

No. 82
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House of Representatives
89th Legislature
REGULAR SESSION OF 1998

House Chamber, Lansing, Wednesday, December 9, 1998.

10:00 a.m.

The House was called to order by Acting Speaker Hanley.

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

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

e/d/s = entered during session

Dr. Glenn Verbrugge, Associate Pastor of the Cadillac Christian Reformed Church in Cadillac, offered the following invocation:

“Let us pray. Our God in heaven, ruler of all nations, we pause this morning to acknowledge Your presence with us. We thank you for the many freedoms we enjoy in this land. We thank you for the beauty and the abundant resources of our State of Michigan. And I thank you for the men and women gathered here in their commitment and dedication to serve the people of Michigan. I pray that You will give them wisdom in their deliberations today. That they find the perfect blend of justice and compassion and fairness to all in the decisions that are made. We pray these things in Your name. Amen.”

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

Notices

December 9, 1998

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.

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.

Sincerely,
Curtis Hertel
Speaker of the House

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

The Speaker laid before the House the conference report relative to
House Bill No. 4738, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 248 (MCL 257.248), as amended by 1993 PA 300, and by adding sections 1d, 1e, and 4c.

(The conference report was reported by the conference committee on December 8, rules suspended and bill postponed temporarily.)

(For conference report, see House Journal No. 81, p. 2525.)

The question being on the adoption of the conference report,

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

Roll Call No. 1054

Yeas—75

Agee	Emerson	Kukuk	Price
Alley	Fitzgerald	Law	Profit
Baade	Frank	Leland	Prusi
Bankes	Freeman	LeTarte	Quarles
Basham	Gagliardi	Llewellyn	Rhead
Bobier	Galloway	London	Rison
Bodem	Gernaat	Lowe	Schauer
Bogardus	Gilmer	Mans	Schermesser
Brackenridge	Goschka	Mathieu	Sikkema

Brown	Gustafson	McBryde	Stallworth
Callahan	Hale	McManus	Tesanovich
Cherry	Hammerstrom	McNutt	Thomas
Crissman	Hanley	Middaugh	Vaughn
Cropsey	Harder	Middleton	Voorhees
Curtis	Horton	Olshove	Walberg
Dalman	Jelinek	Owen	Wetters
DeHart	Johnson	Oxender	Whyman
Dobb	Kelly	Parks	Wojno
Dobronski	Kilpatrick	Perricone	

Nays—10

Anthony	Gubow	Martinez	Schroer
Baird	Kaza	Nye	Willard
Gire	LaForge		

In The Chair: Hanley

Rep. Brater entered the House Chambers.

The Speaker laid before the House the conference report relative to
House Bill No. 4740, entitled

A bill to amend 1981 PA 118, entitled “An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts,” by amending sections 13 and 14 (MCL 445.1573 and 445.1574).

(The conference report was reported by the conference committee on December 8, rules suspended and bill postponed temporarily.)

(For conference report, see House Journal No. 81, p. 2528.)

The question being on the adoption of the conference report,

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

Roll Call No. 1055**Yeas—75**

Agee	Dobronski	Kukuk	Prusi
Alley	Fitzgerald	Law	Quarles
Baade	Frank	Leland	Rhead
Bankes	Freeman	LeTarte	Sanborn
Basham	Gagliardi	Llewellyn	Schauer
Birkholz	Galloway	London	Schermesser
Bobier	Gernaat	Lowe	Schroer
Bodem	Gilmer	Mans	Sikkema
Bogardus	Gire	Mathieu	Stallworth
Brackenridge	Goschka	McBryde	Tesanovich
Brater	Gustafson	McManus	Thomas
Brown	Hale	McNutt	Varga
Callahan	Hammerstrom	Middaugh	Voorhees

Cherry	Hanley	Middleton	Walberg
Cropsey	Harder	Olshove	Wetters
Curtis	Horton	Oxender	Whyman
Dalman	Johnson	Parks	Willard
DeHart	Kelly	Price	Wojno
Dobb	Kilpatrick	Profit	

Nays—9

Anthony	Gubow	LaForge	Nye
Baird	Kaza	Martinez	Vaughn
Ciaramitaro			

In The Chair: Hanley

—

Rep. Crissman, under Rule 32(b), made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 1055 because of a possible conflict of interest because of my financial interest in an automobile dealership.”

Rep. Geiger entered the House Chambers.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4886, entitled

A bill to amend 1986 PA 268, entitled “Legislative council act,” (MCL 4.1101 to 4.1901) by adding section 204a.

(The bill was received from the Senate on December 1, with substitute (S-2) and full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 2, see House Journal No. 78, p. 2416.)

The question being on concurring in the adoption of the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1056**Yeas—88**

Agee	Dobronski	Kilpatrick	Price
Alley	Emerson	Kukuk	Profit
Anthony	Fitzgerald	LaForge	Prusi
Baade	Frank	Law	Quarles
Baird	Freeman	Leland	Rhead
Bankes	Gagliardi	LeTarte	Richner
Basham	Galloway	Llewellyn	Sanborn
Bobier	Geiger	London	Schauer
Bodem	Gernaat	Lowe	Schermesser
Bogardus	Gilmer	Mans	Schroer
Brackenridge	Gire	Martinez	Sikkema

Brater	Goschka	Mathieu	Stallworth
Brown	Gubow	McBryde	Tesanovich
Callahan	Gustafson	McManus	Thomas
Cherry	Hale	McNutt	Varga
Ciaramitaro	Hammerstrom	Middaugh	Vaughn
Crissman	Hanley	Middleton	Voorhees
Cropsey	Harder	Nye	Walberg
Curtis	Horton	Olshove	Wetters
Dalman	Johnson	Owen	Whyman
DeHart	Kaza	Oxender	Willard
Dobb	Kelly	Parks	Wojno

Nays—0

In The Chair: Hanley

The House agreed to the full title.

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

Reps. Jellema and Cassis entered the House Chambers.

The Speaker laid before the House

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 the title and sections 1, 3, 6, and 8 (MCL 257.1401, 257.1403, 257.1406 and 257.1408).

(The bill was received from the Senate on December 1, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 2, see House Journal No. 78, p. 2416.)

The question being on concurring in the adoption of the substitute (S-1) made to the bill by the Senate,

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

Roll Call No. 1057**Yeas—86**

Agee	Dobb	Kilpatrick	Parks
Alley	Dobronski	Kukuk	Price
Anthony	Fitzgerald	LaForge	Profit
Baade	Frank	Law	Prusi
Baird	Freeman	Leland	Quarles
Bankes	Gagliardi	LeTarte	Sanborn
Basham	Galloway	Llewellyn	Schauer
Bobier	Gernaat	London	Schermesser
Bodem	Gilmer	Lowe	Schroer
Bogardus	Gire	Mans	Sikkema
Brackenridge	Goschka	Martinez	Stallworth
Brater	Gubow	Mathieu	Tesanovich
Brown	Gustafson	McBryde	Thomas
Callahan	Hale	McManus	Varga

Cassis	Hammerstrom	McNutt	Vaughn
Cherry	Hanley	Middaugh	Voorhees
Ciaramitaro	Harder	Middleton	Walberg
Crissman	Horton	Nye	Wetters
Cropsey	Jellema	Olshove	Whyman
Curtis	Johnson	Owen	Willard
Dalman	Kaza	Oxender	Wojno
DeHart	Kelly		

Nays—0

In The Chair: Hanley

The House agreed to the title as amended.

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

Rep. Voorhees moved that Rep. Cassis be excused temporarily from today's session.
The motion prevailed.

The Speaker laid before the House

House Bill No. 5006, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," by amending section 204 (MCL 4.1204).

(The bill was received from the Senate on December 1, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 2, see House Journal No. 78, p. 2416 .)

The question being on concurring in the adoption of the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1058**Yeas—80**

Agee	Dobb	Kilpatrick	Parks
Alley	Dobronski	Kukuk	Price
Anthony	Frank	LaForge	Profit
Baade	Freeman	Law	Prusi
Baird	Gagliardi	Leland	Rhead
Bankes	Galloway	LeTarte	Sanborn
Basham	Gernaat	London	Schauer
Bobier	Gilmer	Lowe	Schermesser
Bodem	Gire	Mans	Schroer
Bogardus	Goschka	Martinez	Sikkema
Brackenridge	Gubow	Mathieu	Stallworth
Brater	Gustafson	McBryde	Tesanovich
Brown	Hale	McManus	Thomas
Callahan	Hammerstrom	McNutt	Varga
Cherry	Hanley	Middaugh	Vaughn
Crissman	Harder	Middleton	Voorhees
Cropsey	Horton	Nye	Walberg
Curtis	Johnson	Olshove	Whyman

Dalman
DeHart

Kaza
Kelly

Owen
Oxender

Willard
Wojno

Nays—0

In The Chair: Hanley

The House agreed to the full title.

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

Rep. Brackenridge moved that Rep. Varga be excused temporarily from today's session.
The motion prevailed.

The Speaker laid before the House

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 received from the Senate on December 3, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 8; amendments offered and postponed temporarily, see House Journal No. 81, p. 2519.)

The question being on the adoption of the amendments to the Senate substitute (S-2) offered previously by Rep. McNutt,

Rep. McNutt withdrew the amendments.

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1059

Yeas—74

Alley
Anthony
Baade
Baird
Bobier
Bodem
Brackenridge
Brater
Brown
Cherry
Crissman
Cropsey
Curtis
Dalman
DeHart
Dobb
Dobronski
Fitzgerald
Frank

Gagliardi
Galloway
Gernaat
Gilmer
Gire
Goschka
Gubow
Gustafson
Hale
Hammerstrom
Hanley
Harder
Hertel
Horton
Johnson
Kaza
Kelly
Kukuk
LaForge

Law
Leland
LeTarte
Llewellyn
London
Lowe
Mans
Mathieu
McBryde
McManus
McNutt
Middaugh
Middleton
Nye
Olshove
Owen
Oxender
Parks

Price
Profit
Prusi
Quarles
Rhead
Rocca
Sanborn
Schauer
Schroer
Sikkema
Stallworth
Tesanovich
Thomas
Vaughn
Voorhees
Wetters
Whyman
Willard

Nays—9

Agee
Bogardus
Callahan

Ciaramitaro
Freeman

Kilpatrick
Martinez

Schermesser
Wojno

In The Chair: Hanley

The House agreed to the title as amended.
The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Speaker laid before the House

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 1997 PA 193.

(The bill was received from the Senate on December 3, with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 8, see House Journal No. 80, p. 2494.)

The question being on concurring in the adoption of the substitute (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1060**Yeas—74**

Alley
Anthony
Baade
Baird
Banks
Basham
Bobier
Bodem
Brackenridge
Brater
Brown
Cherry
Crissman
Cropsey
Curtis
Dalman
DeHart
Dobb
Dobronski

Fitzgerald
Frank
Gagliardi
Galloway
Gernaat
Gilmer
Gire
Goschka
Gubow
Gustafson
Hale
Hammerstrom
Hanley
Harder
Horton
Johnson
Kaza
Kelly
Kukuk

LaForge
Law
Leland
LeTarte
Llewellyn
London
Lowe
Mans
Mathieu
McBryde
McManus
McNutt
Middaugh
Middleton
Nye
Olshove
Owen
Oxender

Price
Profit
Prusi
Quarles
Rhead
Rison
Rocca
Sanborn
Schauer
Sikkema
Tesanovich
Thomas
Vaughn
Voorhees
Walberg
Wetters
Whyman
Willard

Nays—11

Agee
Bogardus
Callahan

Ciaramitaro
Emerson
Freeman

Kilpatrick
Martinez
Schermesser

Stallworth
Wojno

In The Chair: Hanley

The House agreed to the title as amended.
The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Bodem moved that Rep. Dalman be excused temporarily from today's session. The motion prevailed.

Rep. Palamara entered the House Chambers.

The Speaker laid before the House

House Bill No. 5717, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 82126a, 82126b, and 82126c.

(The bill was received from the Senate on December 3, with amendments and full title inserted, consideration of which, under the rules, was postponed until December 8, see House Journal No. 80, p. 2495.)

The question being on concurring in the adoption of the amendments made to the bill by the Senate,

Reps. Nye and McNutt moved to amend the Senate amendments as follows:

1. Amend Senate Amendment No. 2, page 2, line 14, after "CARELESS" by striking out the comma and "RECKLESS,".

2. Amend Senate Amendment No. 3, page 2, line 20, after "(2)" by inserting:

"A PERSON WHO, BY THE OPERATION OF A SNOWMOBILE IN A CARELESS AND HEEDLESS MANNER IN WILLFUL AND WANTON DISREGARD OF THE RIGHTS OR SAFETY OF OTHERS, OR WITHOUT DUE CAUTION AND CIRCUMSPECTION AND AT A SPEED OR IN A MANNER SO AS TO ENDANGER OR BE LIKELY TO ENDANGER ANY PERSON OR PROPERTY, CAUSES THE SERIOUS IMPAIRMENT OF BODILY FUNCTION, BUT DOES NOT CAUSE THE DEATH OF ANOTHER, IS GUILTY OF THE OFFENSE OF FELONIOUS OPERATION, AND SHALL BE IMPRISONED FOR NOT MORE THAN 2 YEARS OR FINED NOT MORE THAN \$2,000.00, OR BOTH.

(3)" and renumbering the remaining subsection.

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

The question being on concurring in the Senate amendments, as amended,

The Senate amendments, as amended, were concurred in, a majority of the members serving voting therefor, by yeas and nays as follows:

Roll Call No. 1061

Yeas—79

Agee	Fitzgerald	Law	Profit
Alley	Frank	Leland	Prusi
Anthony	Freeman	LeTarte	Quarles
Baade	Gagliardi	Llewellyn	Rhead
Baird	Galloway	Lowe	Rison
Banks	Gernaat	Mans	Rocca
Basham	Gilmer	Martinez	Sanborn
Birkholz	Gire	Mathieu	Schauer
Bodem	Goschka	McBryde	Schermesser
Bogardus	Gustafson	McManus	Sikkema
Brackenridge	Hale	McNutt	Tesanovich
Brown	Hammerstrom	Middaugh	Thomas
Callahan	Hanley	Middleton	Varga
Cherry	Harder	Nye	Vaughn
Crissman	Horton	Olshove	Voorhees
Cropsey	Johnson	Owen	Walberg
DeHart	Kaza	Oxender	Wetters
Dobb	Kelly	Palamara	Whyman
Dobronski	Kilpatrick	Parks	Wojno
Emerson	Kukuk	Price	

Nays—8

Brater	Curtis	LaForge	Schroer
Ciaramitaro	Gubow	London	Willard

In The Chair: Hanley

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 5924, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16621 (MCL 333.16621).

(The bill was received from the Senate on December 3, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 8, see House Journal No. 80, p. 2496.)

The question being on concurring in the adoption of the amendments made to the bill by the Senate,

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

Roll Call No. 1062

Yeas—81

Agee	Emerson	LaForge	Profit
Alley	Fitzgerald	Law	Prusi
Anthony	Frank	Leland	Rhead
Baade	Freeman	Llewellyn	Rison
Baird	Gagliardi	London	Rocca
Banks	Galloway	Lowe	Sanborn
Basham	Geiger	Mans	Schauer
Birkholz	Gernaat	Mathieu	Schermesser
Bobier	Gilmer	McBryde	Schroer
Bodem	Gire	McManus	Sikkema
Bogardus	Goschka	McNutt	Stallworth
Brackenridge	Gubow	Middaugh	Tesanovich
Brater	Hale	Middleton	Thomas
Brown	Hammerstrom	Nye	Varga
Callahan	Hanley	Olshove	Vaughn
Crissman	Harder	Owen	Walberg
Cropsey	Horton	Oxender	Wetters
Curtis	Johnson	Palamara	Whyman
DeHart	Kelly	Parks	Willard
Dobb	Kilpatrick	Price	Wojno
Dobronski			

Nays—9

Cherry	Kaza	LeTarte	Quarles
DeVuyst	Kukuk	Martinez	Voorhees
Gustafson			

In The Chair: Hanley

The House agreed to the full title.

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

The Associate Speaker Pro Tempore assumed the Chair.

Third Reading of Bills**Senate Bill No. 1021, entitled**

A bill to repeal local acts prohibiting or restricting Sunday hunting.

The bill was read a third time.

The question being on the passage of the bill,

Rep. London moved to amend the bill as follows:

1. Amend page 1, following line 5, by striking out the balance of the bill and inserting:

“Enacting section 2. (1) Enacting section 1 does not take effect unless submitted to a vote of the qualified electors of Macomb county and approved by a majority of the electors voting on the question. The question of approval of enacting section 1 may be submitted to the qualified electors of Macomb county at the next regular election to be held not less than 60 days after the effective date of this act, or at a special election called for that purpose by the county board of commissioners of Macomb county. If submitted, the question shall be submitted in substantially the following form:

“Shall enacting section 1 of 1998 Local Act _____, which would repeal 1947 LA 9 and therefore would permit hunting, on Sunday, for game animals and game birds in the county of Macomb, be adopted?

Yes ()

No ()”.

(2) If a majority of the qualified electors voting on the question vote in favor of the adoption of enacting section 1, the repeal of the act to prevent hunting, on Sunday, for game animals and game birds in the county of Macomb, 1947 LA 9, becomes effective 10 days following the certification of the election results.

Enacting section 3. 1939 LA 4 is repealed.

Enacting section 4. (1) Enacting section 3 does not take effect unless submitted to a vote of the qualified electors of St. Clair county and approved by a majority of the electors voting on the question. The question of approval of enacting section 3 shall be submitted to the qualified electors of St. Clair county at the next regular election to be held not less than 60 days after the effective date of this act, or at a special election called for that purpose by the county board of commissioners of St. Clair county. The question shall be submitted in substantially the following form:

“Shall enacting section 3 of 1998 Local Act _____, which would repeal 1939 LA 4 and therefore would permit hunting, on Sunday, with firearms or dogs in the county of St. Clair, be adopted?

Yes ()

No ()”.

(2) If a majority of the qualified electors voting on the question vote in favor of the adoption of enacting section 3, the repeal of 1939 LA 4 becomes effective 10 days following the certification of the election results.”.

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

The motion prevailed.

House Bill No. 6226, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 2401, 2402, 2404, 2407, 2411, and 2412 (MCL 339.2401, 339.2402, 339.2404, 339.2407, 339.2411, and 339.2412), sections 2401 and 2411 as amended by 1991 PA 166, sections 2404 and 2407 as amended by 1988 PA 463, and section 2412 as amended by 1980 PA 496.

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

Roll Call No. 1063**Yeas—60**

Agee	DeHart	Kilpatrick	Quarles
Alley	Dobb	LaForge	Rison
Anthony	Dobronski	Law	Rocca
Baade	Emerson	Leland	Schauer
Baird	Frank	Mans	Schermesser
Basham	Freeman	Martinez	Schroer
Bobier	Gagliardi	Mathieu	Stallworth
Bodem	Galloway	McManus	Tesanovich

Bogardus	Gire	Olshove	Thomas
Brater	Goschka	Owen	Varga
Brown	Gubow	Palamara	Vaughn
Callahan	Hale	Parks	Wetters
Cherry	Hanley	Price	Whyman
Ciaramitaro	Harder	Profit	Willard
Curtis	Kelly	Prusi	Wojno

Nays—31

Bankes	Gernaat	LeTarte	Nye
Birkholz	Gilmer	Llewellyn	Oxender
Brackenridge	Gustafson	London	Rhead
Crissman	Hammerstrom	Lowe	Sanborn
Cropsey	Horton	McBryde	Sikkema
DeVuyst	Johnson	McNutt	Voorhees
Fitzgerald	Kaza	Middaugh	Walberg
Geiger	Kukuk	Middleton	

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. Wallace entered the House Chambers.

House Bill No. 6227, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 39 (MCL 338.2239), as amended by 1988 PA 461.

Was read a third time and not passed, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 1064**Yeas—53**

Agee	Curtis	Kelly	Prusi
Alley	Dobb	Kilpatrick	Quarles
Anthony	Dobronski	LaForge	Rison
Baade	Emerson	Leland	Rocca
Baird	Frank	Mans	Schauer
Basham	Freeman	Martinez	Schroer
Bobier	Gagliardi	Mathieu	Stallworth
Bodem	Galloway	McManus	Tesanovich
Bogardus	Gire	Olshove	Thomas
Brater	Gubow	Owen	Vaughn
Brown	Hale	Parks	Wetters
Callahan	Hanley	Price	Willard

Cherry
Ciaramitaro

Harder

Profit

Wojno

Nays—35Banks
Birkholz
Brackenridge
Crissman
Cropsey
DeHart
DeVuyst
Fitzgerald
GeigerGernaat
Gilmer
Goschka
Gustafson
Hammerstrom
Horton
Johnson
Kaza
KukukLeTarte
Llewellyn
London
Lowe
McBryde
McNutt
Middaugh
Middleton
NyeOxender
Rhead
Sanborn
Schermesser
Sikkema
Voorhees
Walberg
Whyman

In The Chair: Gire

Rep. Gagliardi moved to reconsider the vote by which the House did not pass the bill.
The motion prevailed, 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. 1065**Yeas—55**Agee
Alley
Anthony
Baade
Baird
Basham
Bobier
Bogardus
Brater
Brown
Callahan
Cherry
Ciaramitaro
CurtisDeHart
Dobronski
Emerson
Freeman
Gagliardi
Galloway
Gire
Godchaux
Green
Gubow
Hale
Hanley
Harder
HertelKelly
Kilpatrick
LaForge
Leland
Mans
Martinez
Mathieu
Olshove
Owen
Palamara
Parks
Price
Profit
PrusiQuarles
Rison
Rocca
Schauer
Schermesser
Schroer
Stallworth
Tesanovich
Thomas
Vaughn
Wallace
Willard
Wojno**Nays—44**Banks
Birkholz
Bodem
Brackenridge
Cassis
Crissman
Cropsey
DeVuyst
DobbGernaat
Gilmer
Goschka
Gustafson
Hammerstrom
Horton
Jansen
Jelinek
JellemaKukuk
LeTarte
Llewellyn
London
Lowe
McBryde
McManus
McNutt
MiddaughOxender
Perricone
Rackowski
Rhead
Richner
Sanborn
Scranton
Sikkema
Voorhees

Fitzgerald
Geiger

Johnson
Kaza

Middleton
Nye

Walberg
Whyman

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.

Second Reading of Bills

Senate Bill No. 767, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43516, 73101, 73102, 73109, and 73110 (MCL 324.43516, 324.73101, 324.73102, 324.73109, and 324.73110), section 43516 as added by 1995 PA 57 and sections 73101, 73102, 73109, and 73110 as added by 1995 PA 58.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Conservation, Environment and Recreation (for amendments, see House Journal No. 72, p. 2100),

The amendments were 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.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Gagliardi moved that Rule 45 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Gagliardi moved that the Committee on Regulatory Affairs be discharged from further consideration of **Senate Bill No. 1314**.

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

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

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

Rep. Brewer entered the House Chambers.

Quorum Call

Rep. Gagliardi questioned the presence of a quorum and moved that the roll be called and printed in the Journal.
The motion prevailed.

The roll was called and the Clerk announced that a quorum was present .
The following is the roll call:

Roll Call No. 1066**Yeas—98**

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

In The Chair: DeHart

Second Reading of Bills**Senate Bill No. 841, entitled**

A bill to amend 1982 PA 294, entitled "Friend of the court act," (MCL 552.501 to 552.535) by adding sections 4b and 4c.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 81, p. 2537),

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

Rep. McNutt moved to amend the bill as follows:

1. Amend page 3, line 12, after "IN" by striking out "SECTION" and inserting "SUBSECTION".
2. Amend page 3, line 16, by striking out all of line 16 and inserting "GROUNDS FOR REMOVAL FROM THE COMMITTEE."

The motion prevailed and the amendments were 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.

Senate Bill No. 1152, 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 sections 18f, 19b, and 19c of chapter XIIA (MCL 712A.18f, 712A.19b, and 712A.19c), section 18f as amended by 1997 PA 163, section 19b as amended by 1997 PA 169, and section 19c as added by 1988 PA 224.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 81, p. 2537),

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

Rep. Baird moved to amend the bill as follows:

1. Amend page 3, line 19, after "days." by striking out the balance of the subdivision.
2. Amend page 11, line 22, after "hearing." by inserting "IF A PETITION TO TERMINATE PARENTAL RIGHTS TO A CHILD IS FILED, PARENTING TIME FOR A PARENT WHO IS A SUBJECT OF THE PETITION IS AUTOMATICALLY SUSPENDED AND, EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, REMAINS SUSPENDED AT LEAST UNTIL A DECISION IS ISSUED ON THE TERMINATION PETITION. IF A PARENT WHOSE PARENTING TIME IS SUSPENDED UNDER THIS SUBSECTION ESTABLISHES, AND THE COURT DETERMINES, THAT PARENTING TIME WILL NOT HARM THE CHILD, THE COURT MAY ORDER PARENTING TIME IN THE AMOUNT AND UNDER THE CONDITIONS THE COURT DETERMINES APPROPRIATE."

The motion prevailed and the amendments were 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.

Senate Bill No. 1210, entitled

A bill to amend 1978 PA 642, entitled "Revised probate code," by amending section 424 (MCL 700.424), as amended by 1996 PA 8.

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

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

Rep. Wallace moved to amend the bill as follows:

1. Amend page 2, line 7, after the first "IS" by striking out "RESIDING WITH THAT OTHER PERSON" and inserting "NOT RESIDING WITH HIS OR HER PARENT OR PARENTS".

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.

Senate Bill No. 1211, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2637, 2640, 16648, 18117, and 18237 (MCL 333.2637, 333.2640, 333.16648, 333.18117, and 333.18237), section 2640 as added by 1996 PA 307 and sections 16648, 18117, and 18237 as amended by 1993 PA 79, and by adding section 16281.

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

The substitute (H-1) 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.

Senate Bill No. 1212, entitled

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," by amending section 6 (MCL 722.956).

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Judiciary (for amendments, see House Journal No. 81, p. 2538),

The amendments were 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.

Senate Bill No. 1225, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100a, 161, and 748 (MCL 330.1100a, 330.1161, and 330.1748), section 100a as added and section 161 as amended by 1995 PA 290 and section 748 as amended by 1996 PA 588, and to add section 748a.

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

The substitute (H-1) 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.

Senate Bill No. 603, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 2 and 8 (MCL 722.622 and 722.628), section 2 as amended by 1996 PA 581 and section 8 as amended by 1997 PA 166, and by adding section 8d.

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. Horton moved to amend the bill as follows:

1. Amend page 18, line 20, by striking out all of subsection (3) and inserting:

"(3) THE DEPARTMENT SHALL IDENTIFY ALL OF THE FAMILIES CLASSIFIED IN CATEGORY III AT ANY TIME DURING THE PERIOD BEGINNING OCTOBER 1, 1999 AND ENDING OCTOBER 1, 2000 AND SHALL REPORT TO THE APPROPRIATE LEGISLATIVE STANDING COMMITTEES AND THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES FOR THE DEPARTMENT ALL OF THE FOLLOWING REGARDING THOSE FAMILIES:

(A) THE NUMBER AND PERCENTAGE CLASSIFIED IN CATEGORY III THAT VOLUNTARILY PARTICIPATED IN SERVICES AND THAT DID NOT PARTICIPATE IN SERVICES.

(B) THE NUMBER FOR WHICH THE DEPARTMENT ENTERED MORE THAN 1 DETERMINATION THAT THERE WAS EVIDENCE OF CHILD ABUSE OR NEGLECT.

(C) THE NUMBER THE DEPARTMENT RECLASSIFIED FROM CATEGORY III TO CATEGORY II."

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.

Senate Bill No. 954, 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 sections 13a and 17c of chapter XIIA (MCL 712A.13a and 712A.17c), section 13a as amended by 1997 PA 163 and section 17c as amended by 1997 PA 169, and by adding section 17d to chapter XIIA.

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. 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.

Senate Bill No. 955, entitled

A bill to amend 1978 PA 642, entitled "Revised probate code," by amending sections 6, 8, 427, and 437 (MCL 700.6, 700.8, 700.427, and 700.437), section 8 as amended by 1988 PA 398 and sections 427 and 437 as amended by 1990 PA 313, and by adding section 427a.

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. 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.

Senate Bill No. 956, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 2, 4, and 7 (MCL 722.22, 722.24, and 722.27), section 2 as amended by 1990 PA 245 and sections 4 and 7 as amended by 1996 PA 19.

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. 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.

Senate Bill No. 1032, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 7 and 10 (MCL 722.627 and 722.630), section 7 as amended by 1997 PA 168.

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. 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.

Senate Bill No. 497, entitled

A bill to provide for a waiver of tuition at state public institutions of higher education for children and surviving spouses of Michigan corrections officers killed in the line of duty; and to provide for an appropriation.

The bill was read a second time.

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.

Senate Bill No. 1183, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 55, 115b, 116, 117a, and 117c (MCL 400.55, 400.115b, 400.116, 400.117a, and 400.117c), section 55 as amended by 1987 PA 266, sections 115b and 117a as amended by 1988 PA 75, and section 117c as amended by 1988 PA 223, and by adding sections 115o and 117g.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Appropriations (for amendments, see House Journal No. 81, p. 2540),

The amendments were 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.

Senate Bill No. 1186, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations;

to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending section 5 (MCL 722.115), as amended by 1998 PA 34, and by adding section 5b.

The bill was read a second time.

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.

Senate Bill No. 1187, 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 sections 1, 2, 2d, 8, 16, 18, 18a, 18k, 25, and 28 of chapter XIIA (MCL 712A.1, 712A.2, 712A.2d, 712A.8, 712A.16, 712A.18, 712A.18a, 712A.18k, 712A.25, and 712A.28), sections 1, 2, 8, 16, and 28 as amended by 1996 PA 409, section 2d as added by 1996 PA 244, section 18 as amended by 1997 PA 163, and section 18k as added by 1996 PA 507, and by adding section 2e to chapter XIIA.

The bill was read a second time.

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.

Senate Bill No. 1188, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 1 of chapter I, section 1f of chapter IV, section 14 of chapter VI, sections 1, 1b, and 28 of chapter IX, and sections 1, 2, 2a, 3, 3a, 3c, 4, 5, 7, and 14a of chapter XI, (MCL 761.1, 764.1f, 766.14, 769.1, 769.1b, 769.28, 771.1, 771.2, 771.2a, 771.3, 771.3a, 771.3c, 771.4, 771.5, 771.7, and 771.14a), section 1 of chapter I and section 14 of chapter VI as amended by 1996 PA 418, section 1f of chapter IV as amended by 1996 PA 255, section 1 of chapter IX as amended by 1996 PA 248, section 1b of chapter IX and section 7 of chapter XI as amended by 1996 PA 247, section 28 of chapter IX and sections 3a, 4, and 5 of chapter XI as amended and section 14a of chapter XI as added by 1988 PA 78, sections 1 and 3c of chapter XI as amended by 1993 PA 185, section 2 of chapter XI as amended by 1994 PA 286, section 2a of chapter XI as added by 1992 PA 251, and section 3 of chapter XI as amended by 1994 PA 445.

The bill was read a second time.

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.

Senate Bill No. 1189, entitled

A bill to amend 1988 PA 73, entitled “The juvenile facilities act,” by amending the title and sections 2, 3, 4, 5, 5a, and 6 (MCL 803.222, 803.223, 803.224, 803.225, 803.225a, and 803.226), sections 2 and 4 as amended by 1996 PA 416 and section 5a as added by 1996 PA 511.

The bill was read a second time.

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.

Senate Bill No. 1190, entitled

A bill to amend 1990 PA 250, entitled “DNA identification profiling system act,” by amending the title and section 3 (MCL 28.173), as amended by 1996 PA 508.

The bill was read a second time.

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.

Senate Bill No. 1191, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," by amending sections 2, 6, 13a, 20a, 31, 36, 41a, and 48 (MCL 780.752, 780.756, 780.763a, 780.770a, 780.781, 780.786, 780.791a, and 780.798), sections 2, 6, and 36 as amended and sections 13a, 20a, and 41a as added by 1993 PA 341, section 31 as amended by 1996 PA 82, and section 48 as amended by 1996 PA 105.

The bill was read a second time.

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.

Senate Bill No. 1192, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 498c and 498d (MCL 330.1498c and 330.1498d), as amended by 1995 PA 290.

The bill was read a second time.

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.

Senate Bill No. 1193, entitled

A bill to amend 1935 PA 220, entitled "An act to provide family home care for children committed to the care of the state, to create the Michigan children's institute under the control of the Michigan social welfare commission, to prescribe the powers and duties thereof, and to provide penalties for violations of certain provisions of this act," by amending section 7 (MCL 400.207), as amended by 1980 PA 306.

The bill was read a second time.

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.

Senate Bill No. 1194, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 186a (MCL 750.186a), as added by 1996 PA 256.

The bill was read a second time.

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.

Senate Bill No. 1195, entitled

A bill to amend 1996 PA 263, entitled "Juvenile boot camp act," by amending sections 2, 3, 4, 5, 6, and 7 (MCL 400.1302, 400.1303, 400.1304, 400.1305, 400.1306, and 400.1307).

The bill was read a second time.

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.

Senate Bill No. 1218, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 1001b and 1003b (MCL 330.2001b and 330.2003b), section 1001b as amended by 1995 PA 290 and section 1003b as amended by 1993 PA 252.

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. 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.

Senate Bill No. 1219, entitled

A bill to amend 1968 PA 293, entitled "An act to establish the status of minors; to define the rights and duties of parents; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; and to establish the conditions for emancipation of minors," by amending section 4 (MCL 722.4), as amended by 1996 PA 412.

The bill was read a second time.

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.

Senate Bill No. 1220, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 139, 193, 197c, and 231 (MCL 750.139, 750.193, 750.197c, and 750.231), section 139 as amended by 1991 PA 145, section 193 as amended by 1988 PA 167, and section 231 as amended by 1981 PA 103.

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. Ciaramitaro moved to amend the bill as follows:

1. Amend page 1, line 1, after "Sec. 139." by striking out "(1) EXCEPT AS PROVIDED IN SUBSECTION (2)."

2. Amend page 2, line 3, by striking out all of subsection (2).

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

Rep. Owen demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1067**Yeas—35**

Agee	Ciaramitaro	Martinez	Tesanovich
Anthony	Emerson	Parks	Thomas
Baade	Freeman	Price	Varga
Baird	Gire	Profit	Vaughn
Bogardus	Gubow	Prusi	Wallace
Brater	Hale	Quarles	Wetters
Brewer	Hanley	Schauer	Willard
Callahan	Kilpatrick	Schermesser	Wojno
Cherry	LaForge	Schroer	

Nays—61

Alley	Fitzgerald	Jellema	Middleton
Banks	Gagliardi	Johnson	Nye
Basham	Galloway	Kaza	Olshove
Birkholz	Geiger	Kelly	Owen
Bobier	Gernaat	Kukuk	Oxender
Bodem	Gilmer	Law	Raczkowski
Brackenridge	Godchaux	Leland	Rhead
Brown	Goschka	Llewellyn	Richner
Byl	Green	London	Rocca
Cassis	Gustafson	Lowe	Sanborn
Crissman	Hammerstrom	Mathieu	Scranton
Curtis	Harder	McBryde	Sikkema

DeHart	Horton	McManus	Voorhees
DeVuyst	Jansen	McNutt	Walberg
Dobb	Jelinek	Middaugh	Whyman
Dobronski			

In The Chair: DeHart

Rep. Martinez moved to amend the bill as follows:

1. Amend page 2, line 6, after "MCL 791.220G" by inserting a comma and "providing the prisoners are being transported or confined separately from prisoners over the age of 19".

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

Rep. Owen demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1068

Yeas—35

Agee	Ciaramitaro	Kilpatrick	Schauer
Alley	Curtis	LaForge	Schermesser
Anthony	Dobronski	Martinez	Schroer
Baade	Frank	Parks	Tesanovich
Baird	Gire	Price	Thomas
Bogardus	Gubow	Profit	Vaughn
Brater	Hale	Prusi	Wallace
Brewer	Hanley	Quarles	Wetters
Cherry	Harder	Rison	

Nays—62

Banks	Galloway	Kukuk	Palamara
Basham	Geiger	Law	Perricone
Birkholz	Gernaat	Leland	Rackowski
Bobier	Gilmer	LeTarte	Rhead
Bodem	Godchaux	Llewellyn	Richner
Brackenridge	Goschka	London	Rocca
Brown	Green	Lowe	Sanborn
Byl	Gustafson	McBryde	Scranton
Callahan	Hammerstrom	McManus	Sikkema
Cassis	Horton	McNutt	Varga
Crissman	Jansen	Middaugh	Voorhees
Cropsey	Jelinek	Middleton	Walberg
DeHart	Jellema	Nye	Whyman
DeVuyst	Johnson	Owen	Willard
Dobb	Kaza	Oxender	Wojno
Fitzgerald	Kelly		

In The Chair: DeHart

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.

Senate Bill No. 1221, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 23 of chapter IV (MCL 764.23), as amended by 1988 PA 137.

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. 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.

Senate Bill No. 1222, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 20g, 29, 34, 63, 63a, 65, 69a, and 70 (MCL 791.220g, 791.229, 791.234, 791.263, 791.263a, 791.265, 791.269a, and 791.270), section 20g as added by 1996 PA 164, section 34 as amended by 1994 PA 345, section 65 as amended by 1994 PA 217, section 69a as added by 1990 PA 42, and section 70 as added by 1993 PA 255.

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. 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.

Senate Bill No. 1223, entitled

A bill to amend 1893 PA 118, entitled "An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith," by amending section 41 (MCL 800.41).

The bill was read a second time.

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.

Senate Bill No. 1224, entitled

A bill to amend 1909 PA 17, entitled "An act to prohibit or limit the access by prisoners and by employees of correctional facilities to certain weapons and to alcoholic liquor, drugs, medicines, poisons, and controlled substances in, on, or outside of correctional facilities; to prohibit or limit the bringing into or onto certain facilities and real property, and the disposition of, certain weapons and substances; to prohibit or limit the selling, giving, or furnishing of certain weapons and substances to prisoners; to prohibit the control or possession of certain weapons and substances by prisoners; and to prescribe penalties," by amending section 1a (MCL 800.281a), as added by 1982 PA 343.

The bill was read a second time.

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.

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Gagliardi moved that **Senate Bill No. 1218** be placed on its immediate passage.

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

Senate Bill No. 1218, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 1001b and 1003b (MCL 330.2001b and 330.2003b), section 1001b as amended by 1995 PA 290 and section 1003b as amended by 1993 PA 252.

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

Roll Call No. 1069**Yeas—96**

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

Nays—1

Vaughn

In The Chair: DeHart

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 1974 PA 258, entitled "An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disabilities; to establish guardianship procedures for individuals with development disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts," by amending section 1001b (MCL 330.2001b), as amended by 1995 PA 290.

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 **Senate Bill No. 1219** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 1219, entitled

A bill to amend 1968 PA 293, entitled "An act to establish the status of minors; to define the rights and duties of parents; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; and to establish the conditions for emancipation of minors," by amending section 4 (MCL 722.4), as amended by 1996 PA 412.

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

Roll Call No. 1070

Yeas—93

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

Nays—7

Brater	LaForge	Schroer	Vaughn
Hale	Parks	Thomas	

In The Chair: DeHart

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 that **Senate Bill No. 1220** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 1220, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 139, 193, 197c, and 231 (MCL 750.139, 750.193, 750.197c, and 750.231), section 139 as amended by 1991 PA 145, section 193 as amended by 1988 PA 167, and section 231 as amended by 1981 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. 1071**Yeas—78**

Alley	Frank	Kelly	Perricone
Anthony	Freeman	Kilpatrick	Price
Banks	Gagliardi	Kukuk	Prusi
Basham	Galloway	Law	Raczkowski
Birkholz	Geiger	Leland	Rhead
Bobier	Gernaat	Llewellyn	Richner
Bodem	Gilmer	London	Rison
Brackenridge	Godchaux	Lowe	Rocca
Brown	Goschka	Mathieu	Sanborn
Byl	Green	McBryde	Schauer
Callahan	Gustafson	McManus	Scranton
Cassis	Hammerstrom	McNutt	Sikkema
Crissman	Hanley	Middaugh	Tesanovich
Cropsey	Hertel	Middleton	Voorhees
Curtis	Horton	Nye	Walberg
DeHart	Jansen	Olshove	Wetters
DeVuyst	Jelinek	Owen	Whyman
Dobb	Jellema	Oxender	Willard
Dobronski	Johnson	Palamara	Wojno
Fitzgerald	Kaza		

Nays—19

Baade	Cherry	Harder	Schroer
Baird	Ciaramitaro	LaForge	Thomas
Bogardus	Gire	Martinez	Vaughn
Brater	Gubow	Parks	Wallace
Brewer	Hale	Schermesser	

In The Chair: DeHart

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

"An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,".

The House agreed to the full title.

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

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

Rep. Gagliardi moved that **Senate Bill No. 1221** be placed on its immediate passage.

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

Senate Bill No. 1221, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 23 of chapter IV (MCL 764.23), as amended by 1988 PA 137.

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

Roll Call No. 1072**Yeas—83**

Alley	Fitzgerald	Kaza	Perricone
Anthony	Frank	Kelly	Prusi
Baade	Freeman	Kilpatrick	Raczkowski
Banks	Gagliardi	Kukuk	Rhead
Basham	Galloway	Law	Richner
Birkholz	Geiger	Leland	Rison
Bobier	Gernaat	LeTarte	Rocca
Bodem	Gilmer	Llewellyn	Sanborn
Bogardus	Godchaux	London	Schauer
Brackenridge	Goschka	Lowe	Schermesser
Brown	Green	Mathieu	Scranton
Byl	Gustafson	McBryde	Sikkema
Callahan	Hammerstrom	McManus	Tesanovich
Cassis	Hanley	McNutt	Varga
Cherry	Harder	Middaugh	Voorhees
Crissman	Hertel	Middleton	Walberg
Curtis	Horton	Nye	Wetters
DeHart	Jansen	Olshove	Whyman
DeVuyst	Jelinek	Owen	Willard
Dobb	Jellema	Oxender	Wojno
Dobronski	Johnson	Palamara	

Nays—14

Baird	Gire	Martinez	Thomas
Brater	Gubow	Profit	Vaughn
Brewer	Hale	Schroer	Wallace
Ciaramitaro	LaForge		

In The Chair: DeHart

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

"An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous

provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The House agreed to the full title.

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

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

Rep. Gagliardi moved that **Senate Bill No. 1222** be placed on its immediate passage.

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

Senate Bill No. 1222, entitled

A bill to amend 1953 PA 232, entitled “An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending sections 20g, 29, 34, 63, 63a, 65, 69a, and 70 (MCL 791.220g, 791.229, 791.234, 791.263, 791.263a, 791.265, 791.269a, and 791.270), section 20g as added by 1996 PA 164, section 34 as amended by 1994 PA 345, section 65 as amended by 1994 PA 217, section 69a as added by 1990 PA 42, and section 70 as added by 1993 PA 255.

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

Roll Call No. 1073

Yeas—99

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

Nays—5Brater
Hale

LaForge

Parks

Vaughn

In The Chair: DeHart

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 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 20g, 29, 34, 63, 63a, 65, 69a, and 70 (MCL 791.220g, 791.229, 791.234, 791.263, 791.263a, 791.265, 791.269a, and 791.270), section 20g as added by 1996 PA 164, section 34 as amended by 1998 PA 315, section 65 as amended by 1994 PA 217, section 69a as added by 1990 PA 42, and section 70 as added by 1993 PA 255.

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 **Senate Bill No. 1223** be placed on its immediate passage.

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

Senate Bill No. 1223, entitled

A bill to amend 1893 PA 118, entitled "An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith," by amending section 41 (MCL 800.41).

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

Roll Call No. 1074**Yeas—96**Agee
Alley
Anthony
Baade
Baird
Banks
Basham
Birkholz
Bobier
Bodem
BogardusDobronski
Emerson
Fitzgerald
Frank
Freeman
Gagliardi
Galloway
Geiger
Gernaat
Gilmer
GireKelly
Kilpatrick
Kukuk
Law
Leland
LeTarte
Llewellyn
London
Lowe
Martinez
MathieuProfit
Prusi
Rackowski
Rhead
Richner
Rison
Rocca
Sanborn
Schauer
Schermesser
Schroer

Brackenridge	Godchaux	McBryde	Scranton
Brewer	Goschka	McManus	Sikkema
Brown	Gubow	McNutt	Stallworth
Byl	Gustafson	Middaugh	Tesanovich
Callahan	Hammerstrom	Middleton	Thomas
Cassis	Hanley	Nye	Varga
Cherry	Harder	Olshove	Voorhees
Crissman	Horton	Owen	Walberg
Cropsey	Jansen	Oxender	Wallace
Curtis	Jelinek	Palamara	Wetters
DeHart	Jellema	Parks	Whyman
DeVuyst	Johnson	Perricone	Willard
Dobb	Kaza	Price	Wojno

Nays—4

Brater	Hale	LaForge	Vaughn
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In The Chair: DeHart

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 that **Senate Bill No. 1224** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 1224, entitled

A bill to amend 1909 PA 17, entitled "An act to prohibit or limit the access by prisoners and by employees of correctional facilities to certain weapons and to alcoholic liquor, drugs, medicines, poisons, and controlled substances in, on, or outside of correctional facilities; to prohibit or limit the bringing into or onto certain facilities and real property, and the disposition of, certain weapons and substances; to prohibit or limit the selling, giving, or furnishing of certain weapons and substances to prisoners; to prohibit the control or possession of certain weapons and substances by prisoners; and to prescribe penalties," by amending section 1a (MCL 800.281a), as added by 1982 PA 343.

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

Roll Call No. 1075**Yeas—89**

Agee	Fitzgerald	Kelly	Price
Alley	Frank	Kilpatrick	Prusi
Anthony	Freeman	Kukuk	Rackowski
Baade	Gagliardi	Law	Rhead
Baird	Galloway	Leland	Richner
Basham	Geiger	LeTarte	Rison
Birkholz	Gernaat	Llewellyn	Rocca
Bobier	Gilmer	London	Sanborn
Bodem	Gire	Lowe	Schauer
Bogardus	Godchaux	Martinez	Schermesser
Brackenridge	Goschka	Mathieu	Schroer
Brown	Gubow	McBryde	Scranton

Byl	Gustafson	McManus	Sikkema
Callahan	Hammerstrom	McNutt	Tesanovich
Cassis	Hanley	Middaugh	Varga
Cherry	Harder	Middleton	Voorhees
Crissman	Horton	Nye	Walberg
Cropsey	Jansen	Olshove	Wallace
Curtis	Jelinek	Owen	Wetters
DeHart	Jellema	Oxender	Whyman
DeVuyst	Johnson	Palamara	Willard
Dobb	Kaza	Perricone	Wojno
Dobronski			

Nays—5

Hale	Parks	Stallworth	Vaughn
LaForge			

In The Chair: DeHart

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.

Second Reading of Bills**Senate Bill No. 4, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 11514a.

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

The substitute (H-3) 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. 4, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 11514a.

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

Roll Call No. 1076**Yeas—100**

Agee	Dobronski	Kilpatrick	Prusi
Alley	Fitzgerald	Kukuk	Quarles

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

Nays—0

In The Chair: DeHart

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 11546 (MCL 324.11546) and by adding section 11514a.

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. 1007, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 839.

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

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

Reps. Gubow and Llewellyn moved to substitute (H-3) the bill.

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

Rep. 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.

Senate Bill No. 1019, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 1204c (MCL 500.1204c), as amended by 1996 PA 466.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Insurance (for amendments, see House Journal No. 80, p. 2491),

The amendments were 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.

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

Rep. Gagliardi moved that **Senate Bill No. 1007** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 1007, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 839.

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

Roll Call No. 1077

Yeas—96

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

Nays—0

In The Chair: DeHart

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 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal certain acts and parts of acts; to repeal certain acts and parts of acts on specific dates; to repeal certain parts of this act on specific dates; and to provide penalties for the violation of this act," by amending sections 405, 408, 410, 2016, 2213b, 4424, 5800, and 8199a (MCL 500.405, 500.408, 500.410, 500.2016, 500.2213b, 500.4424, 500.5800, and 500.8199a), section 405 as amended by 1994 PA 228, sections 408 and 410 as amended by 1994 PA 443, section 2016 as added by 1982 PA 7, section 2213b as added by 1996 PA 517, section 4424 as amended by 1982 PA 27, section 5800 as amended by 1984 PA 386, and section 8199a as amended by 1994 PA 226, and by adding sections 839, 4419, and 5904.

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 **Senate Bill No. 1019** be placed on its immediate passage.

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

Senate Bill No. 1019, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1204c (MCL 500.1204c), as amended by 1996 PA 466.

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

Roll Call No. 1078

Yeas—96

Agee	Dobronski	Kelly	Profit
Alley	Fitzgerald	Kilpatrick	Prusi
Anthony	Frank	Kukuk	Quarles
Baade	Freeman	LaForge	Raczkowski

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

Nays—0

In The Chair: DeHart

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

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

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. 1314, entitled

A bill to amend 1951 PA 90, entitled "An act to regulate the conducting of racing meets in the state of Michigan; to provide for the possession, control and disposition of funds held by licensees for the payment of outstanding winning tickets not claimed or demanded by the lawful owners of such funds; and to prescribe penalties for violations of the provisions of this act," by amending sections 2, 3, and 4 (MCL 431.252, 431.253, and 431.254); and to repeal acts and parts of acts.

The bill was read a second time.

Reps. Varga, Scranton and Middleton moved to substitute (H-2) the bill.
The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Varga moved to amend the bill as follows:

1. Amend page 4, following line 18, by inserting:

"Beginning January 1, 1998, 50% of all Voorhees cookie profits shall be deposited into the "Milk Production Program."".

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

Rep. Voorhees moved to amend the bill as follows:

1. Amend page 2, line 6, after "BE" by striking out the balance of the section and inserting "DEPOSITED INTO THE SCHOOL AID FUND.".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not 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. 1314, entitled

A bill to amend 1951 PA 90, entitled "An act to regulate the conducting of racing meets in the state of Michigan; to provide for the possession, control and disposition of funds held by licensees for the payment of outstanding winning tickets not claimed or demanded by the lawful owners of such funds; and to prescribe penalties for violations of the provisions of this act," by amending sections 2, 3, and 4 (MCL 431.252, 431.253, and 431.254); 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. 1079

Yeas—79

Agee	Dobronski	Kelly	Prusi
Anthony	Fitzgerald	Kukuk	Quarles
Baird	Frank	Law	Rhead
Bankes	Freeman	Leland	Richner
Basham	Gagliardi	LeTarte	Rison
Birkholz	Galloway	Llewellyn	Rocca

Bobier	Gernaat	London	Schauer
Bodem	Gilmer	Mathieu	Schermesser
Bogardus	Godchaux	McBryde	Schroer
Brackenridge	Goschka	McManus	Scranton
Brater	Gustafson	McNutt	Sikkema
Brewer	Hale	Middaugh	Stallworth
Brown	Hammerstrom	Middleton	Tesanovich
Cassis	Hanley	Nye	Thomas
Cherry	Harder	Olshove	Varga
Crissman	Jansen	Oxender	Vaughn
Curtis	Jelinek	Palamara	Walberg
DeHart	Jellema	Parks	Wallace
DeVuyst	Johnson	Price	Wetters
Dobb	Kaza	Profit	

Nays—15

Callahan	Gubow	Martinez	Whyman
Ciaramitaro	Horton	Rackowski	Willard
Cropsey	LaForge	Sanborn	Wojno
Gire	Lowe	Voorhees	

In The Chair: DeHart

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.

Second Reading of Bills

Senate Bill No. 774, 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 6 and 8 (MCL 257.1406 and 257.1408).

The bill was read a second time.

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.

Senate Bill No. 1362, entitled

A bill to amend 1996 PA 462, entitled “Enhanced access to public records act,” by amending sections 2 and 3 (MCL 15.442 and 15.443).

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Advanced Technology and Computer Development (for amendments, see House Journal No. 81, p. 2536),

The amendments were 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. Walberg moved that Rep. Nye be excused temporarily from today's session.
The motion prevailed.

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

Rep. Gagliardi moved that **Senate Bill No. 774** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 774, 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 6 and 8 (MCL 257.1406 and 257.1408).

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

Roll Call No. 1080

Yeas—96

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

Nays—1

Kaza

In The Chair: DeHart

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 that **Senate Bill No. 1362** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 1362, entitled

A bill to amend 1996 PA 462, entitled "Enhanced access to public records act," by amending sections 2 and 3 (MCL 15.442 and 15.443).

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

Roll Call No. 1081**Yeas—96**

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

Nays—1

Kaza

In The Chair: DeHart

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

"An act to authorize public bodies to provide enhanced access to certain public records and to impose certain fees for providing that enhanced access; to regulate enhanced access to certain public records; and to authorize public bodies to establish and impose fees for the use of geographical information systems,".

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. 820, entitled**

A bill to license and regulate bail recovery agents; to provide for certain powers and duties for certain state agencies and law enforcement agencies; to require the obtaining of surety devices by licensees; to provide for the imposition of

certain fees and establishment of certain standards of operation of licensees; to provide for the promulgation of rules; and to provide remedies and prescribe penalties.

The bill was read a second time.

Rep. Nye moved to amend the bill as follows:

1. Amend page 6, line 5, by striking out all of lines 5 and 6 and inserting "misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$2,000.00, or both:".

2. Amend page 6, line 19, after "misdemeanor" by striking out the balance of the subsection and inserting "punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both:".

The motion prevailed and the amendments were 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. 820, entitled

A bill to license and regulate bail recovery agents; to provide for certain powers and duties for certain state agencies and law enforcement agencies; to require the obtaining of surety devices by licensees; to provide for the imposition of certain fees and establishment of certain standards of operation of licensees; to provide for the promulgation of rules; and to provide remedies and prescribe penalties.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

Senate Bill No. 1185, entitled

A bill to allow counties to authorize acceptance of certain juveniles committed to their care and responsibility; to prescribe the procedure and effect of that authorization; and to prescribe powers, duties, and obligations of those counties.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Appropriations (for amendments, see House Journal No. 81, p. 2541),

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

Rep. Emerson moved to amend the bill as follows:

1. Amend page 6, following line 11, following section 10a, by inserting:

"Sec. 10b. The family independence agency shall adopt a plan to aid employees of the family independence agency not described in section 10a who are negatively impacted as a result of this act. The plan shall be developed in conjunction with employee collective bargaining units and shall address and recommend remedies for displaced employees including, but not limited to, interdepartmental transfers, intradepartmental transfers, employee retraining, appropriate severance packages, and job placement aid. The plan, including the recommendations, shall be submitted to the house and senate appropriations committees, the state employer, and the affected collective bargaining units no later than September 1, 1999."

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. 1185, entitled

A bill to allow counties to authorize acceptance of certain juveniles committed to their care and responsibility; to prescribe the procedure and effect of that authorization; and to prescribe powers, duties, and obligations of those counties.

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

Roll Call No. 1082

Yeas—98

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

Nays—0

In The Chair: DeHart

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 that **Senate Bill No. 1183** be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 1183, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 55, 115b, 116, 117a, and 117c (MCL 400.55, 400.115b, 400.116, 400.117a, and 400.117c), section 55 as amended by 1987 PA 266, sections 115b and 117a as amended by 1988 PA 75, and section 117c as amended by 1988 PA 223, and by adding sections 115o and 117g.

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

Roll Call No. 1083**Yeas—100**

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

Nays—0

In The Chair: DeHart

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

“An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions 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.

Second Reading of Bills**Senate Bill No. 1184, entitled**

A bill to amend 1974 PA 150, entitled “Youth rehabilitation services act,” by amending the title and sections 2, 3, 4, 5, 6, 6a, 7, 7a, and 8 (MCL 803.302, 803.303, 803.304, 803.305, 803.306, 803.306a, 803.307, 803.307a, and

803.308), the title as amended and section 7a as added by 1996 PA 512, sections 2, 5, and 7 as amended by 1996 PA 417, section 4 as amended by 1988 PA 76, and section 6a as added by 1996 PA 481, and by adding section 2a.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Appropriations (for amendments, see House Journal No. 81, p. 2541),

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

Rep. Price moved to reconsider the vote by which the House adopted amendment No. 2 previously recommended by the Committee on Appropriations.

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

The question being on the adoption of amendment No. 2 previously by the Committee on Appropriations,

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

Rep. Price moved to amend the bill as follows:

1. Amend page 7, line 14, after "BEFORE" by striking out "MARCH 1, 1998" and inserting "THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SENTENCE".

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

Rep. Price moved to amend the bill as follows:

1. Amend page 7, line 3, by striking out "THAT IS EQUIVALENT TO THE DEPARTMENT" and inserting "PROVIDED THAT THE PROGRAM WHICH THE YOUTH AGENCY SEEKS TO PLACE A PUBLIC WARD MEETS LICENSING LAWS, REQUIREMENTS, AND RULES REQUIRED FOR THE PLACEMENT OF A PUBLIC WARD WITH A PUBLIC OR PRIVATE INSTITUTION OR AGENCY IN MICHIGAN".

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. 1184, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," by amending the title and sections 2, 3, 4, 5, 6, 6a, 7, 7a, and 8 (MCL 803.302, 803.303, 803.304, 803.305, 803.306, 803.306a, 803.307, 803.307a, and 803.308), the title as amended and section 7a as added by 1996 PA 512, sections 2, 5, and 7 as amended by 1996 PA 417, section 4 as amended by 1988 PA 76, and section 6a as added by 1996 PA 481, and by adding section 2a.

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

Roll Call No. 1084

Yeas—99

Agee	DeVuyst	Kaza	Profit
Alley	Dobb	Kelly	Prusi
Anthony	Dobronski	Kilpatrick	Raczkowski
Baade	Emerson	Kukuk	Richner
Baird	Fitzgerald	LaForge	Rison
Bankes	Frank	Law	Rocca
Basham	Freeman	Leland	Sanborn
Birkholz	Gagliardi	LeTarte	Schauer
Bobier	Galloway	Llewellyn	Schermesser
Bodem	Gernaat	London	Schroer
Bogardus	Gilmer	Lowe	Scranton
Brackenridge	Godchaux	Martinez	Sikkema
Brater	Goschka	Mathieu	Stallworth

Brewer	Green	McBryde	Tesanovich
Brown	Gubow	McManus	Thomas
Byl	Gustafson	McNutt	Varga
Callahan	Hale	Middaugh	Vaughn
Cassis	Hammerstrom	Middleton	Voorhees
Cherry	Hanley	Olshove	Walberg
Ciaramitaro	Harder	Owen	Wallace
Crissman	Hertel	Oxender	Wetters
Cropsey	Horton	Palamara	Whyman
Curtis	Jansen	Parks	Willard
Dalman	Jelinek	Perricone	Wojno
DeHart	Jellema	Price	

Nays—0

In The Chair: DeHart

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

“An act to provide for the acceptance, care, and discharge of youths committed to the department as state wards; to prescribe the liability of counties for the cost of services for state wards; to prescribe procedures for the return of state wards who absent themselves without permission; to provide a penalty for the violation of this act; 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.

—

Rep. Freeman moved that Rep. Emerson be excused temporarily from today’s session.

The motion prevailed.

Rep. Gagliardi moved that **Senate Bill No. 1186** be placed on its immediate passage.

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

Senate Bill No. 1186, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending section 5 (MCL 722.115), as amended by 1998 PA 34, and by adding section 5b.

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

Roll Call No. 1085

Yeas—98

Agee	Dobronski	Kelly	Profit
Alley	Fitzgerald	Kilpatrick	Prusi
Anthony	Frank	Kukuk	Quarles
Baade	Freeman	LaForge	Raczkowski
Baird	Gagliardi	Law	Richner

Bankes	Galloway	Leland	Rison
Basham	Geiger	LeTarte	Rocca
Birkholz	Gernaat	Llewellyn	Sanborn
Bobier	Gilmer	London	Schauer
Bodem	Godchaux	Lowe	Schermesser
Bogardus	Goschka	Martinez	Schroer
Brackenridge	Green	Mathieu	Scranton
Brater	Gubow	McBryde	Sikkema
Brewer	Gustafson	McManus	Stallworth
Brown	Hale	McNutt	Tesanovich
Callahan	Hammerstrom	Middaugh	Thomas
Cassis	Hanley	Middleton	Varga
Cherry	Harder	Olshove	Vaughn
Crissman	Hertel	Owen	Walberg
Cropsey	Horton	Oxender	Wallace
Curtis	Jansen	Palamara	Wetters
Dalman	Jelinek	Parks	Whyman
DeHart	Jellema	Perricone	Willard
DeVuyst	Johnson	Price	Wojno
Dobb	Kaza		

Nays—0

In The Chair: DeHart

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

Rep. Gagliardi moved that **Senate Bill No. 1187** be placed on its immediate passage.

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

Senate Bill No. 1187, 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 sections 1, 2, 2d, 8, 16, 18, 18a, 18k, 25, and 28 of chapter XIA (MCL 712A.1, 712A.2, 712A.2d, 712A.8, 712A.16, 712A.18, 712A.18a, 712A.18k, 712A.25, and 712A.28), sections 1, 2, 8, 16, and 28 as amended by 1996 PA 409, section 2d as added by 1996 PA 244, section 18 as amended by 1997 PA 163, and section 18k as added by 1996 PA 507, and by adding section 2e to chapter XIA.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Profit moved to amend the bill as follows:

1. Amend page 11, following line 10, by inserting:

“(H) BEGINNING MARCH 1, 1999, JURISDICTION OVER A PROCEEDING UNDER SECTION 2950 OR 2950A OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL 600.2950 AND 600.2950A, IN WHICH A MINOR LESS THAN 18 YEARS OF AGE IS THE RESPONDENT. VENUE FOR AN INITIAL ACTION UNDER SECTION 2950 OR 2950A OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL 600.2950 AND 600.2950A, IS PROPER IN THE COUNTY OF RESIDENCE OF EITHER THE PETITIONER OR RESPONDENT. IF THE RESPONDENT DOES NOT LIVE IN THIS STATE, VENUE FOR THE INITIAL ACTION IS PROPER IN THE PETITIONER’S COUNTY OF RESIDENCE.”.

2. Amend page 21, line 8, after “chapter,” by inserting “OR UNDER SECTION 2(H) OF THIS CHAPTER FOR A SUPPLEMENTAL PETITION.”.

3. Amend page 22, line 9, after “DESIGNATES.” by inserting “IF A CHILD IS NOT LESS THAN 17 YEARS OF AGE AND IS IN VIOLATION OF A PERSONAL PROTECTION ORDER, THE COURT MAY COMMIT THE CHILD TO A COUNTY JAIL WITHIN THE ADULT PRISONER POPULATION.”.

4. Amend page 33, following line 10, by inserting:

“(16) IN A PROCEEDING UNDER SECTION 2(H) OF THIS CHAPTER, THIS SECTION SHALL ONLY APPLY TO A DISPOSITION FOR A VIOLATION OF A PERSONAL PROTECTION ORDER AND SUBSEQUENT PROCEEDINGS.”.

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. 1086

Yeas—96

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

Nays—0

In The Chair: DeHart

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 that **Senate Bill No. 1188** be placed on its immediate passage.

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

Senate Bill No. 1188, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1 of chapter I, section 1f of chapter IV, section 14 of chapter VI, sections 1, 1b, and 28 of chapter IX, and sections 1, 2, 2a, 3, 3a, 3c, 4, 5, 7, and 14a of chapter XI, (MCL 761.1, 764.1f, 766.14, 769.1, 769.1b, 769.28, 771.1, 771.2, 771.2a, 771.3, 771.3a, 771.3c, 771.4, 771.5, 771.7, and 771.14a), section 1 of chapter I and section 14 of chapter VI as amended by 1996 PA 418, section 1f of chapter IV as amended by 1996 PA 255, section 1 of chapter IX as amended by 1996 PA 248, section 1b of chapter IX and section 7 of chapter XI as amended by 1996 PA 247, section 28 of chapter IX and sections 3a, 4, and 5 of chapter XI as amended and section 14a of chapter XI as added by 1988 PA 78, sections 1 and 3c of chapter XI as amended by 1993 PA 185, section 2 of chapter XI as amended by 1994 PA 286, section 2a of chapter XI as added by 1992 PA 251, and section 3 of chapter XI as amended by 1994 PA 445.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Profit moved to amend the bill as follows:

1. Amend page 31, line 20, after "(1)(f)" by striking out "OR (G)".
2. Amend page 32, following line 7, by inserting:

"(O) BE SUBJECT TO CONDITIONS REASONABLY NECESSARY FOR THE PROTECTION OF 1 OR MORE NAMED PERSONS.

(P) REIMBURSE THE COUNTY FOR EXPENSES INCURRED BY THE COUNTY IN CONNECTION WITH THE CONVICTION FOR WHICH PROBATION WAS ORDERED AS PROVIDED IN THE PRISONER REIMBURSEMENT TO THE COUNTY ACT, 1984 PA 118, MCL 801.81 TO 801.93."

3. Amend page 32, line 13, after "proper." by inserting:

"(5) IF AN ORDER OR AMENDED ORDER OF PROBATION CONTAINS A CONDITION FOR THE PROTECTION OF 1 OR MORE NAMED PERSONS AS PROVIDED IN SUBSECTION (2)(O), THE COURT OR A LAW ENFORCEMENT AGENCY WITHIN THE COURT'S JURISDICTION SHALL ENTER THE ORDER OR AMENDED ORDER INTO THE LAW ENFORCEMENT INFORMATION NETWORK. IF THE COURT RESCINDS THE ORDER OR AMENDED ORDER OR THE CONDITION, THE COURT SHALL REMOVE THE ORDER OR AMENDED ORDER OR THE CONDITION FROM THE LAW ENFORCEMENT INFORMATION NETWORK OR NOTIFY THAT LAW ENFORCEMENT AGENCY AND THE LAW ENFORCEMENT AGENCY SHALL REMOVE THE ORDER OR AMENDED ORDER OR THE CONDITION FROM THE LAW ENFORCEMENT INFORMATION NETWORK.

(6)" and renumbering the remaining subsections.

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. 1087

Yeas—96

Agee	DeVuyst	Johnson	Profit
Alley	Dobb	Kaza	Prusi
Anthony	Dobronski	Kelly	Quarles
Baade	Emerson	Kukuk	Raczkowski
Baird	Fitzgerald	LaForge	Richner
Bankes	Frank	Law	Rison
Basham	Freeman	Leland	Rocca
Birkholz	Gagliardi	LeTarte	Sanborn
Bobier	Galloway	Llewellyn	Schauer
Bodem	Gernaat	London	Schermesser

Bogardus	Gilmer	Lowe	Schroer
Brackenridge	Gire	Martinez	Scranton
Brater	Godchaux	Mathieu	Sikkema
Brewer	Goschka	McBryde	Stallworth
Brown	Green	McManus	Tesanovich
Byl	Gubow	McNutt	Thomas
Callahan	Gustafson	Middaugh	Varga
Cassis	Hale	Middleton	Vaughn
Cherry	Hammerstrom	Olshove	Walberg
Crissman	Harder	Owen	Wallace
Cropsey	Horton	Oxender	Wetters
Curtis	Jansen	Parks	Whyman
Dalman	Jelinek	Perricone	Willard
DeHart	Jellema	Price	Wojno

Nays—0

In The Chair: DeHart

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The House agreed to the full title.

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

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

Rep. Wetters asked and obtained an excuse from the balance of today’s session.

Rep. Gagliardi moved that **Senate Bill No. 1189** be placed on its immediate passage.

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

Senate Bill No. 1189, entitled

A bill to amend 1988 PA 73, entitled “The juvenile facilities act,” by amending the title and sections 2, 3, 4, 5, 5a, and 6 (MCL 803.222, 803.223, 803.224, 803.225, 803.225a, and 803.226), sections 2 and 4 as amended by 1996 PA 416 and section 5a as added by 1996 PA 511.

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

Roll Call No. 1088**Yeas—101**

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

Nays—0

In The Chair: DeHart

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

“An act to provide for certain responsibilities and duties of the department of social services and certain facilities, institutions, and agencies; and to provide for the preparation of certain reports pertaining to certain juveniles.”.

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. Gagliardi moved that **Senate Bill No. 1190** be placed on its immediate passage.

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

Senate Bill No. 1190, entitled

A bill to amend 1990 PA 250, entitled “DNA identification profiling system act,” by amending the title and section 3 (MCL 28.173), as amended by 1996 PA 508.

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

Roll Call No. 1089**Yeas—91**

Agee	DeHart	Jansen	Palamara
Alley	DeVuyst	Jelinek	Perricone

Anthony	Dobb	Jellema	Price
Baade	Dobronski	Johnson	Prusi
Baird	Fitzgerald	Kaza	Quarles
Bankes	Frank	Kelly	Raczkowski
Basham	Gagliardi	Kukuk	Richner
Birkholz	Galloway	Law	Rison
Bobier	Geiger	LeTarte	Rocca
Bodem	Gernaat	Llewellyn	Sanborn
Bogardus	Gilmer	London	Schauer
Brackenridge	Gire	Lowe	Schermesser
Brewer	Godchaux	Martinez	Scranton
Brown	Goschka	Mathieu	Sikkema
Byl	Green	McBryde	Tesanovich
Callahan	Gubow	McManus	Varga
Cassis	Gustafson	McNutt	Vaughn
Cherry	Hale	Middaugh	Voorhees
Ciaramitaro	Hammerstrom	Middleton	Walberg
Crissman	Hanley	Nye	Whyman
Cropsey	Harder	Olshove	Willard
Curtis	Hertel	Owen	Wojno
Dalman	Horton	Oxender	

Nays—9

Brater	Parks	Schroer	Thomas
LaForge	Profit	Stallworth	Wallace
Leland			

In The Chair: DeHart

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

“An act to provide for a DNA identification profiling system; to provide for the collection of samples from certain prisoners, convicted offenders, and juvenile offenders and the analysis of those samples; and to prescribe the powers and duties of certain state departments.”.

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. Gagliardi moved that **Senate Bill No. 1191** be placed on its immediate passage.

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

Senate Bill No. 1191, entitled

A bill to amend 1985 PA 87, entitled “Crime victim’s rights act,” by amending sections 2, 6, 13a, 20a, 31, 36, 41a, and 48 (MCL 780.752, 780.756, 780.763a, 780.770a, 780.781, 780.786, 780.791a, and 780.798), sections 2, 6, and 36 as amended and sections 13a, 20a, and 41a as added by 1993 PA 341, section 31 as amended by 1996 PA 82, and section 48 as amended by 1996 PA 105.

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

Roll Call No. 1090**Yeas—98**

Alley	Dobronski	Kaza	Price
Anthony	Emerson	Kelly	Profit

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

Nays—0

In The Chair: DeHart

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

“An act to establish the rights of victims of crime and juvenile offenses; to provide for certain procedures; to establish certain immunities and duties; to limit convicted criminals from deriving profit under certain circumstances; to prohibit certain conduct of employers or employers’ agents toward victims; and to provide for penalties and remedies.”.

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. Gagliardi moved that **Senate Bill No. 1192** be placed on its immediate passage.

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

Senate Bill No. 1192, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 498c and 498d (MCL 330.1498c and 330.1498d), as amended by 1995 PA 290.

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

Roll Call No. 1091**Yeas—98**

Agee	Dobb	Johnson	Price
Alley	Dobronski	Kaza	Profit
Anthony	Emerson	Kelly	Prusi
Baade	Fitzgerald	Kukuk	Quarles

Baird	Frank	LaForge	Raczkowski
Bankes	Freeman	Law	Richner
Basham	Gagliardi	Leland	Rison
Birkholz	Galloway	LeTarte	Rocca
Bobier	Geiger	Llewellyn	Sanborn
Bodem	Gernaat	London	Schauer
Bogardus	Gilmer	Lowe	Schermesser
Brackenridge	Gire	Martinez	Schroer
Brater	Godchaux	Mathieu	Scranton
Brewer	Goschka	McBryde	Sikkema
Brown	Green	McManus	Stallworth
Byl	Gubow	McNutt	Tesanovich
Callahan	Hale	Middaugh	Thomas
Cherry	Hammerstrom	Middleton	Varga
Ciaramitaro	Hanley	Olshove	Vaughn
Crissman	Harder	Owen	Walberg
Cropsey	Hertel	Oxender	Wallace
Curtis	Horton	Palamara	Whyman
Dalman	Jansen	Parks	Willard
DeHart	Jelinek	Perricone	Wojno
DeVuyst	Jellema		

Nays—0

In The Chair: DeHart

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

“An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disabilities; to establish guardianship procedures for individuals with development disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; 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.

Rep. Gagliardi moved that **Senate Bill No. 1193** be placed on its immediate passage.

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

Senate Bill No. 1193, entitled

A bill to amend 1935 PA 220, entitled “An act to provide family home care for children committed to the care of the state, to create the Michigan children’s institute under the control of the Michigan social welfare commission, to prescribe the powers and duties thereof, and to provide penalties for violations of certain provisions of this act,” by amending section 7 (MCL 400.207), as amended by 1980 PA 306.

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

Roll Call No. 1092

Yeas—100

Agee	DeVuyst	Jelinek	Parks
Alley	Dobb	Jellema	Perricone

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

Nays—0

In The Chair: DeHart

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 that **Senate Bill No. 1194** be placed on its immediate passage.

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

Senate Bill No. 1194, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 186a (MCL 750.186a), as added by 1996 PA 256.

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

Roll Call No. 1093**Yeas—98**

Agee	DeVuyst	Jellema	Parks
Alley	Dobb	Johnson	Perricone
Anthony	Dobronski	Kaza	Price
Baade	Emerson	Kelly	Profit
Baird	Fitzgerald	Kukuk	Prusi
Bankes	Frank	LaForge	Quarles
Basham	Freeman	Law	Rackowski
Birkholz	Gagliardi	Leland	Richner
Bobier	Galloway	LeTarte	Rison

Bodem	Geiger	Llewellyn	Rocca
Bogardus	Gernaat	London	Sanborn
Brackenridge	Gilmer	Lowe	Schauer
Brater	Gire	Martinez	Schermesser
Brewer	Godchaux	Mathieu	Schroer
Brown	Goschka	McBryde	Scranton
Byl	Green	McManus	Sikkema
Callahan	Gustafson	McNutt	Stallworth
Cassis	Hale	Middaugh	Tesanovich
Cherry	Hammerstrom	Middleton	Thomas
Ciaramitaro	Hanley	Nye	Varga
Crissman	Harder	Olshove	Vaughn
Cropsey	Hertel	Owen	Walberg
Curtis	Horton	Oxender	Wallace
Dalman	Jansen	Palamara	Willard
DeHart	Jelinek		

Nays—0

In The Chair: DeHart

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

“An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The House agreed to the full title.

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

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

Rep. Gagliardi moved that **Senate Bill No. 1195** be placed on its immediate passage.

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

Senate Bill No. 1195, entitled

A bill to amend 1996 PA 263, entitled “Juvenile boot camp act,” by amending sections 2, 3, 4, 5, 6, and 7 (MCL 400.1302, 400.1303, 400.1304, 400.1305, 400.1306, and 400.1307).

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

Roll Call No. 1094

Yeas—98

Agee	Emerson	Kelly	Profit
Alley	Fitzgerald	Kukuk	Prusi
Anthony	Frank	LaForge	Quarles
Baade	Freeman	Law	Raczkowski
Bankes	Galloway	Leland	Richner
Basham	Geiger	LeTarte	Rison
Birkholz	Gernaat	Llewellyn	Rocca
Bobier	Gilmer	London	Sanborn
Bodem	Gire	Lowe	Schauer
Bogardus	Godchaux	Martinez	Schermesser
Brackenridge	Goschka	Mathieu	Schroer

Brown	Green	McBryde	Scranton
Byl	Gubow	McManus	Sikkema
Callahan	Gustafson	McNutt	Stallworth
Cassis	Hale	Middaugh	Tesanovich
Cherry	Hammerstrom	Middleton	Thomas
Ciaramitaro	Hanley	Nye	Varga
Crissman	Harder	Olshove	Vaughn
Cropsey	Hertel	Owen	Voorhees
Curtis	Horton	Oxender	Walberg
Dalman	Jansen	Palamara	Wallace
DeHart	Jelinek	Parks	Whyman
DeVuyst	Jellema	Perricone	Willard
Dobb	Johnson	Price	Wojno
Dobronski	Kaza		

Nays—1

Brater

In The Chair: DeHart

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

“An act to establish juvenile boot camps and programs; and to prescribe the powers and duties of certain courts and departments.”

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. 1196, entitled

A bill to amend 1980 PA 243, entitled “Emergency municipal loan act,” by amending sections 2, 3, 4, 6, 7, and 8 (MCL 141.932, 141.933, 141.934, 141.936, 141.937, and 141.938), sections 2 and 3 as amended by 1987 PA 282, sections 4, 7, and 8 as amended by 1986 PA 6, and section 6 as amended by 1988 PA 198.

The bill was read a second time.

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. 1196, entitled

A bill to amend 1980 PA 243, entitled “Emergency municipal loan act,” by amending sections 2, 3, 4, 6, 7, and 8 (MCL 141.932, 141.933, 141.934, 141.936, 141.937, and 141.938), sections 2 and 3 as amended by 1987 PA 282, sections 4, 7, and 8 as amended by 1986 PA 6, and section 6 as amended by 1988 PA 198.

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

Roll Call No. 1095**Yeas—98**

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

Nays—0

In The Chair: DeHart

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

“An act to provide emergency financial assistance for certain municipalities; to create a local emergency financial assistance loan board and to prescribe the powers and duties of this board; to prescribe conditions for granting and receiving loans, to prescribe terms and conditions for the repayment of loans, and to allow the limiting of repayment by a county from specific revenue sources; to impose certain requirements and duties on certain state departments, municipalities of this state, and officials of the state and municipalities of this state; and to prescribe remedies and penalties.”

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. 1197, entitled**

A bill to amend 1987 PA 264, entitled “Health and safety fund act,” by amending sections 3 and 5 (MCL 141.473 and 141.475).

The bill was read a second time.

Reps. Emerson and Gilmer moved to amend the bill as follows:

1. Amend page 4, line 10, after “6,” by striking out “11/17” and inserting “12/17”.
2. Amend page 4, line 23, after “remaining” by striking out “6/17” and inserting “5/17”.

The motion prevailed and the amendments were 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. 1197, entitled

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending sections 3 and 5 (MCL 141.473 and 141.475).

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

Roll Call No. 1096

Yeas—98

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

Nays—0

In The Chair: DeHart

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

"An act to provide for the creation of the health and safety fund; to provide for the deposit of certain money in that fund; to provide for the distribution of the money in that fund and to limit its use; to prescribe the powers and duties of certain state officials; and to provide for an appropriation,".

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. 105, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39c.
The bill was read a third time.

The question being on the passage of the bill,

Rep. Profit moved to amend the bill as follows:

1. Amend page 1, line 2, after "1998" by inserting "AND BEFORE JANUARY 1, 2003".

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. 1097**Yeas—96**

Agee	Dobronski	Johnson	Price
Alley	Emerson	Kaza	Profit
Anthony	Fitzgerald	Kelly	Prusi
Baade	Frank	Kukuk	Quarles
Baird	Gagliardi	LaForge	Raczkowski
Basham	Galloway	Law	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	Scranton
Brown	Gubow	McBryde	Sikkema
Byl	Gustafson	McManus	Stallworth
Callahan	Hale	McNutt	Tesanovich
Cassis	Hammerstrom	Middaugh	Thomas
Crissman	Hanley	Middleton	Varga
Cropsey	Harder	Nye	Vaughn
Curtis	Hertel	Olshove	Voorhees
Dalman	Horton	Owen	Wallace
DeHart	Jansen	Oxender	Whyman
DeVuyst	Jelinek	Palamara	Willard
Dobb	Jellema	Parks	Wojno

Nays—0

In The Chair: DeHart

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

"An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation,".

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. 106, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 266.
The bill was read a third time.

The question being on the passage of the bill,

Rep. Profit moved to amend the bill as follows:

1. Amend page 1, line 1, after the first "YEAR" by striking out the balance of the line through "1999" on line 2 and inserting "THROUGH THE 2002".

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. 1098**Yeas—96**

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

Nays—0

In The Chair: DeHart

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

"An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain 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.

By unanimous consent the House returned to the order of
Messages from the Senate

The Speaker laid before the House

House Bill No. 5967, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 1996 PA 435.

(The bill was received from the Senate on December 8, with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 81, p. 2533.)

The question being on concurring in the adoption of the substitute (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1099

Yeas—85

Agee	Fitzgerald	Kaza	Perricone
Alley	Frank	Kelly	Price
Baade	Gagliardi	Kukuk	Prusi
Baird	Galloway	Law	Raczkowski
Bankes	Geiger	Leland	Richner
Basham	Gernaat	LeTarte	Rocca
Birkholz	Gilmer	Llewellyn	Sanborn
Bobier	Gire	London	Schauer
Bodem	Godchaux	Lowe	Schroer
Brackenridge	Goschka	Mathieu	Sikkema
Brewer	Green	McBryde	Stallworth
Brown	Gustafson	McManus	Tesanovich
Byl	Hammerstrom	McNutt	Thomas
Cassis	Hanley	Middaugh	Varga
Crissman	Harder	Middleton	Vaughn
Cropsey	Hertel	Nye	Voorhees
Curtis	Horton	Olshove	Walberg
Dalman	Jansen	Owen	Wallace
DeHart	Jelinek	Oxender	Whyman
DeVuyst	Jellema	Palamara	Willard
Dobb	Johnson	Parks	Wojno
Dobronski			

Nays—12

Bogardus	Ciaramitaro	Gubow	Rison
Brater	Emerson	Hale	Schermesser
Callahan	Freeman	LaForge	Scranton

In The Chair: DeHart

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 5968, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 1997 PA 194.

(The bill was received from the Senate on December 8, with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 81, p. 2533.)

The question being on concurring in the adoption of the substitute (S-3) made to the bill by the Senate,
The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1100**Yeas—84**

Agee	Fitzgerald	Kaza	Perricone
Alley	Frank	Kelly	Price
Anthony	Gagliardi	Kukuk	Profit
Baade	Galloway	Law	Prusi
Baird	Geiger	Leland	Raczkowski
Bankes	Gernaat	LeTarte	Richner
Basham	Gilmer	Llewellyn	Rocca
Birkholz	Gire	London	Sanborn
Bobier	Godchaux	Lowe	Schauer
Bodem	Goschka	Mathieu	Sikkema
Brackenridge	Green	McBryde	Stallworth
Brewer	Gustafson	McManus	Tesanovich
Brown	Hammerstrom	McNutt	Thomas
Byl	Hanley	Middaugh	Varga
Cassis	Harder	Middleton	Vaughn
Crissman	Hertel	Nye	Voorhees
Cropsey	Horton	Olshove	Walberg
Dalman	Jansen	Owen	Wallace
DeHart	Jelinek	Oxender	Whyman
DeVuyst	Jellema	Palamara	Willard
Dobb	Johnson	Parks	Wojno

Nays—13

Bogardus	Freeman	LaForge	Schermesser
Brater	Gubow	Martinez	Schroer
Callahan	Hale	Rison	Scranton
Ciaramitaro			

In The Chair: DeHart

The House agreed to the title as amended.

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Labor and Occupational Safety, by Rep. Cherry, Vice-Chair, reported

Senate Bill No. 712, entitled

A bill to amend 1905 PA 187, entitled "An act to insure the payment of subcontractors and wages earned and all materials or labor and certain supplies furnished and used in connection with and consumed in constructing, repairing or ornamenting public buildings and public works," by amending section 1 (MCL 570.101), as amended by 1982 PA 10.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 712 To Report Out:

Yeas: Reps. Cherry, Agee, Bogardus, Callahan, Freeman, Schermesser, Byl, Llewellyn, Rhead,
Nays: None.

The Committee on Labor and Occupational Safety, by Rep. Cherry, Vice-Chair, reported

Senate Bill No. 713, entitled

A bill to amend 1963 PA 213, entitled "An act to provide a procedure for bonding contractors for public buildings and public works of governmental units; and to repeal certain acts and parts of acts," by amending sections 1, 3, and 4 (MCL 129.201, 129.203, and 129.204), section 1 as amended by 1982 PA 11.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 713 To Report Out:

Yeas: Reps. Cherry, Agee, Bogardus, Callahan, Freeman, Schermesser, Byl, Llewellyn, Rhead,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

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

Present: Reps. Cherry, Agee, Bogardus, Callahan, Freeman, Schermesser, Byl, Llewellyn, Rhead,

Absent: Rep. Raczkowski,

Excused: Rep. Raczkowski.

Second Reading of Bills**Senate Bill No. 712, entitled**

A bill to amend 1905 PA 187, entitled "An act to insure the payment of subcontractors and wages earned and all materials or labor and certain supplies furnished and used in connection with and consumed in constructing, repairing or ornamenting public buildings and public works," by amending section 1 (MCL 570.101), as amended by 1982 PA 10.

The bill was read a second time.

Rep. Cherry moved to amend the bill as follows:

1. Amend page 2, line 7, after "THE" by striking out "INSURED'S" and inserting "INSURER'S".

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.

Senate Bill No. 713, entitled

A bill to amend 1963 PA 213, entitled "An act to provide a procedure for bonding contractors for public buildings and public works of governmental units; and to repeal certain acts and parts of acts," by amending sections 1, 3, and 4 (MCL 129.201, 129.203, and 129.204), section 1 as amended by 1982 PA 11.

The bill was read a second time.

Rep. Cherry moved to amend the bill as follows:

1. Amend page 3, line 7, after "THE" by striking out "INSURED'S" and inserting "INSURER'S".

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.

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

Rep. Gagliardi moved that a respectful message be sent to the Senate requesting the return of **House Bill No. 5567**.
The motion prevailed.

Messages from the Senate

The Speaker laid before the House
House Bill No. 5644, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 1105, 9203, and 9402 (MCL 440.1105, 440.9203, and 440.9402), section 1105 as amended by 1992 PA 101, section 9203 as amended by 1987 PA 16, and section 9402 as amended by 1989 PA 216; and to repeal acts and parts of acts.

(The bill was received from the Senate on December 8, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 81, p. 2532.)

The question being on concurring in the adoption of the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1101

Yeas—99

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

Nays—0

In The Chair: DeHart

The House agreed to the title as amended.

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

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

The motion prevailed.

Third Reading of Bills

Pending the Third Reading of

Senate Bill No. 767, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43516, 73101, 73102, 73109, and 73110 (MCL 324.43516, 324.73101, 324.73102, 324.73109, and 324.73110), section 43516 as added by 1995 PA 57 and sections 73101, 73102, 73109, and 73110 as added by 1995 PA 58.

Rep. Gagliardi moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills. The motion prevailed, a majority of the members present voting therefor.

Second Reading of Bills

Senate Bill No. 767, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43516, 73101, 73102, 73109, and 73110 (MCL 324.43516, 324.73101, 324.73102, 324.73109, and 324.73110), section 43516 as added by 1995 PA 57 and sections 73101, 73102, 73109, and 73110 as added by 1995 PA 58.

Rep. Gagliardi moved to reconsider the vote by which the House adopted the amendments previously recommended by the Committee on Conservation, Environment and Recreation.

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

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

Rep. Alley moved that the amendment Nos. 2 and 3 be considered separately.

The motion prevailed.

The question being on the adoption of amendment No. 1 previously recommended by the Committee on Conservation, Environment and Recreation,

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

The question being on the adoption of amendment Nos. 2 and 3 previously recommended by the Committee on Conservation, Environment and Recreation,

The amendments were not adopted, a majority of the members serving not 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. 767, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43516, 73101, 73102, 73109, and 73110 (MCL 324.43516, 324.73101, 324.73102, 324.73109, and 324.73110), section 43516 as added by 1995 PA 57 and sections 73101, 73102, 73109, and 73110 as added by 1995 PA 58.

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

Roll Call No. 1102**Yeas—93**

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

Nays—0

In The Chair: DeHart

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 sections 73101, 73102, 73109, and 73110 (MCL 324.73101, 324.73102, 324.73109, and 324.73110), section 43516 as added by 1995 PA 57 and sections 73101, 73102, 73109, and 73110 as added by 1995 PA 58.

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. 768, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 4701, 8401a, and 8424 (MCL 600.4701, 600.8401a, and 600.8424), section 4701 as amended by 1997 PA 156, section 8401a as added by 1984 PA 278, and section 8424 as amended by 1991 PA 192.

The bill was read a second time.

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

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

Rep. Callahan moved to reconsider the vote by which the House adopted substitute (H-1) offered by Rep. Alley.
The motion prevailed, a majority of the members serving voting therefor.

The question being on the adoption of the substitute (H-1) offered by Rep. Alley,
The motion prevailed and the substitute (H-1) 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.

Rep. Freeman moved that Rep. Emerson be excused temporarily from today's session.
The motion prevailed.

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

Senate Bill No. 768, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 4701, 8401a, and 8424 (MCL 600.4701, 600.8401a, and 600.8424), section 4701 as amended by 1997 PA 156, section 8401a as added by 1984 PA 278, and section 8424 as amended by 1991 PA 192.

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

Roll Call No. 1103

Yeas—95

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

Nays—0

In The Chair: DeHart

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 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," by amending sections 4701, 8401a, and 8424 (MCL 600.4701, 600.8401a, and 600.8424), section 4701 as amended by 1998 PA 141, section 8401a as added by 1984 PA 278, and section 8424 as amended by 1991 PA 192.

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

Reports of Standing Committees

The Speaker laid before the House

House Concurrent Resolution No. 115.

A concurrent resolution concurring in the tribal-state gaming compacts negotiated between the Governor and the Little River Band of Ottawa Indians, the Pokagon Band of Potawatomi Indians, the Little Traverse Bay Bands of Odawa Indians, and the Nottawaseppi Huron Band of Potawatomi.

(For text of resolution, see House Journal No. 78, p. 2405.)

(The resolution was reported by the Committee on House Oversight and Ethics on December 3, with amendments, consideration of which was postponed until December 8 under the rules; committee amendments adopted and concurrent resolution postponed temporarily on December 8, see House Journal No. 81, p. 2523.)

(For amendments, see House Journal No. 80, p. 2492.)

The question being on the adoption of the concurrent resolution,

Rep. Gagliardi moved that consideration of the concurrent resolution be postponed for the day.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Voorhees moved that the Committee on House Oversight and Ethics be discharged from further consideration of **House Concurrent Resolution 50.**

(For first notice see House Journal No. 81, p. 2529.)

The question being on the motion by Rep. Voorhees,

Rep. Voorhees moved that consideration of the motion be postponed for the day.

The motion prevailed.

Reps. Bogardus, Baade, Quarles, Thomas, LaForge, Schauer, Hale, Dobronski, Freeman, Parks, Llewellyn, Cherry, Schermesser, Anthony, Harder, Brackenridge, Gubow, Tesanovich, Kelly, Kukuk, DeHart, Baird, Martinez, Profit, Oxender, Leland, Rison, Hammerstrom, Jelinek, Vaughn, Bodem, Brater, Galloway, Green, Scranton and Hanley offered the following resolution:

House Resolution No. 462.

A resolution honoring the players and coaches of the State Class CC High School Football Championship Team, the Montrose Rams.

Whereas, In a dominating display of skill, teamwork, and determination, the Montrose Hill-McCloy High School Football Team has laid claim to the State Class CC Football Championship and brought home to Montrose and Genesee County the coveted trophy that the Rams had fought for years to obtain; and

Whereas, At the beginning of the 1998 season, few outside of the Montrose area thought that the Rams would be able to regain primacy over the Genesee Eight Conference, but Coach Dennis Reinhart and his team set their sights on the mountaintop and began the long, arduous struggle to the top; and

Whereas, Unlike in eight previous years, this year the Rams did not have a perfect season—instead they had a perfect ending. In a thrilling match-up with Whittemore-Prescott, the Montrose Rams rewarded their steadfast fans for their years of loyal support with a hard-fought 21-14 championship victory at the Silverdome; now, therefore, be it

Resolved by the House of Representative, That the highest praise and admiration be accorded to the players and coaches of the 1998 Class CC State High School Football Champions, the Montrose Hill-McCloy High School Rams; and be it further

Resolved, That a copy of this resolution be transmitted to the following players and coaches as listed. *Players:* Jacob Allard, Max Auger, Andy Barrett, Andy Bernard, Dale Bloss, Kris Brown, Vonzell Bush, Jeremy Cochrane, Josh Delecki, Matt Duncan, Jason Emmendorfer, Wesley Fisk, Clint Galvas, Mike Gibson, Tim Hemker, Cary House, Mike Kime, Ted Klopff, Nick Koulchar, Junior Kumaraswamy, Mike Larkin, Matt Leitelt, Tom Leonard, Lance Lloyd, Ed Magrys, John McClelland, Aaron Miller, Justin Missentzis, Craig Parks, Bo Paxton, Nick Persails, Andrew Powell, Aaron Rush, Craig Salter, Josh Schlorf, Rich Siegel, Jared Smith, Tommy Thompson, Steve Upchurch, Anthony Vigil, Scott Visser, Tom Visser, Jasun Whitmire, Juston Whitney, Greg Yeaster, and Chris Yuhos. *Coaches:* Dave Beazley, Chris Clolinger, Craig Destrampe, Joe Gilbert, Cory Gildersleeve, Jason Harris, Bob Hayes, Pat Maloney, Bill Persails, Dennis Reinhart, and Monty Stiles.

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 present voting therefor.

Reps. Wetters, Baade, Dalman, LaForge, Schauer, Hale, Dobronski, Freeman, Parks, Llewellyn, Gernaat, Cherry, Schermesser, Brackenridge, Dobb, Gubow, Tesanovich, Kelly, Kukuk, DeHart, Baird, Profit, Middaugh, Leland, Hammerstrom, Fitzgerald, Vaughn, Bodem, Galloway, Green and Hanley offered the following resolution:

House Resolution No. 463.

A resolution honoring Howard Wetters, Sr.

Whereas, Howard Wetters, Sr., born of immigrant parents, came to this country more than 100 years ago from Holland to seek a new and better life and renew his family's history by farming in the rich soils of Michigan's Saginaw Valley. The place they settled was to become Howard's home for the rest of his life. The community they created, the community he nurtured and guided, and the land they farmed were the source of his sustenance and livelihood; and

Whereas, Howard left his home to serve in the Navy during the second World War providing an experience that both broadened his horizons and shaped his understanding of his world and the place he occupied in it. After his return from the war he married Helen Emerson, who along with Howard, worked through difficult and rewarding times to build a home and business. Together they had a son, Howard, Jr., who was graced by being raised on a farm watching the examples set by both his parents; and

Whereas, Howard Wetters worked harder than any man should. He would often work twenty hours a day, day after day, to accomplish his goals. This pace eventually took its toll on his body and led to a life-long battle with arthritis, which from the time he was 38 until his death, made pain his constant companion. Yet throughout those years, it can be said Howard rarely complained about his affliction and despite it still worked harder and longer than most of his peers. Indeed, his only challenge to those who worked around him was "keep up with me." Few could keep the pace he set as an elderly man; and

Whereas, Those who worked for him including a long line of children who grew up in his community, came to work on his farm and learned that fairness, honesty and hard work were virtues which you could use to guide your life. Education was the key to advancement in the world he saw. Indeed, there were many children who came to work on the Wetters farm. When it came time for college they received a generous gift from this man who struggled with dyslexia. He valued the opportunity to help give them what had eluded him, a college education; and

Whereas, Howard Wetters, Sr. spent much of his adult life serving his community as a leader. He was a member of the Brissett School Board, Bay City Lions Club, Masons, Elf Khurafeh Shrine Temple, Post 22 Scout Leader, and the Kawkawlin Community Church Deacon and Trustee, where he demonstrated again and again his defining characteristics of loyalty, fairness and the ability to foster compromise though reason in the most difficult of circumstances; and

Whereas, Howard Wetters, Sr. worked his whole life to foster compromise and build his community in ways that gained him the respect and admiration of those who knew him. At his passing, it was universally said that no one had ever heard anyone speak an ill word about the man he became and the work he pursued. A fitting tribute to a quiet man who avoided the limelight and instead chose to work behind the scenes building solutions to problems others thought intractable; and

Whereas, Howard Wetters, Sr. lived to see many accomplishments of which he was very proud, including, having the Wetters Family Farm designated as a Centennial Farm and seeing his son elected to the Michigan Legislature, an accomplishment his good name and reputation made possible; and

Whereas, Howard Wetters, Sr. was a man of simple gifts, who made the most of both the gifts he was given and the burdens he was forced to bear. It is fitting and proper to remember the words of that old shaker tune "Simple Gifts", which so aptly describe his life and its accomplishments:

"Tis a gift to be simple, tis a gift to be free,
Tis a gift to come down where we ought to be,
And if we can land in that place just right,
We will be in the valley of love and delight.

When true simplicity is gained,
To bow and to bend, we will not be ashamed
To turn, to turn will be our delight,
Till by turning and turning we come down right."

Howard was a simple man who was not ashamed to bow or bend. He served his community throughout his life; and

Whereas, We can all benefit and gain insight into our own lives from the examples Howard Wetters, Sr. set in his life, and know that we will have lived well if we can approach his standard of commitment and hard work; now, therefore, be it

Resolved by the House of Representatives, That we honor the accomplishments of this man who quietly helped so many and never asked to be recognized or honored for what he had done, and convey that message to his friends, family, and members of his community who loved him most; and be it further

Resolved, That copies of this resolution be transmitted to the family of Howard Wetters, Sr. as a token of our esteem honoring his exemplary life.

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 present voting therefor.

Reps. Wetters, Baade, LaForge, Schauer, Hale, Dobronski, Freeman, Parks, Llewellyn, Gernaat, Cherry, Schermesser, Brackenridge, Dobb, Tesanovich, Kelly, Kukuk, DeHart, Baird, Profit, Leland, Fitzgerald, Vaughn, Bodem, Green and Hanley offered the following resolution:

House Resolution No. 464.

A resolution honoring Dorn Kendall Dean.

Whereas, Dorn Kendall Dean has demonstrated an uncanny ability to succeed and accomplish more than most of his peers ever dreamed possible. His ability to be in the right place at the right time has greatly augmented his skills and ability to persevere through difficult times. Perhaps nothing better demonstrates this skill than Dorn's decision to travel to China, where he was amazingly lucky enough to travel with Victoria Seaver, a beautiful and accomplished woman. To our amazement Victoria became Dorn's wife and the mother of their four children. Victoria found a uniqueness in Dorn, which she later referred to as the "Bay City sense of humor," which was defined by cynicism and an intolerance of fools. Victoria may have found something else about Dorn attractive during those long nights in China, but since no one else was there to report back that shall remain a mystery; and

Whereas, Dorn's Bay City friends take credit for forging what became his greatest asset, a biting sense of humor. They also deserve credit for sharing in the merciless criticism and attacks that toughened all their souls and helped to

make them far more capable of dealing with whatever difficulties life presented. Many of the Bay City friends have grown to adulthood without ever encountering another person as capable of equally withering or accurate fire. Nor have they encountered people so capable of finding and exploiting "holes in their armor" as well as that circle of friends. Some people believe that friends are there to support you in the bad times. These friends did their best to prepare each other for the worst of times, by being tougher on each other than anyone else could be. In that way, they are always with one another in the most difficult of times, even though years and thousands of miles may now separate them; and

Whereas, Dorn has succeeded in applying these considerable skills as a "guerrilla" accountant who comes from a firm people call after the big five have politely declined and everyone else laughs at their request. This niche fits Dorn's personality well and has led him to be uncommonly successful and interested in the game of doing what others say cannot be done; and

Whereas, Much of Dorn's life is typified by doing what others say cannot be done, his accomplishments have been extraordinary. Victoria, a beautiful, loving, and lest we forget rich wife, Jennie, Kyle, Nathan and Hannah, four beautiful and accomplished children, a unique and interesting job, which is also entertaining and fun, provides a steady stream of targets for his warped sense of humor, and the ability and desire to find the time to keep in touch with the old friends who still know his weaknesses best, define what Dorn Dean has become; and

Whereas, Luck has played as great a role in Dorn's success as skill or daring. It is fitting to remember the response Napoleon gave when asked what qualities he sought that made his generals so successful. "Luck" was the one thing he looked for because luck can, on any day, on any battlefield, overwhelm both skill and planning. Given that Dorn spent much of his youth playing war games where he was the general in command, it is fitting that the quality of one of the greatest generals most looked for in his commanders is a quality Dorn has had throughout his life; now therefore, be it

Resolved by the House of Representatives, That members of this legislative body convey to Dorn Dean, his wife Victoria, his children, parents, siblings and friends, a profound thanks for giving us the unique and entertaining gift that Dorn Dean has become; and be it further

Resolved, That copies of this resolution be transmitted to the family and friends of Dorn Dean as a token of our esteem.

Pending the reference of the resolution to a committee,

Rep. Gagliardi moved that Rule 77 be suspended and the resolution be considered at this time.
The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,
The resolution was adopted, a majority of the members present voting therefor.

Speaker Hertel and Representative Olshove, on behalf of the entire membership of the House of Representatives, offered the following resolution:

House Resolution No. 465.

A resolution honoring Rhode Island House Speaker John B. Harwood for assisting the Boys and Girls Club of Lansing and proclaiming him a lifelong member of the Michigan Legislature "Capitol Sticks".

Whereas, It is most appropriate for the Michigan House of Representatives to extend the highest praise and tribute to Rhode Island House Speaker John B. Harwood in recognition of helping the Michigan Legislature "Capitol Sticks" hockey team raise funds for the Boys and Girls Club of Lansing in a game against the Michigan State University and University of Michigan Alumni All-Stars on Tuesday, September 22, 1998, at Munn Ice Arena in East Lansing, Michigan; and

Whereas, Speaker Harwood flew to the land of the two-time Stanley Cup Champion Detroit Red Wings after being "called up" to play by Michigan House Speaker Curtis Hertel for the Capitol Sticks, a team composed primarily of former and current legislators and legislative staffers noted for raising more than \$15,000 for charity, playing the Detroit Red Wing Alumni and achieving an outstanding 24-9-4 record unmatched by any state government squad. Captained by Speaker Hertel, the Sticks were greatly assisted by the talents of Speaker Harwood, who has a long history of hockey greatness; and

Whereas, Speaker Harwood began preparing for his chance to play for the Capitol Sticks by earning three first-team All-State hockey selections while attending Mt. St. Charles Academy. Speaker Harwood's talents did not go unnoticed, as he was recruited to play for several schools, including the University of Michigan. Graduating from the University of Pennsylvania, University of Miami and Boston College Law School, he went on to earn All-Ivy honors in hockey. Speaker Harwood also attended the New York Islanders training camp where an injury cut short his tryout. He was later inducted into the University of Pennsylvania Hall of Fame for hockey and baseball. Speaker Harwood is known for helping charities, having played in numerous benefit games with such greats as Bobby Orr; and

Whereas, Speaker Harwood's substantial hockey skills greatly assisted the Michigan Legislature Capitol Sticks in a contest featuring the appearance of the Stanley Cup, the most coveted prize in all of pro sports, against a powerhouse squad of former MSU Spartans and U-M Wolverines. Playing nothing like 99-1 underdogs and passing the puck just as well as they do bills, the Capitol Sticks and Speaker Harwood surprised the heavily-favored MSU and U-M Alumni All-Stars by using talent any NHL player would envy and skated to a 1-1 tie after two periods. However, not even the magic of Lord Stanley's Cup could help the Sticks, as the Alumni All-Stars saved their reputations by coming out on top by a 7-1 margin; and

Whereas, Both teams and Speaker Harwood knew the real tally that mattered was not goals on the scoreboard, but proceeds from the game. Thanks to the participation of Speaker Harwood, more than \$5,000 was raised for the Boys and Girls Club of Lansing, an organization founded in 1964 to boost the health of young people and assist in their social, educational and vocational development. Using funds from the game, the Boys and Girls Club will be able to continue serving more than 3,800 children annually with various activities seven days a week ranging from sports and games to homework help and arts and crafts; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body extend the highest commendation to Speaker Harwood for helping the Boys and Girls Club of Lansing, as well as the Michigan Legislature Capitol Sticks; and be it further

Resolved, That the Michigan House of Representatives does hereby name Speaker Harwood as a lifetime member of the Capitol Sticks, with all the duties, rewards and burdens accorded such an honor, and that copies of this resolution be transmitted to him as evidence of our highest esteem, thanks and admiration.

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 present voting therefor.

Reps. Anthony, Prusi, Tesanovich, Gagliardi and Hertel offered the following resolution:

House Resolution No. 466.

A resolution honoring the Class BB State Champion Menominee High School Football Team.

Whereas, In recognition of an outstanding season, it is a privilege and a great pleasure for the members of the Michigan House of Representatives to honor the Menominee High School Football Team on capturing the Class BB Title. Riding a tide of fan support as strong as a U.P. Snowstorm, the Menominee Maroons played like champions from the opening kickoff. With the chant of "U.P. Power" reverberating through the Silverdome, the Maroons took an early lead against the Haslett Vikings, and never looked back. Even though their opponent was ranked 6th in the state, the Maroons went on to trounce the Vikings by a score of 42-6; and

Whereas, The Menominee Maroons led by Coach Ken Hofer, an institution in U.P. football, enjoyed a dream season. Using his famous single wing attack, the team compiled a record of 11-2 and won the school's first football championship in 104 years. The Maroons began their playoff run against last years Class BB champion, West Branch Ogenaw Heights, and went on to beat the teams from Petoskey and the 3rd ranked Grand Rapids Catholic. With the seemingly insurmountable odds of Menominee defeating these teams, the Maroons clearly deserve the crown. Menominee beat their playoff opponents by a combined score of 141-25; now, therefore, be it

Resolved by the House of Representatives, That a unanimous accolade of tribute be accorded the Class BB State Champion Menominee High School Football Team; and be it further

Resolved, That a copy of this resolution be transmitted to the following:

Coach: Ken Hofer
Assistant Coach: Joe Noha
Assistant Coach: Satch Englund
Assistant Coach: Dale Vanduin
Manager: Bob Anderson

Players:

Jim Anderla	Adam Bebo	Jordan Beck	Andrew Bray
Nick Brukart	Drew Buyarski	Bromley Carlson	Scott Demille
David Eaton	Tom Emmes	Bob Fifarek	Charles Hanson
Mike Hubert	Isaac Johnson	Doug Kamin	Kris Lavigne

David Lescelius
Mike Merrill
Dale Olsen
Nathan Patzke
Randy Ruleau
Kevin Smith
Nick Thompson
Nick Nerat
Nick Dessart

Byron Lundquist
Jessie Miller
C.J. Paasch
Scott Polzin
Jeremy Sallgren
Richie Smith
Erich Voigt
Mike Klitzke
Matt Dionne

Aaron Mars
Shane Mundt
Pat Palmquist
Scott Ries
Mike Schultz
Josh Tarbox
Tim Vojcihoski
Adam Clark
Brandon Lemery

Allan Mars
Nash Myers
Nathan Parrette
Todd Roach
Rich Shatusky
Trevor Thomas
Justin Wozniak
Adam Racine

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 present voting therefor.

Reports of Standing Committees

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

House Bill No. 5863, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 9 (MCL 207.559), as amended by 1996 PA 513.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5863 To Report Out:

Yeas: Reps. Profit, Agee, Freeman, Gubow, Hanley, Brackenridge, Dobb, Goschka, Middleton,

Nays: None.

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

Senate Bill No. 1370, entitled

A bill to amend 1990 PA 100, entitled "City utility users tax act," by amending the title and section 2 (MCL 141.1152).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1370 To Report Out:

Yeas: Reps. Profit, Agee, Freeman, Gubow, Hanley, Brackenridge, Dobb, Goschka, Middleton,

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, December 9, 1998, at 8:30 a.m.,

Present: Reps. Profit, Agee, Freeman, Gubow, Hanley, Wojno, Brackenridge, Cassis, Dobb, Goschka, Middleton,

Absent: Reps. Quarles, Palamara, Wallace, Wetters, Perricone, Whyman,

Excused: Reps. Quarles, Palamara, Wallace, Wetters, Perricone, Whyman.

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

Senate Bill No. 445, entitled

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending the title and sections 1, 2, 3, 4, 6, 7, 9, 13, 14, 15, 16, 17, 21, 22, and 23 (MCL 252.301, 252.302, 252.303, 252.304, 252.306, 252.307, 252.309, 252.313, 252.314, 252.315, 252.316, 252.317, 252.321, 252.322, and 252.323), section 4 as amended by 1990 PA 153, and by adding sections 7a and 21a.

With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 6, line 19, by striking out "FEDERAL-AID" and inserting "primary".
2. Amend page 6, line 20, by striking out "103" and inserting "131".
3. Amend page 6, line 21, after "U.S.C." by striking out "103" and inserting "131".

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

Favorable Roll Call

SB 445 To Report Out:

Yeas: Reps. Leland, Schermesser, Mans, Schauer, Wojno, London, Birkholz, Byl, Gernaat, Middleton,
Nays: None.

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

Senate Bill No. 814, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 698 (MCL 257.698), as amended by 1997 PA 8.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 814 To Report Out:

Yeas: Reps. Leland, Schermesser, Brown, Mans, Schauer, Wojno, London, Birkholz, Byl, Gernaat,
Nays: None.

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

House Resolution No. 457.

A resolution to call for the establishment of a system of specialty license plates.

(For text of resolution, see House Journal No. 78, p. 2405.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

HR 457 To Report Out:

Yeas: Reps. Leland, Schermesser, Mans, Schauer, Wojno, London, Byl, Gernaat, Middleton,
Nays: None.

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

House Concurrent Resolution No. 116.

A concurrent resolution to call for the establishment of a system of specialty license plates.

(For text of resolution, see House Journal No. 78, p. 2406.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call

HCR 116 To Report Out:

Yeas: Reps. Leland, Schermesser, Mans, Schauer, Wojno, London, Byl, Gernaat, Middleton,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Leland, Chair of the Committee on Transportation, was received and read:
Meeting held on: Wednesday, December 9, 1998, at 9:00 a.m.,
Present: Reps. Leland, Schermesser, Brown, Mans, Schauer, Wojno, London, Birkholz, Byl, Gernaat, Middleton,
Absent: Reps. Baade, Curtis, Olshove, Scott, Galloway, Green,
Excused: Reps. Baade, Curtis, Olshove, Scott, Galloway, Green.

Messages from the Senate**House Bill No. 4789, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16336 and part 179.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 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 the implementation of federal law; 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 section 16263 (MCL 333.16263), as amended by 1995 PA 126, and by adding section 16336 and part 179.

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

House Bill No. 5986, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16338 and part 179.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3) and amended 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 the implementation of federal law; 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 section 16263 (MCL 333.16263), as amended by 1995 PA 126, and by adding sections 16338 and 16350 and parts 179 and 189.

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

House Bill No. 5989, entitled

A bill to amend 1971 PA 140, entitled "State revenue sharing act of 1971," by amending sections 11, 12a, and 13 (MCL 141.911, 141.912a, and 141.913), section 11 as amended by 1996 PA 468 and section 12a as added and section 13 as amended by 1996 PA 342; and to repeal acts and parts of acts.

The Senate has substituted (S-7) the bill.

The Senate has passed the bill as substituted (S-7), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1971 PA 140, entitled "An act to provide for the distribution of certain state revenues to cities, villages, townships, and counties; to impose certain duties and confer certain powers on this state, political subdivisions of this state, and the officers of both; to create reserve funds; and to establish a revenue sharing task force and provide for its powers and duties," by amending sections 1, 7, 11, 12a, and 13 (MCL 141.901, 141.907, 141.911, 141.912a, and 141.913), section 11 as amended by 1996 PA 468 and section 12a as added and section 13 as amended by 1996 PA 342, and by adding section 13d; and to repeal acts and parts of acts.

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **Senate Bill No. 785**.

Rep. Brown

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **Senate Bill No. 1091**.

Rep. Brown

Announcement by the Clerk of Printing and Enrollment

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

Senate Bill Nos. 1371 1372 1373 1374 1375

Introduction of Bills

Reps. Cherry, Schauer, Baird, Agee, Bogardus, Mans, Wojno, Kelly, Gagliardi and LaForge introduced

House Bill No. 6318, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 3, 5, 7, 9, 10, 11, 12, 51, and 52 (MCL 169.203, 169.205, 169.207, 169.209, 169.210, 169.211, 169.212, 169.251, and 169.252), sections 3 and 51 as amended by 1989 PA 95, sections 5 and 12 as amended by 1995 PA 264, section 7 as amended by 1994 PA 385, and sections 9, 11, and 52 as amended by 1996 PA 590, and by adding sections 33b, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 106, 107, 108, and 109; and to repeal acts and parts of acts.

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

Rep. Parks moved that the House adjourn.
The motion prevailed, the time being 9:20 p.m.

Acting Speaker DeHart declared the House adjourned until Thursday, December 10, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.