend page 3, line 2, after "HAS" by striking out "OR HAD CUSTODY OF" and inserting "PHYSICALLY CARED FOR".

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

Reps. Gire, LaForge and Horton moved to amend the bill as follows:

1. Amend page 9, line 5, after "THE" by striking out "ACTUAL".

2. Amend page 9, line 9, after "THE" by striking out "ACTUAL".

3. Amend page 9, line 11, after "INCURRED." by inserting "FOR THE PURPOSES OF THIS SUBSECTION, EACH VIOLATION GIVES RISE TO A SEPARATE CAUSE OF ACTION FOR WHICH SEPARATE DAMAGES MAY BE AWARDED. FOR THE PURPOSES OF THIS SUBSECTION, DAMAGES INCLUDE REASONABLE ATTORNEY FEES."

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

Rep. Horton moved to amend the bill as follows:

1. Amend page 7, line 13, after "OF" by striking out "AN" and inserting "THE".

2. Amend page 8, line 12, after "FATHER" by inserting "WHO IS OR WAS EMPLOYED BY OR AN INDEPENDENT CONTRACTOR OF THE ENTITY".

3. Amend page 8, line 18, after "ENTITY." by inserting "THIS SUBSECTION DOES NOT ABROGATE A CONFIDENTIALITY PRIVILEGE ESTABLISHED BY LAW."

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

Rep. Gustafson moved to amend the bill as follows:

1. Amend page 15, following line 19, by inserting:

"Enacting section 1. This amendatory act takes effect July 1, 1998."

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

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.

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

Roll Call No. 246

Yeas—92

Agee	Dobronski	Jansen	Price
Anthony	Emerson	Jelinek	Profit
Baade	Fitzgerald	Jellema	Prusi
Baird	Frank	Johnson	Quarles
Bankes	Freeman	Kelly	Rhead
Basham	Gagliardi	Kilpatrick	Richner
Birkholz	Galloway	LaForge	Rison
Bobier	Geiger	Leland	Rocca
Bodem	Gernaat	LeTarte	Sanborn

Bogardus	Gire	Llewellyn	Schauer
Brackenridge	Godchaux	London	Schermesser
Brater	Goschka	Martinez	Schroer
Brewer	Green	Mathieu	Scott
Brown	Griffin	McBryde	Scranton
Byl	Gubow	McNutt	Sikkema
Callahan	Gustafson	Middaugh	Stallworth
Cassis	Hale	Middleton	Tesanovich
Ciaramitaro	Hammerstrom	Murphy	Thomas
Curtis	Hanley	Olshove	Varga
Dalman	Harder	Owen	Vaughn
DeHart	Hertel	Oxender	Wallace
DeVuyst	Hood	Parks	Willard
Dobb	Horton	Perricone	Wojno

Nays—8

Cropsey	Kukuk	Nye	Walberg
Kaza	Low	Rackowski	Whyman

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 1971 PA 174, entitled "An act to create the office of child support; and to prescribe certain powers and duties of the office, certain public agencies, and certain employers and former employers," by amending the title and sections 1, 2, 3, 3a, 4, and 5 (MCL 400.231, 400.232, 400.233, 400.233a, 400.234, and 400.235), the title and sections 1, 2, 3, and 5 as amended by 1985 PA 209 and section 3a as amended by 1996 PA 3, and by adding sections 4a, 4b, and 4c.

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.

Rep. Hammerstrom moved that Rep. Voorhees be excused temporarily from today's session.

The motion prevailed.

Senate Bill No. 3, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7410 (MCL 333.7410), as amended by 1994 PA 174.

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

Roll Call No. 247**Yeas—97**

Agee	Emerson	Jelinek	Profit
Anthony	Fitzgerald	Jellema	Prusi
Baade	Frank	Johnson	Quarles
Bankes	Freeman	Kaza	Rackowski
Basham	Gagliardi	Kelly	Rhead
Birkholz	Galloway	Kukuk	Richner
Bobier	Geiger	LaForge	Rocca
Bodem	Gernaat	Leland	Sanborn

Bogardus	Gilmer	LeTarte	Schauer
Brackenridge	Gire	Llewellyn	Schermesser
Brater	Godchaux	London	Schroer
Brewer	Goschka	Lowe	Scott
Brown	Green	Mathieu	Scranton
Byl	Griffin	McBryde	Sikkema
Callahan	Gubow	Middaugh	Stallworth
Cassis	Gustafson	Middleton	Tesanovich
Ciaramitaro	Hale	Murphy	Thomas
Crissman	Hammerstrom	Nye	Varga
Cropsey	Hanley	Olshove	Vaughn
Curtis	Harder	Owen	Walberg
Dalman	Hertel	Oxender	Wallace
DeHart	Hood	Parks	Whyman
DeVuyst	Horton	Perricone	Willard
Dobb	Jansen	Price	Wojno
Dobronski			

Nays—2

Kilpatrick Rison

In The Chair: Hertel

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”

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.

House Bill No. 4611, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 11510 (MCL 324.11510), as amended by 1996 PA 358.

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

Roll Call No. 248

Yeas—102

Agee	Emerson	Johnson	Profit
Anthony	Fitzgerald	Kaza	Prusi
Baade	Frank	Kelly	Quarles
Baird	Freeman	Kilpatrick	Raczkowski
Bankes	Gagliardi	Kukuk	Rhead

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

Nays—0

In The Chair: Hertel

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

House Bill No. 5282, entitled

A bill to amend 1879 PA 237, entitled "An act to provide for the execution, acknowledgment, and recording of contracts for the sale of land," (MCL 565.351 to 565.355) by adding sections 6, 7, 8, 9, 10, and 11; 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. 249**Yeas—99**

Agee	Emerson	Johnson	Prusi
Anthony	Fitzgerald	Kaza	Quarles
Baade	Frank	Kelly	Rackowski
Baird	Freeman	Kilpatrick	Rhead
Bankes	Galloway	Kukuk	Richner
Basham	Geiger	LaForge	Rison
Birkholz	Gernaat	Leland	Rocca
Bobier	Gilmer	LeTarte	Sanborn
Bodem	Gire	Llewellyn	Schauer
Bogardus	Godchaux	London	Schermesser
Brackenridge	Goschka	Lowe	Schroer
Brater	Green	Martinez	Scott
Brewer	Griffin	McBryde	Scranton
Brown	Gubow	McNutt	Sikkema
Byl	Gustafson	Middaugh	Stallworth
Callahan	Hale	Middleton	Tesanovich
Cassis	Hammerstrom	Murphy	Thomas
Crissman	Hanley	Nye	Varga

Cropsey	Harder	Olshove	Vaughn
Curtis	Hertel	Owen	Walberg
Dalman	Hood	Oxender	Wallace
DeHart	Horton	Parks	Whyman
DeVuyst	Jansen	Perricone	Willard
Dobb	Jelinek	Price	Wojno
Dobronski	Jellema	Profit	

Nays—0

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

House Bill No. 4201, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 217a (MCL 257.217a), as amended by 1988 PA 419.

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

Roll Call No. 250**Yeas—100**

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

Nays—0

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

Reps. Birkholz, Bodem, Cassis, DeHart, Freeman, Jellema, Johnson, Kelly, Kilpatrick, Kukuk, Llewellyn, Middleton, Oxender, Perricone, Profit, Raczkowski, Rhead, Richner, Schermesser, Vaughn and Willard were named co-sponsors of the bill.

House Bill No. 4363, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 503b.

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

Roll Call No. 251

Yeas—98

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

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 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 78101 and 78110 (MCL 324.78101 and 324.78110), as added by 1995 PA 58, and by adding sections 78113, 78114, 78115, and 78116.

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.

House Bill No. 5366, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43553, 47332, and 48737 (MCL 324.43553, 324.47332, and 324.48737), section 43553 as amended by 1996 PA 585 and sections 47332 and 48737 as added by 1995 PA 57, and by adding section 43555a.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

—

Rep. LaForge asked and obtained a temporary excuse from today's session.

House Bill No. 5059, entitled

A bill to amend 1994 PA 35, entitled "The forensic laboratory funding act," by amending the title and section 2 (MCL 12.202); 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. 252**Yeas—100**

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

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 1994 PA 35, entitled "The forensic laboratory funding act," by amending the title and sections 2 and 6 (MCL 12.202 and 12.206); 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.

—

The Associate Speaker Pro Tempore resumed the Chair.

House Bill No. 4742, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4m.

The bill was read a third time.

The question being on the passage of the bill,

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

1. Amend page 1, line 6, after "HOSPITAL" by inserting "OR IF THE CONSTRUCTION COSTS ARE PAID FOR BY THE NONPROFIT HOSPITAL AND THE REAL ESTATE IS USED FOR NONPROFIT MEDICAL CARE SERVICES".

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,

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

The motion prevailed.

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

Roll Call No. 253

Yeas—100

Agee	Dobronski	Jellema	Profit
Anthony	Emerson	Johnson	Prusi
Baade	Fitzgerald	Kaza	Quarles
Baird	Frank	Kelly	Raczkowski
Bankes	Freeman	Kilpatrick	Rhead
Basham	Gagliardi	Kukuk	Richner
Birkholz	Galloway	LaForge	Rison
Bobier	Geiger	Leland	Rocca
Bodem	Gernaat	LeTarte	Sanborn
Bogardus	Gilmer	Llewellyn	Schauer
Brackenridge	Gire	London	Schermesser
Brater	Godchaux	Lowe	Schroer
Brewer	Goschka	Martinez	Scott
Brown	Green	Mathieu	Scranton
Byl	Griffin	McBryde	Sikkema
Callahan	Gubow	McNutt	Stallworth
Cassis	Gustafson	Middaugh	Tesanovich
Ciaramitaro	Hale	Middleton	Thomas
Crissman	Hammerstrom	Murphy	Varga
Cropsey	Hanley	Olshove	Vaughn
Curtis	Harder	Owen	Walberg

Dalman	Hood	Oxender	Wallace
DeHart	Horton	Parks	Whyman
DeVuyst	Jansen	Perricone	Willard
Dobb	Jelinek	Price	Wojno

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

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

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

The question being on the passage of the bill,

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

The motion was seconded and the substitute (H-4) 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. 254**Yeas—100**

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

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 1980 PA 299, entitled "Occupational code," by amending section 601 (MCL 339.601), as amended by 1994 PA 400.

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.

The House returned to the consideration of

House Bill No. 4742, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4m.

(The bill was considered earlier today, see today's Journal, p. 687.)

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. 255

Yeas—81

Anthony	Dobronski	Johnson	Price
Baade	Fitzgerald	Kaza	Profit
Baird	Frank	Kelly	Prusi
Bankes	Gagliardi	Kukuk	Quarles
Basham	Galloway	LeTarte	Raczkowski
Birkholz	Geiger	Llewellyn	Rhead
Bobier	Gernaat	London	Richner
Bodem	Gilmer	Lowe	Rison
Bogardus	Goschka	Mathieu	Rocca
Brackenridge	Green	McBryde	Sanborn
Brewer	Griffin	McNutt	Schauer
Brown	Gustafson	Middaugh	Sikkema
Byl	Hammerstrom	Middleton	Stallworth
Cassis	Hanley	Murphy	Tesanovich
Crissman	Harder	Nye	Thomas
Cropsey	Hertel	Olshove	Varga
Curtis	Horton	Owen	Walberg
Dalman	Jansen	Oxender	Wallace
DeHart	Jelinek	Parks	Whyman
DeVuyst	Jellema	Perricone	Wojno
Dobb			

Nays—20

Agee	Freeman	Hood	Schermesser
Brater	Gire	Kilpatrick	Schroer
Callahan	Godchaux	LaForge	Scott
Ciaramitaro	Gubow	Leland	Scranton
Emerson	Hale	Martinez	Vaughn

In The Chair: Gire

The House agreed to the title of the bill.

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

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

House Bill No. 5053, entitled

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

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

Roll Call No. 256**Yeas—79**

Anthony	Dobb	Jellema	Price
Baade	Dobronski	Johnson	Profit
Baird	Fitzgerald	Kaza	Prusi
Bankes	Frank	Kelly	Quarles
Basham	Gagliardi	Kukuk	Raczkowski
Birkholz	Galloway	LeTarte	Rhead
Bobier	Geiger	Llewellyn	Richner
Bodem	Gernaat	London	Rocca
Bogardus	Gilmer	Lowe	Sanborn
Brackenridge	Goschka	Mathieu	Schauer
Brewer	Green	McBryde	Sikkema
Brown	Griffin	McNutt	Stallworth
Byl	Gustafson	Middaugh	Tesanovich
Cassis	Hammerstrom	Middleton	Thomas
Crissman	Hanley	Murphy	Walberg
Cropsey	Harder	Nye	Wallace
Curtis	Hertel	Olshove	Whyman
Dalman	Horton	Owen	Willard
DeHart	Jansen	Oxender	Wojno
DeVuyst	Jelinek	Perricone	

Nays—22

Agee	Gire	LaForge	Schroer
Brater	Godchaux	Leland	Scott
Callahan	Gubow	Martinez	Scranton
Ciaramitaro	Hale	Parks	Varga
Emerson	Hood	Schermesser	Vaughn
Freeman	Kilpatrick		

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 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 1997 PA 193.

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.

House Bill No. 4396, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 28c (MCL 436.28c), as amended by 1992 PA 133.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 4482, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 368 (MCL 750.368) and by adding sections 217b, 478a, and 478b.

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

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

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

1. Amend page 4, following line 12, by inserting:

"(6) THIS SECTION DOES NOT APPLY TO A LIEN AUTHORIZED UNDER A STATUTE OF THIS STATE."

and renumbering the remaining subsections.

2. Amend page 6, following line 4, by inserting:

"(4) THIS SECTION DOES NOT APPLY TO A LIEN AUTHORIZED UNDER A STATUTE OF THIS STATE."

and renumbering the remaining subsections.

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

Rep. Nye moved to amend the bill as follows:

1. Amend page 5, line 18, after "LAW." by inserting "HOWEVER, THIS SUBPARAGRAPH DOES NOT APPLY TO A DOCUMENT THAT WOULD OTHERWISE BE LEGAL PROCESS BUT FOR 1 OR MORE TECHNICAL DEFECTS, INCLUDING BUT NOT LIMITED TO ERRORS INVOLVING NAMES, SPELLING, ADDRESSES, OR TIME OF ISSUE OR FILING OR OTHER DEFECTS THAT DO NOT RELATE TO THE SUBSTANCE OF THE CLAIM OR ACTION UNDERLYING THE DOCUMENT."

2. Amend page 7, line 11, after "LAW." by inserting "HOWEVER, THIS SUBPARAGRAPH DOES NOT APPLY TO A DOCUMENT THAT WOULD OTHERWISE BE LEGAL PROCESS BUT FOR 1 OR MORE TECHNICAL DEFECTS, INCLUDING BUT NOT LIMITED TO ERRORS INVOLVING NAMES, SPELLING, ADDRESSES, OR TIME OF ISSUE OR FILING OR OTHER DEFECTS THAT DO NOT RELATE TO THE SUBSTANCE OF THE CLAIM OR ACTION UNDERLYING THE DOCUMENT."

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

Rep. Gubow moved to amend the bill as follows:

1. Amend page 2, line 7, after "NOT" by striking out "LESS" and inserting "MORE".
2. Amend page 4, line 11, after "NOT" by striking out "LESS" and inserting "MORE".
3. Amend page 6, line 3, after "NOT" by striking out "LESS" and inserting "MORE".

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

Rep. Gubow moved to amend the bill as follows:

1. Amend page 7, following line 11, by inserting:

"Enacting section 1. This amendatory act takes effect July 1, 1998."

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

Rep. Gubow moved to amend the bill as follows:

1. Amend page 1, line 1, after "IMPERSONATE," by inserting "FALSELY".

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

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.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4482, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 368 (MCL 750.368) and by adding sections 217b, 478a, and 478b.

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

Roll Call No. 257

Yeas—99

Agee
Anthony

Dobronski
Emerson

Johnson
Kaza

Profit
Prusi

Baade	Fitzgerald	Kelly	Quarles
Baird	Frank	Kilpatrick	Raczkowski
Bankes	Freeman	Kukuk	Rhead
Basham	Galloway	LaForge	Richner
Birkholz	Geiger	Leland	Rocca
Bobier	Gernaat	LeTarte	Sanborn
Bodem	Gilmer	Llewellyn	Schauer
Bogardus	Gire	London	Schermesser
Brackenridge	Godchaux	Lowe	Schroer
Brater	Goschka	Martinez	Scott
Brewer	Green	Mathieu	Scranton
Brown	Griffin	McBryde	Sikkema
Byl	Gubow	McNutt	Stallworth
Callahan	Gustafson	Middaugh	Tesanovich
Cassis	Hale	Middleton	Thomas
Ciaramitaro	Hammerstrom	Murphy	Varga
Crissman	Hanley	Nye	Vaughn
Cropsey	Harder	Olshove	Walberg
Curtis	Hood	Owen	Wallace
Dalman	Horton	Oxender	Whyman
DeHart	Jansen	Parks	Willard
DeVuyst	Jelinek	Perricone	Wojno
Dobb	Jellema	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 1931 PA 328, entitled "The Michigan penal code," by amending section 368 (MCL 750.368) and by adding sections 217c and 478a.

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.

Acting Speaker Hanley resumed the Chair.

The House returned to the consideration of

House Bill No. 4396, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 28c (MCL 436.28c), as amended by 1992 PA 133.

(The bill was considered earlier today, see today's Journal, p. 690.)

The question being on the passage of the bill,

Rep. Gubow moved that the bill be referred to the Committee on Regulatory Affairs.

The question being on the motion by Rep. Gubow,

Rep. Gubow demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Gubow,

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

The motion prevailed.

Second Reading of Bills**House Bill No. 4932, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal certain acts and parts of acts," by amending section 13 (MCL 247.663), as amended by 1993 PA 294.

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

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4932, entitled**

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

and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal certain acts and parts of acts," by amending section 13 (MCL 247.663), as amended by 1993 PA 294.

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

Roll Call No. 258**Yeas—99**

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

Nays—1

Gustafson

In The Chair: Hanley

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

other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive 2 transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 13 (MCL 247.663), as amended by 1997 PA 79.

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. Anthony, Basham, Birkholz, Bodem, Brater, Cassis, Curtis, Dobb, Dobronski, Gagliardi, Gernaat, Gilmer, Green, Hammerstrom, Harder, Horton, Jelinek, Johnson, Kilpatrick, Kukuk, Lowe, Martinez, McBryde, Middaugh, Olshove, Oxender, Parks, Perricone, Rocca, Sanborn, Scranton, Stallworth, Tesanovich and Vaughn were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. London, Anthony, Baade, Basham, Birkholz, Bobier, Bodem, Bogardus, Brackenridge, Brater, Brown, Callahan, Cassis, Ciaramitaro, Crissman, Curtis, Dalman, DeHart, DeVuyst, Dobb, Dobronski, Emerson, Fitzgerald, Frank, Freeman, Gagliardi, Galloway, Gernaat, Gire, Goschka, Green, Gubow, Gustafson, Hale, Hammerstrom, Hanley, Harder, Hood, Horton, Jansen, Jelinek, Johnson, Kaza, Kelly, Kilpatrick, Kukuk, Leland, LeTarte, Lowe, Martinez, Mathieu, McBryde, McNutt, Middaugh, Middleton, Nye, Olshove, Owen, Oxender, Parks, Perricone, Price, Prusi, Quarles, Raczkowski, Richner, Rocca, Schauer, Schermesser, Scott, Scranton, Sikkema, Stallworth, Tesanovich, Thomas, Vaughn and Walberg offered the following resolution:

House Resolution No. 259.

A resolution honoring the slain teacher, Shannon Wright, and her students, Brittany R. Varner, Natalie Brooks, Paige Ann Herring and Stephanie Johnson of the Jonesboro, Arkansas massacre.

Whereas, Teachers have always been known as the best example of "unsung heroes", teaching, feeding, encouraging, enlightening and guiding our children; and

Whereas, An evil waited in the woods outside of Westside Middle School with malice and ignorance in its heart and opened fire shortly after noon on March 24, 1998; and

Whereas, Four young girls, Brittany R. Varner, Natalie Brooks, Paige Ann Herring and Stephanie Johnson, and their 6th grade teacher, Mrs. Shannon Wright, lost their lives needlessly; and

Whereas, Shannon Wright dedicated her life to teaching after attending Westside schools. A childhood dream, Shannon would write out lesson plans for her little brother and make him do the homework she had assigned. After graduating from Arkansas State University in 1991, Shannon went back to teach at the schools where she had discovered her love of learning and eventually teaching; and

Whereas, Her heroism as an inspiring and dedicated teacher only foreshadows her fatal heroism on March 24, 1998, when unfazed by the bloodbath that surrounded her, Shannon stepped in the line of fire to save little Emma Pittman's life. This English teacher, wife and mother of a two-year-old, suffered bullet wounds to the chest and abdomen and died for the life of those she had chosen to serve as her life's work; and

Whereas, Our sorrow and admiration will never bring her back, but our remembrance and honor will keep her in our hearts forever; now, therefore, be it

Resolved by the House Representatives, That we offer our prayers, condolences, and heartfelt sympathy to the family and friends of Mrs. Shannon Wright, the families and friends of Brittany R. Varner, Natalie Brooks, Paige Ann Herring and Stephanie Johnson and the townspeople of Jonesboro; and be it further

Resolved, That a copy of this resolution be transmitted to the principal of Westside Middle School and the mayor of Jonesboro, Arkansas as evidence of our sorrow and admiration of their courage.

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.

Second Reading of Bills

House Bill No. 4332, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 19c (MCL 436.19c), as amended by 1996 PA 379.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Regulatory Affairs,

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

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

1. Amend page 5, line 12, after "under" by striking out "500,000" and inserting "1,750,000".

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

Reps. Gubow, Varga, Raczkowski and Scranton moved to amend the bill as follows:

1. Amend page 1, line 1, by striking out all of section 17k.

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4332, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 19c (MCL 436.19c), as amended by 1996 PA 379.

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

Roll Call No. 259

Yeas—79

Agee	Freeman	LaForge	Rhead
Anthony	Gagliardi	Leland	Richner
Baade	Galloway	LeTarte	Rison
Baird	Geiger	Lowe	Rocca
Bankes	Gernaat	Martinez	Sanborn
Bobier	Gilmer	Mathieu	Schauer
Bodem	Gire	McBryde	Schroer
Bogardus	Godchaux	McNutt	Scott
Brackenridge	Gubow	Middaugh	Scranton
Brater	Gustafson	Middleton	Stallworth
Brewer	Hale	Murphy	Tesanovich
Brown	Hammerstrom	Nye	Thomas
Cassis	Hanley	Olshove	Varga
Crissman	Harder	Owen	Vaughn
Curtis	Hood	Oxender	Walberg
Dobb	Jelinek	Parks	Wallace
Dobronski	Johnson	Price	Wetters
Emerson	Kaza	Prusi	Whyman
Fitzgerald	Kilpatrick	Quarles	Wojno
Frank	Kukuk	Raczkowski	

Nays—19

Basham	DeHart	Jansen	Profit
Byl	DeVuyst	Jellema	Schermesser

Callahan
Cropsey
Dalman

Goschka
Green
Horton

Kelly
London
Perricone

Sikkema
Willard

In The Chair: Hanley

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 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 19c (MCL 436.19c), as amended by 1996 PA 440.

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.

Rep. Gagliardi moved that Rule 44 be suspended.

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

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

The motion prevailed.

Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Tuesday, April 21, at 2:00 p.m.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Sanborn, Gernaat, Jansen, Jelinek, Green, Rocca, Cropsey, Sikkema, DeVuyst, Middaugh, Brackenridge, Birkholz, Horton, Kukuk, Goschka, Raczkowski, Geiger, Gustafson, Dalman, London, Walberg, Byl, Lowe, Voorhees, Perricone, McNutt, LaForge, Parks, Baade, McBryde, Hammerstrom, Cassis, Scranton and Vaughn offered the following concurrent resolution:

House Concurrent Resolution No. 94.

A concurrent resolution to memorialize the Congress of the United States to propose and submit to the states for ratification an amendment to the United States Constitution to recognize a person's right to practice religion on public property.

Whereas, Freedom of religion is one of the cornerstones of our nation. Throughout the history of our country, men and women have come to the United States to be able to worship as they see fit. This is still true today; and

Whereas, In an effort to safeguard the separation of church and state, it seems that we have become a nation where government policy is against any public observances of religious faith instead of being against the forced practice of any specific faith. This is apparent in our schools, where, in the name of the constitution, our country seems to have gone too far in prohibiting all expressions of religious faith, even when the expressions are not intended to encourage or force anyone to participate; and

Whereas, In order to return balance to the way our country deals with religious freedoms, it is necessary for the Congress of the United States to amend the United States Constitution to provide expressly that a person may practice his or her religious faith on public property, including school property, as long as the practice does not compel anyone else to participate in a specific religious practice or infringe on the rights of others not to participate; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to propose and submit to the states for ratification an amendment to the United States Constitution to recognize a person's right to practice religion on public property; and be it further

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

The concurrent resolution was referred to the Committee on House Oversight and Ethics.

Reports of Standing Committees

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

House Bill No. 4699, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 311 (MCL 206.311), as amended by 1987 PA 254, and by adding section 51b.

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 4699 To Report Out:

Yeas: Reps. Profit, Quarles, Freeman, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton, Whyman,

Nays: None.

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

House Bill No. 4942, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 6 (MCL 205.56), as amended by 1993 PA 325.

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 4942 To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Wojno, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton, Whyman,

Nays: None.

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

House Bill No. 5313, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 4f and 6 (MCL 205.94f and 205.96), as amended by 1993 PA 326.

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 5313 To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Wojno, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton, Whyman,

Nays: None.

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

House Bill No. 5546, 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.

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 5546 To Report Out:

Yeas: Reps. Profit, Freeman, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton, Whyman,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 1, 1998, at 10:30 a.m.,

Present: Reps. Profit, Quarles, Agee, Freeman, Hanley, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton, Whyman,

Absent: Reps. Gubow, Palamara, Wallace,

Excused: Reps. Gubow, Palamara, Wallace.

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

House Bill No. 5000, entitled

A bill to amend 1986 PA 87, entitled "An act regarding warranties on new motor vehicles; to require certain repairs thereto; and to provide remedies for the failure to repair such vehicles," by amending sections 1, 3, 6, and 9 (MCL 257.1401, 257.1403, 257.1406, and 257.1409).

With the recommendation that the substitute (H-6) 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 5000 To Report Out:

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

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, April 1, 1998, at 9:00 a.m.,

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

Absent: Reps. Freeman, Cropsey,

Excused: Reps. Freeman, Cropsey.

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

House Bill No. 4119, entitled

A bill to provide for adoption of an official song and designation of other melodies that represent the musical heritage of this state; to create a commission and prescribe the powers and duties of the commission; and to prescribe the powers and duties of certain state officials.

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 4119 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Wallace, Wojno, Fitzgerald, Perricone, Richner, Voorhees,

Nays: Rep. Gustafson.

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

House Bill No. 4160, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 50 (MCL 169.250), as added by 1994 PA 385.

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 4160 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Wallace, Wojno, Gustafson, DeVuyst, Fitzgerald, Goschka, Perricone, Voorhees,
Nays: Rep. Kilpatrick.

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

House Bill No. 5032, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 262a.

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 5032 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Wallace, Wojno, Goschka,
Nays: Reps. Gustafson, DeVuyst, Richner.

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

House Bill No. 5637, entitled

A bill to create the Michigan freedom trail commission; and to prescribe the powers and duties of certain state departments, agencies, commissions, and officers.

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 5637 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Wallace, Wojno, Gustafson, DeVuyst, Fitzgerald, Goschka, Perricone, Richner, Voorhees,
Nays: None.

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

Senate Bill No. 583, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 10 (MCL 125.2690).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 583 To Report Out:

Yeas: Reps. Cherry, Agee, DeHart, Hanley, Wojno, Gustafson, DeVuyst, Fitzgerald, Goschka, Richner, Voorhees,
Nays: None.

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

Senate Bill No. 586, entitled

A bill to amend 1990 PA 100, entitled "City utility users tax act," by amending section 5 (MCL 141.1155), as amended by 1996 PA 455.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 586 To Report Out:

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

Nays: None.

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

Senate Bill No. 587, entitled

A bill to amend 1985 PA 224, entitled "Enterprise zone act," by amending section 21c (MCL 125.2121c), as added by 1996 PA 444.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 587 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Wojno, DeVuyst, Fitzgerald, Goschka, Richner, Voorhees,

Nays: None.

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

Senate Bill No. 590, entitled

A bill to amend 1978 PA 255, entitled "Commercial redevelopment act," by amending section 12 (MCL 207.662), as amended by 1996 PA 450.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 590 To Report Out:

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

Nays: None.

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

Senate Bill No. 591, entitled

A bill to amend 1953 PA 189, entitled "An act to provide for the taxation of lessees and users of tax-exempt property," by amending section 1 (MCL 211.181), as amended by 1996 PA 447.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 591 To Report Out:

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

Nays: None.

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

Senate Bill No. 876, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1901 and 1902 (MCL 324.1901 and 324.1902), section 1901 as added by 1995 PA 60 and section 1902 as amended by 1996 PA 134.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 876 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Wallace, Wojno, Gustafson, DeVuyst, Fitzgerald, Goschka, Perricone, Richner, Voorhees,

Nays: None.

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

House Resolution No. 12.

A resolution to memorialize the Congress of the United States to oppose extension of the North American Free Trade Agreement to other Latin American countries.

(For text of resolution, see House Journal No. 9 of 1997, p. 153.)

With the recommendation that the following substitute (H-1) be adopted and that the resolution then be adopted.

Substitute for House Resolution No. 12.

A resolution to memorialize the Congress of the United States to oppose extension of the North American Free Trade Agreement to other Latin American countries.

Whereas, The North American Free Trade Agreement (NAFTA) enabling legislation was approved by the United States House of Representatives by a vote of 234-200 on November 17, 1993, and by the United States Senate, 61-38, on November 20, 1993; and

Whereas, NAFTA enabling legislation was signed into law by President Clinton on December 8, 1993, and

Whereas, NAFTA is a 20,000-page, multilateral trade agreement between the United States, Canada, and Mexico; and

Whereas, Multilateral managed trade agreements like NAFTA are exporting middle-class jobs from Michigan to Third World countries like Mexico; and

Whereas, The Mexican peso collapsed in a financial crisis following NAFTA's approval; and

Whereas, NAFTA's supporters engineered a \$50 billion dollar bailout of the Mexican peso paid for by American taxpayers; and

Whereas, The bailout of the peso enriched wealthy owners of peso-dominated debt instruments at the expense of middle-class American taxpayers; and

Whereas, Argentina and Chile have experienced financial instability and currency devaluations in the last decade; and

Whereas, Lacking a sound monetary system, the potential for financial instability persists in other Latin American countries like Argentina and Chile under a multilateral managed trade agreement; and

Whereas, Working families believe that expanding trade is good for a healthy economy, but American workers have learned from the NAFTA experience that, without protections, job loss, wage reductions, and a weaker voice in the workplace are the result; and

Whereas, As the country continues to remove barriers to trade through new agreements, those agreements must protect worker rights, labor standards, and environmental quality in all countries that are a party to the agreement; and

Whereas, Any grant of trade negotiating authority to the administration that gives up Congress's ability to make changes in trade agreements submitted for its approval must also contain strong provisions for addressing worker rights, labor standards, and environmental protection. These provisions must be part of the core agreement and must be subject to the same dispute settlement procedures available to other covered issues; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to oppose extension of the North American Free Trade Agreement (NAFTA) to other Latin American countries; and be it further

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

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

Favorable Roll Call

HR 12 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Wallace, Wojno, Goschka, Voorhees,

Nays: Reps. Gustafson, DeVuyst, Fitzgerald, Perricone.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 1, 1998, at 3:00 p.m.,

Present: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Wallace, Wojno, Gustafson, DeVuyst, Fitzgerald, Goschka, Perricone, Richner, Voorhees,

Absent: Rep. Varga,

Excused: Rep. Varga.

Announcement by the Clerk of Printing and Enrollment

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

Enrolled House Bill No. 5136 at 10:52 a.m.

Enrolled House Bill No. 5607 at 10:54 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, April 2:

House Bill Nos. 5724 5725 5726

Communications from State Officers

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

April 1, 1998

Enclosed is a copy of the FY97 Annual Report and Evaluation for the Secondary Road Patrol and Traffic Accident Prevention Program.

This report satisfies the reporting requirements contained in Public Act 416 of 1978, as amended. Copies of this report are transmitted to the Governor's Office, Clerk of the House, Secretary of the Senate, Chair of the House Appropriations Committee, Chair of the Senate Appropriations Committee, each county sheriff, the Michigan Sheriffs Association, and the Deputy Sheriffs Association of Michigan.

Should you have any questions about this report, please contact me at (517) 334-5301.

Sincerely,
Betty J. Mercer
Division Director
Office of Highway Safety Planning

The communication was referred to the Clerk.

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

April 1, 1998

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

Financial Related Audit of the
Department of Military and Veterans Affairs
October 1, 1995 through September 30, 1997

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

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

Introduction of Bills

Rep. Profit introduced

House Bill No. 5727, entitled

A bill to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties," by amending section 54 (MCL 710.54), as amended by 1994 PA 222.

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

Rep. Profit introduced

House Bill No. 5728, entitled

A bill to repeal 1979 PA 72, entitled "An act to require the governor to report certain tax expenditure items with the annual budget message to the legislature," (MCL 21.271 to 21.296).

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

Rep. Profit introduced

House Bill No. 5729, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by repealing section 361 (MCL 18.1361).

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

Reps. Schermesser, DeHart, Hale, Schauer, Kelly, Mans, Harder, Goschka, Scott, Parks and Raczkowski introduced

House Bill No. 5730, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 145c (MCL 750.145c), as amended by 1994 PA 444.

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

Reps. Schermesser, DeHart, Hale, Cherry, Schauer, Kelly, Martinez, Mans, Harder, Kilpatrick, Goschka, Scott and Parks introduced

House Bill No. 5731, entitled

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending sections 3 and 6 (MCL 400.703 and 400.706), as amended by 1996 PA 194.

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

Reps. Schermesser, DeHart, Hale, Cherry, Schauer, Kelly, Martinez, Mans, Harder, Kilpatrick, Goschka, Scott and Parks introduced

House Bill No. 5732, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 19a, 39a, 67b, 252d, 321a, 674, 675, 742, 803d, 803e, 803f, 803h, 803i, 803j, 803k, 803l, 803n, and 803o (MCL 257.19a, 257.39a, 257.67b, 257.252d, 257.321a, 257.674, 257.675, 257.742, 257.803d, 257.803e, 257.803f, 257.803h, 257.803i, 257.803j, 257.803k, 257.803l, 257.803n, and 257.803o), section 19a as amended by 1996 PA 198, section 675 as amended by 1994 PA 432, section 39a as added by 1987 PA 257, sections 67b, 674, 803e, 803f, 803i, 803j, 803k, 803l, 803n, and 803o as amended by 1994 PA 104, sections 252d and 742 as amended by 1989 PA 89, section 321a as amended by 1996 PA 493, section 803d as amended by 1984 PA 175, and section 803h as added by 1988 PA 419.

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

Rep. Kukuk introduced

House Bill No. 5733, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 605 (MCL 257.605).

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

Rep. Kukuk introduced

House Bill No. 5734, entitled

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 11 (MCL 480.21), as amended by 1995 PA 265.

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

Reps. Brown, Tesanovich, Harder, Callahan, Prusi, Schermesser, DeHart and Kelly introduced

House Bill No. 5735, entitled

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

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

Reps. Law, Palamara and Profit introduced

House Bill No. 5736, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending sections 502 and 502a (MCL 550.1502 and 550.1502a), section 502 as amended by 1997 PA 184 and section 502a as amended by 1994 PA 440.

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

Reps. Profit, Palamara and Law introduced

House Bill No. 5737, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 315 (MCL 418.315), as amended by 1995 PA 21.

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

Reps. Kilpatrick, Bogardus, Bankes, Rison, Schroer, Brater and Thomas introduced

House Bill No. 5738, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2162 (MCL 600.2162), as amended by 1994 PA 67; and to repeal acts and parts of acts.

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

Reps. Schauer, Bogardus, Kilpatrick, Bankes and Hale introduced

House Bill No. 5739, entitled

A bill to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act," by amending section 1 of chapter XIIA (MCL 712A.1), as amended by 1996 PA 409.

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

Reps. Perricone, Profit, Griffin, Quarles, Thomas, Cassis, Birkholz and Raczowski introduced

House Bill No. 5740, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6023 (MCL 600.6023), as amended by 1989 PA 5.

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

Rep. Gubow introduced

House Bill No. 5741, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8312 (MCL 600.8312).

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

Rep. Rison moved that the House adjourn.

The motion prevailed, the time being 4:05 p.m.

Acting Speaker Hanley declared the House adjourned until Tuesday, April 21, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

