

No. 43

JOURNAL OF THE HOUSE

House Chamber, Lansing, Thursday, May 15, 1997.

10:00 a.m.

The House was called to order by the Speaker Pro Tempore.

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

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

e/d/s = entered during session

The Rev. Lynn White, Pastor of the Washington First Assembly of God, Washington Township, offered the following invocation:

“Father, As we stand here today, we stand in a place of honor and a place of humility. We thank You, Lord, for these appointments—You have appointed leaders of our state to give direction under Your direction. We thank You, Lord, as we stand here this morning—men and women—at a time in our lives, a time of our nation, a time of our state of need. And, we recognize, Lord, that all that we have need of is not legislative by us as individuals but there is that which is needed from above. So, as we stand here today we call upon You to give us the enlightenment and the ability, and the insight, Lord, to make the choices and decisions in our government that would not be divided necessarily along party lines. Instead, Father, that You would draw the line of righteousness in our hearts so that we would make the choices and decisions based upon that which is right. We thank You, Lord, for this. We would ask that You move in our hearts and in our lives as each one of us standing here is in need of that. Father, we pray for our state. We would ask You, Lord, that You would give direction for those people who are hurting. And for the needy, Father, we would ask that You give us compassion and love, and a strong desire to do what we can do for the promotion of and for the welfare of the people of this state. We thank You for it. Father, we would thank You for the men and the women who have been appointed to office. As the scripture says, these elections are elections of God and as we stand in this place of prayer this morning, we pray for those as You have commanded us to do in the book of Timothy—to pray for those who are in places of leadership and authority. So, Lord, we pray for those who are here today; but not only here, Lord—in the homes, in the churches and for those who are in the local levels of government. We pray, Father, that we would lift this House this morning and we ask that You give direction on the decisions that must be made today. We humble ourselves under the almighty hand of God and ask that You, Lord, lift us up and give us clarity of thought and speech, as we do that which is Your business. Lord, we give You the praise and we thank You for it in Christ’s wonderful name—and they all said—Amen.”

Rep. Dobronski moved that Reps. Hertel, Parks and Kilpatrick be excused from today’s session.
The motion prevailed.

Third Reading of Bills

House Bill No. 4290, entitled

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

The bill was read a third time.

The question being on passage of the bill,

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

The motion prevailed.

House Bill No. 4465, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 54.

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

Roll Call No. 345

Yeas—103

Agee	Dobronski	Jellema	Perricone
Alley	Emerson	Johnson	Profit
Anthony	Fitzgerald	Kaza	Prusi
Baade	Frank	Kelly	Quarles
Baird	Freeman	Kukuk	Raczkowski

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

Nays—0

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

Rep. Schroer moved that Rep. LaForge be excused temporarily from today's session.
The motion prevailed.

Rep. Willard entered the House Chambers.

House Bill No. 4466, entitled

A bill to amend 1985 PA 227, entitled "Shared credit rating act," by amending the title and sections 1, 3, 7, 8, 13, 25, and 27 (MCL 141.1051, 141.1053, 141.1057, 141.1058, 141.1063, 141.1075, and 141.1077), the title and sections 3, 8, 13, and 27 as amended by 1996 PA 241, section 7 as amended by 1996 PA 391, and section 25 as amended by 1988 PA 316, and by adding section 16b.

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

Roll Call No. 346**Yeas—101**

Agee	Dobronski	Jelinek	Perricone
Alley	Emerson	Jellema	Profit
Anthony	Fitzgerald	Johnson	Prusi
Baade	Frank	Kaza	Raczkowski
Baird	Freeman	Kelly	Rhead

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

Nays—0

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

Senate Bill No. 51, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40113a (MCL 324.40113a), as added by 1996 PA 377.

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

Roll Call No. 347**Yeas—101**

Agee	Dobronski	Jelinek	Profit
Alley	Emerson	Jellema	Prusi
Anthony	Fitzgerald	Johnson	Quarles
Baade	Frank	Kaza	Raczkowski
Baird	Freeman	Kelly	Rhead
Bankes	Gagliardi	Kukuk	Richner
Birkholz	Galloway	Law	Rison
Bobier	Geiger	Leland	Rocca
Bodem	Gernaat	LeTarte	Schauer
Bogardus	Gilmer	Llewellyn	Schermesser
Brackenridge	Gire	London	Schroer
Brater	Godchaux	Lowe	Scott
Brewer	Goschka	Mans	Scranton
Brown	Green	Martinez	Sikkema
Byl	Griffin	Mathieu	Stallworth
Callahan	Gubow	McBryde	Tesanovich

Cassis	Gustafson	McManus	Thomas
Cherry	Hale	McNutt	Vaughn
Ciaramitaro	Hammerstrom	Middaugh	Voorhees
Crissman	Hanley	Middleton	Walberg
Cropsey	Harder	Nye	Wallace
Curtis	Hood	Olshove	Wetters
Dalman	Horton	Oxender	Whyman
DeHart	Jansen	Palamara	Willard
DeVuyst	Jaye	Perricone	Wojno
Dobb			

Nays—0

In The Chair: Murphy

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

“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.”.

The House agreed to the full title of the bill.

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

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

House Bill No. 4005, entitled

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

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

Roll Call No. 348**Yeas—101**

Agee	Dobronski	Jelinek	Palamara
Alley	Emerson	Jellema	Perricone
Anthony	Fitzgerald	Johnson	Profit
Baade	Frank	Kaza	Prusi
Baird	Freeman	Kelly	Quarles
Bankes	Gagliardi	Kukuk	Rackowski
Birkholz	Galloway	Law	Rhead
Bobier	Geiger	Leland	Richner
Bodem	Gernaat	LeTarte	Rocca
Bogardus	Gilmer	Llewellyn	Schauer
Brackenridge	Gire	London	Schermesser
Brater	Godchaux	Lowe	Schroer
Brewer	Goschka	Mans	Scott
Brown	Green	Martinez	Scranton
Byl	Griffin	Mathieu	Sikkema
Callahan	Gubow	McBryde	Tesanovich
Cassis	Gustafson	McManus	Thomas
Cherry	Hale	McNutt	Vaughn
Ciaramitaro	Hammerstrom	Middaugh	Voorhees

Crissman	Hanley	Middleton	Walberg
Cropsey	Harder	Murphy	Wallace
Curtis	Hood	Nye	Wetters
Dalman	Horton	Olshove	Whyman
DeHart	Jansen	Owen	Willard
DeVuyst	Jaye	Oxender	Wojno
Dobb			

Nays—0

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

Reps. Anthony, Baade, Bobier, Bodem, Bogardus, Brater, Brewer, Callahan, Cherry, Cropsey, Dalman, DeHart, DeVuyst, Dobb, Gilmer, Goschka, Gubow, Hale, Hanley, Horton, Jansen, Jelinek, Kelly, Kukuk, Law, McBryde, Murphy, Olshove, Oxender, Prusi, Quarles, Rocca, Schermesser, Scott, Vaughn, Voorhees, Wetters and Wojno were named co-sponsors of the bill.

House Bill No. 4006, entitled

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

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

Roll Call No. 349**Yeas—100**

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

Nays—0

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

Reps. Agee, Anthony, Baird, Bogardus, Brewer, Cherry, DeHart, DeVuyst, Dobb, Frank, Freeman, Gagliardi, Gernaat, Gilmer, Goschka, Hale, Hanley, Hood, Horton, Jansen, Jelinek, Kelly, Kukuk, Law, Martinez, Mathieu, McBryde, Murphy, Owen, Oxender, Prusi, Rocca, Schermesser, Scott, Vaughn, Voorhees, Willard and Wojno were named co-sponsors of the bill.

House Bill No. 4415, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

House Bill No. 4606, entitled

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending sections 102, 103, 201, 202, 203, 204, 206, 207, 213, 301, 302, 303, 304, 305, 307, 308, 401, 402, 403, 404, 405, 501, 502, 503, 506, 509, 701, 702, 703, 704, 705, 706, 801, 808, 901, 902, 903, 909, 910, 1002, and 1101 (MCL 450.4102, 450.4103, 450.4201, 450.4202, 450.4203, 450.4204, 450.4206, 450.4207, 450.4213, 450.4301, 450.4302, 450.4303, 450.4304, 450.4305, 450.4307, 450.4308, 450.4401, 450.4402, 450.4403, 450.4404, 450.4405, 450.4501, 450.4502, 450.4503, 450.4506, 450.4509, 450.4701, 450.4702, 450.4703, 450.4704, 450.4705, 450.4706, 450.4801, 450.4808, 450.4901, 450.4902, 450.4903, 450.4909, 450.4910, 450.5002, and 450.5101), sections 701, 702, 703, 705, and 706 as amended by 1994 PA 410, and by adding sections 515, 705a, and 707.

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

Roll Call No. 350**Yeas—102**

Agee	Dobronski	Johnson	Perricone
Alley	Emerson	Kaza	Profit
Anthony	Fitzgerald	Kelly	Prusi
Baade	Frank	Kukuk	Quarles
Baird	Freeman	LaForge	Rackowski
Bankes	Gagliardi	Law	Rhead
Birkholz	Galloway	Leland	Richner
Bobier	Geiger	LeTarte	Rocca
Bodem	Gernaat	Llewellyn	Schauer
Bogardus	Gilmer	London	Schermesser
Brackenridge	Gire	Lowe	Schroer
Brater	Godchaux	Mans	Scott
Brewer	Goschka	Martinez	Scranton
Brown	Green	Mathieu	Sikkema
Byl	Gubow	McBryde	Stallworth
Callahan	Gustafson	McManus	Tesanovich
Cassis	Hale	McNutt	Thomas
Cherry	Hammerstrom	Middaugh	Vaughn
Ciaramitaro	Hanley	Middleton	Voorhees
Crissman	Harder	Murphy	Walberg

Cropsey
Curtis
Dalman
DeHart
DeVuyst
Dobb

Hood
Horton
Jansen
Jaye
Jelinek
Jellema

Nye
Olshove
Owen
Oxender
Palamara

Wallace
Wetters
Whyman
Willard
Wojno

Nays—0

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

Second Reading of Bills

Senate Bill No. 140, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3101 (MCL 324.3101) and by adding sections 3131, 3132, and 3133.

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. 30, p. 577),

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

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 2, line 13, after "3131." by inserting "(1)".
2. Amend page 2, following line 20, by inserting:

"(2) IF THE MICHIGAN SUPREME COURT RULES THAT SECTIONS 45 AND 46 OF THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.245 AND 24.246, ARE UNCONSTITUTIONAL AND A STATUTE REQUIRING LEGISLATIVE REVIEW OF ADMINISTRATIVE RULES IS NOT ENACTED WITHIN 90 DAYS AFTER THE MICHIGAN SUPREME COURT RULING, THE RULE-MAKING AUTHORITY UNDER THIS SECTION AND ANY RULES PROMULGATED UNDER THAT RULE-MAKING AUTHORITY ARE RESCINDED, AND THE LAND APPLICATION OF SEWAGE SLUDGE SHALL BE MANAGED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY IN CONSULTATION WITH THE DEPARTMENT OF AGRICULTURE CONSISTENT WITH THE REQUIREMENTS OF 40 C.F.R. PART 503."

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

Rep. Alley moved to amend the bill as follows:

1. Amend page 2, following line 3, by inserting:
 "(E) "SEWAGE SLUDGE DERIVATIVE" MEANS A PRODUCT FOR LAND APPLICATION DERIVED FROM SEWAGE SLUDGE THAT DOES NOT INCLUDE SOLID WASTE OR OTHER WASTE REGULATED UNDER THIS ACT." and relettering the remaining subdivisions".
2. Amend page 2, line 7, after "A" by striking out the balance of the subdivision and inserting "SEWAGE SLUDGE DERIVATIVE."
3. Amend page 2, line 16, after "SLUDGE" by inserting "AND SEWAGE SLUDGE DERIVATIVES".
4. Amend page 2, line 20, after "SLUDGE" by inserting "OR IN A SEWAGE SLUDGE DERIVATIVE".
5. Amend page 3, line 12, after "OR" by striking out "DISTRIBUTED THAT WAS" and inserting "THE NUMBER OF DRY TONS OF SEWAGE SLUDGE IN SEWAGE SLUDGE DERIVATIVES IT DISTRIBUTED THAT WERE".
6. Amend page 3, line 18, after "LAND" by inserting "OR IN SEWAGE SLUDGE DERIVATIVES APPLIED TO LAND".
7. Amend page 4, line 2, after "SLUDGE" by striking out "APPLIED TO LAND".
8. Amend page 4, line 24, after "SLUDGE" by inserting "AND SEWAGE SLUDGE DERIVATIVES".
9. Amend page 5, line 4, after "SLUDGE" by inserting "OR SEWAGE SLUDGE DERIVATIVES".
10. Amend page 5, line 5, after "SLUDGE" by inserting "OR SEWAGE SLUDGE DERIVATIVES".
11. Amend page 6, line 1, after "SLUDGE" by inserting "OR SEWAGE SLUDGE DERIVATIVE".
12. Amend page 6, line 3, after "SLUDGE" by inserting "OR SEWAGE SLUDGE DERIVATIVE".
13. Amend page 6, line 10, after "SLUDGE" by inserting "OR SEWAGE SLUDGE DERIVATIVE".

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

Rep. Brater moved to amend the bill as follows:

1. Amend page 2, line 20, after "DERIVATIVE." by inserting "HOWEVER, THE RULES SHALL REQUIRE THAT IF MONITORING OF SEWAGE SLUDGE OR A SEWAGE SLUDGE DERIVATIVE INDICATES A POLLUTANT CONCENTRATION IN EXCESS OF THAT PROVIDED IN TABLE 3 OF 40 C.F.R. 503.13, MONITORING FREQUENCY SHALL BE INCREASED TO NOT LESS THAN TWICE THAT PROVIDED IN TABLE 1 OF 40 C.F.R. 503.16, UNTIL POLLUTANT CONCENTRATIONS ARE AT OR BELOW THOSE PROVIDED IN TABLE 3 OF 40 C.F.R. 503.13."

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

Rep. Brater moved to amend the bill as follows:

1. Amend page 2, line 20, after "503.13." by inserting "THE RULES SHALL REQUIRE A SEWAGE SLUDGE GENERATOR OR SEWAGE SLUDGE DISTRIBUTOR TO DELIVER TO A COUNTY, CITY, VILLAGE, OR TOWNSHIP A COPY OF ANY RECORD REQUIRED TO BE CREATED UNDER THE RULES PERTAINING TO SEWAGE SLUDGE OR A SEWAGE SLUDGE DERIVATIVE APPLIED TO LAND IN THAT LOCAL UNIT. THE COPY SHALL BE DELIVERED FREE OF CHARGE PROMPTLY AFTER THE RECORD IS CREATED."

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

Rep. Brater moved to amend the bill as follows:

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

"(6) A LOCAL UNIT MAY ENACT, MAINTAIN, AND ENFORCE AN ORDINANCE THAT PROHIBITS THE LAND APPLICATION OF SEWAGE SLUDGE OR A SEWAGE SLUDGE DERIVATIVE IF MONITORING INDICATES A POLLUTANT CONCENTRATION IN EXCESS OF THAT PROVIDED IN TABLE 1 OF 40 C.F.R. 503.13 UNTIL SUBSEQUENT MONITORING INDICATES THAT POLLUTANT CONCENTRATIONS DO NOT EXCEED THOSE PROVIDED IN TABLE 1 OF 40 C.F.R. 503.13."

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. 140, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3101 (MCL 324.3101) and by adding sections 3131, 3132, and 3133.

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

Roll Call No. 351

Yeas—99

Agee	Dobb	Kaza	Profit
Alley	Emerson	Kelly	Prusi
Anthony	Fitzgerald	Kukuk	Quarles
Baade	Frank	LaForge	Rackowski
Baird	Freeman	Law	Rhead
Banks	Gagliardi	Leland	Richner
Birkholz	Galloway	LeTarte	Rison
Bobier	Geiger	Llewellyn	Rocca
Bodem	Gernaat	London	Schauer
Bogardus	Gilmer	Lowe	Schermesser
Brackenridge	Gire	Mans	Schroer
Brater	Godchaux	Martinez	Scott
Brewer	Goschka	Mathieu	Scranton
Brown	Green	McBryde	Sikkema
Byl	Gubow	McManus	Tesanovich
Callahan	Hale	McNutt	Thomas
Cassis	Hammerstrom	Middaugh	Vaughn
Cherry	Hanley	Middleton	Voorhees
Ciaramitaro	Harder	Murphy	Walberg
Crissman	Horton	Nye	Wallace

Cropsey
Curtis
Dalman
DeHart
DeVuyst

Jansen
Jaye
Jelinek
Jellema
Johnson

Olshove
Owen
Oxender
Palamara
Perricone

Wetters
Whyman
Willard
Wojno

Nays—1

Stallworth

In The Chair: Murphy

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

“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.”.

The House agreed to the full title of the bill.

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

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

Rep. Gagliardi moved to reconsider the vote by which the House placed **House Bill No. 4290** on the order of Third Reading of Bills.

The question being on the motion by Rep. Gagliardi,

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

Second Reading of Bills

The House returned to the consideration of

House Bill No. 4290, entitled

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

(The bill was considered earlier today, see today's Journal, p. 904.)

Rep. Gagliardi moved to reconsider the vote by which the House adopted amendment No. 1 offered previously by Rep. Brown.

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

Rep. Brown withdrew the amendment.

Rep. Gagliardi moved to postpone consideration of the bill temporarily.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

The House returned to the consideration of

House Bill No. 4415, entitled

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

(The bill was considered earlier today, see today's Journal, p. 909.)

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. 352**Yeas—105**

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

Nays—0

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

Reps. Anthony, Bankes, Bodem, Cropsey, Dalman, DeVuyst, Dobb, Gubow, Horton, Jansen, Jelinek, Jellema, Kukuk, Law, McBryde, Middleton, Oxender, Rocca, Scott, Voorhees, Wallace and Wetters were named co-sponsors of the bill.

Second Reading of Bills**Senate Bill No. 322, entitled**

A bill to designate the first Monday following February 4 as Mrs. Rosa L. Parks day in the state of Michigan.

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. 322, entitled**

A bill to designate the first Monday following February 4 as Mrs. Rosa L. Parks day in the state of Michigan.

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

Roll Call No. 353**Yeas—98**

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

Nays—5

Galloway	Middleton	Nye	Walberg
Lowe			

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

Second Reading of Bills

The House returned to the consideration of

House Bill No. 4290, entitled

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

(The bill was considered earlier today, see today's Journal, p. 912.)

Rep. Wetters moved to amend the bill as follows:

1. Amend page 2, line 5, after "appliance" by inserting "whose gross business receipts from activities covered by this act were more than \$75,000.00 in the previous tax year".

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

Rep. Llewellyn demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 354**Yeas—39**

Alley	Galloway	Kaza	Palamara
Bobier	Gernaat	Kukuk	Perricone
Bodem	Godchaux	Llewellyn	Profit
Brackenridge	Green	London	Rhead
Byl	Hammerstrom	Lowe	Rocca
Cropsey	Harder	McManus	Voorhees
Curtis	Horton	McNutt	Walberg
Dalman	Jaye	Middaugh	Wetters
DeVuyst	Jelinek	Nye	Whyman
Dobb	Johnson	Oxender	

Nays—62

Agee	Dobronski	Kelly	Rison
Anthony	Emerson	LaForge	Schauer
Baade	Fitzgerald	Leland	Schermesser
Baird	Frank	LeTarte	Schroer
Banks	Freeman	Mans	Scott
Birkholz	Geiger	Martinez	Scranton
Bogardus	Gilmer	Mathieu	Sikkema
Brater	Gire	McBryde	Stallworth
Brewer	Goschka	Middleton	Tesanovich
Brown	Gubow	Murphy	Thomas
Callahan	Gustafson	Owen	Varga
Cassis	Hale	Prusi	Vaughn
Cherry	Hanley	Quarles	Wallace
Ciaramitaro	Hood	Raczkowski	Willard
Crissman	Jansen	Richner	Wojno
DeHart	Jellema		

In The Chair: Murphy

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4290, entitled**

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

The question being on passage of the bill,

After debate,

Rep. Harder demanded the previous question.

The demand was supported.

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

The previous question was ordered.

The question being on the passage of the bill,

The bill was then not passed, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 355**Yeas—45**

Agee	Crissman	Hanley	Prusi
Anthony	Dalman	Hood	Rison
Baade	DeHart	Jellema	Schermesser
Baird	Dobb	Kelly	Scott
Bankes	Dobronski	LaForge	Stallworth
Birkholz	Fitzgerald	Law	Tesanovich
Brater	Freeman	Leland	Varga
Brewer	Gagliardi	Martinez	Vaughn
Brown	Gire	Murphy	Wallace
Callahan	Gubow	Owen	Willard
Cherry	Hale	Palamara	Wojno
Ciaramitaro			

Nays—56

Alley	Gilmer	LeTarte	Perricone
Bobier	Godchaux	Llewellyn	Profit
Bodem	Goschka	London	Rackowski
Bogardus	Green	Lowe	Rhead
Brackenridge	Gustafson	Mans	Richner
Byl	Hammerstrom	Mathieu	Rocca
Cassis	Harder	McBryde	Schauer
Cropsey	Horton	McManus	Scranton
Curtis	Jansen	McNutt	Sikkema
DeVuyst	Jaye	Middaugh	Thomas
Frank	Jelinek	Middleton	Voorhees
Galloway	Johnson	Nye	Walberg
Geiger	Kaza	Olshove	Wetters
Gernaat	Kukuk	Oxender	Whyman

In The Chair: Murphy

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

“Mr. Speaker and members of the House:

This bill is a blatant attack on small business.

Legal remedies already exist to allow unhappy customers or the state Attorney General to bring civil actions against disreputable or unethical businesspeople. Consumers already have recourse under the Consumer Protection Act or through small claims court against those businesspeople who provide shoddy services or charge excessive amounts.

The problem is not a lack of laws. We need to help consumers understand the legal remedies that are available to them under current law.”

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

“Mr. Speaker and members of the House:

This bill will impose increased costs on the consumers it purports to protect. In rural areas the effect will be particularly costly.

Many people old and young will have to pay more for service calls because part time service people in rural areas will stop providing these services.

If this is such a problem in urban areas let's draft a bill that applies to those areas and leave the people who live in rural who stand to lose the most alone. I have to oppose this bill because of the negative impact it will have on my rural constituents.”

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

“Mr. Speaker and members of the House:

I voted against House Bill 4290 because it goes far beyond original intent. Being strongly supportive of consumer rights, I originally cosponsored HB 4290, but committee amendments have distorted the bill beyond recognition.

Consumers already are protected under current law by virtue of the fact that they can demand a written estimate for any work done on an appliance, and order that no additional work be performed if costs exceed the estimate. That right is firmly in current law.

As a strong advocate for consumers rights and being against burdensome over-regulation, I voted against HB 4290, and in so doing, upheld decency and common sense.”

Rep. Gagliardi moved to reconsider the vote by which the House did not pass the bill.

The question being on the motion by Rep. Gagliardi,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 4753, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 100a and 160 (MCL 330.1100a and 330.1160), section 100a as added by 1995 PA 290 and section 160 as added by 1983 PA 249.

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

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

Rep. Cassis moved to amend the bill as follows:

1. Amend page 8, line 5, after “IMPAIRED” by inserting a comma and “BUT NOT INCLUDING A MINOR WHO HAS BEEN DIAGNOSED AS HAVING ATTENTION DEFICIT DISORDER,”.

2. Amend page 9, following line 27, by inserting:

“(4) A PARENT, LEGAL GUARDIAN, OR OTHER INDIVIDUAL RESPONSIBLE FOR THE CARE AND WELFARE OF AN ELIGIBLE MINOR WHO RECEIVES FAMILY SUPPORT SUBSIDY PAYMENTS SHALL SPEND THOSE FUNDS ONLY FOR THE CARE, EDUCATION, AND WELFARE OF THE ELIGIBLE MINOR. AS A CONDITION OF RECEIVING FAMILY SUPPORT SUBSIDY PAYMENTS, THE DEPARTMENT SHALL REQUIRE THE RECIPIENT OF THE PAYMENTS TO FILE AN ANNUAL REPORT WITH THE DEPARTMENT INDICATING HOW THE FUNDS WERE USED DURING THE PAST YEAR. THE DEPARTMENT MAY MODEL THE REPORT AFTER THE ANNUAL REPORT REQUIRED BY THE SOCIAL SECURITY ADMINISTRATION FROM REPRESENTATIVE PAYEES FOR RECIPIENTS OF SOCIAL SECURITY SURVIVOR’S BENEFITS.”.

Rep. Cassis moved that the amendments be considered separately.

The motion prevailed.

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

Rep. Cassis demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 356

Yeas—99

Agee	Fitzgerald	Kaza	Prusi
Anthony	Frank	Kelly	Quarles
Baade	Freeman	Kukuk	Rackowski
Baird	Gagliardi	LaForge	Rhead
Banks	Galloway	Law	Richner
Birkholz	Geiger	Leland	Rison
Bobier	Gernaat	LeTarte	Rocca
Bodem	Gilmer	Llewellyn	Schauer
Bogardus	Gire	London	Schermesser
Brackenridge	Godchaux	Lowe	Schroer
Brater	Goschka	Mans	Scott

Brewer	Green	Martinez	Sikkema
Brown	Gubow	Mathieu	Stallworth
Callahan	Gustafson	McBryde	Tesanovich
Cassis	Hale	McManus	Thomas
Cherry	Hammerstrom	McNutt	Varga
Ciaramitaro	Hanley	Middaugh	Vaughn
Crissman	Harder	Middleton	Voorhees
Cropsey	Hood	Murphy	Walberg
Curtis	Horton	Nye	Wallace
Dalman	Jansen	Olshove	Wetters
DeHart	Jaye	Owen	Whyman
DeVuyst	Jelinek	Oxender	Willard
Dobb	Jellema	Perricone	Wojno
Dobronski	Johnson	Profit	

Nays—0

In The Chair: Murphy

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4753, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100a and 160 (MCL 330.1100a and 330.1160), section 100a as added by 1995 PA 290 and section 160 as added by 1983 PA 249.

The bill was read a third time.

The question being on the passage of the bill.

Rep. McBryde moved that consideration of the bill be postponed for the day.

The question being on the motion made by Rep. McBryde,

Rep. McBryde demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. McBryde,

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

Roll Call No. 357**Yeas—51**

Banks	Galloway	Jellema	Middleton
Birkholz	Geiger	Johnson	Nye
Bobier	Gernaat	Kaza	Oxender
Bodem	Gilmer	Kukuk	Perricone
Brackenridge	Godchaux	Law	Rhead
Byl	Goschka	LeTarte	Richner
Cassis	Green	Llewellyn	Rocca
Crissman	Gustafson	London	Scranton
Cropsey	Hammerstrom	Lowe	Sikkema

Dalman
DeVuyst
Dobb
Fitzgerald

Horton
Jansen
Jaye
Jelinek

McBryde
McManus
McNutt
Middaugh

Voorhees
Walberg
Whyman

Nays—51

Agee
Anthony
Baade
Baird
Bogardus
Brater
Brewer
Brown
Callahan
Cherry
Ciaramitaro
Curtis
DeHart

Dobronski
Emerson
Frank
Freeman
Gagliardi
Gubow
Hale
Hanley
Harder
Hood
Kelly
LaForge
Leland

Mans
Martinez
Mathieu
Murphy
Olshove
Owen
Palamara
Profit
Prusi
Quarles
Raczkowski
Rison
Schauer

Schermesser
Schroer
Scott
Stallworth
Tesanovich
Thomas
Varga
Vaughn
Wallace
Wetters
Willard
Wojno

In The Chair: Murphy

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. 358

Yeas—96

Agee
Alley
Anthony
Baade
Baird
Banks
Birkholz
Bobier
Bodem
Bogardus
Brackenridge
Brater
Brewer
Brown
Byl
Callahan
Cassis
Cherry
Ciaramitaro
Crissman
Cropsey
Curtis
Dalman
DeHart

DeVuyst
Dobb
Dobronski
Emerson
Fitzgerald
Frank
Freeman
Gagliardi
Galloway
Geiger
Gernaat
Gilmer
Gire
Godchaux
Goschka
Green
Gubow
Gustafson
Hale
Hammerstrom
Hanley
Harder
Hood
Horton

Jansen
Jelinek
Jellema
Kaza
Kelly
Kukuk
LaForge
Law
Leland
LeTarte
London
Lowe
Mans
Martinez
Mathieu
McBryde
Middaugh
Middleton
Murphy
Olshove
Owen
Oxender
Palamara
Perricone

Profit
Prusi
Quarles
Raczkowski
Rhead
Richner
Rison
Rocca
Schauer
Schermesser
Schroer
Scott
Scranton
Sikkema
Stallworth
Tesanovich
Thomas
Varga
Vaughn
Voorhees
Wallace
Wetters
Willard
Wojno

Nays—7

Jaye
Johnson

Llewellyn
McNutt

Nye
Walberg

Whyman

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

Reps. Anthony, Bankes, Birkholz, Bodem, Brackenridge, Brater, Brown, Callahan, Cherry, Ciaramitaro, Crissman, Cropsey, Dalman, DeHart, DeVuyst, Dobb, Dobronski, Gagliardi, Goschka, Gubow, Hale, Hammerstrom, Hanley, Harder, Hood, Jansen, Jellema, Kelly, Kukuk, Mans, Martinez, McBryde, Murphy, Olshove, Oxender, Profit, Prusi, Rison, Schauer, Schermesser, Schroer, Scott, Scranton, Tesanovich, Thomas, Varga, Vaughn, Voorhees, Wallace, Wetters and Willard were named co-sponsors of the bill.

—

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

The motion prevailed.

Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Tuesday, May 20, at 2:00 p.m.

The motion prevailed.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members, Tuesday, May 13:

Senate Bill No. 501

The Clerk announced that the following Senate bills had been received on Thursday, May 15:

Senate Bill Nos.	388	389	390	391	392	393	394	395	396	397	398	399	400	401
	402	437	480											

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Insurance, by Rep. Gubow, Chair, reported

House Bill No. 4661, entitled

A bill to amend 1996 PA 386, entitled "An act to regulate the sale and purchase of viatical settlement contracts; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties," by amending section 8 (MCL 550.528).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4661 To Report Out:

Yeas: Reps. Gubow, Scott, Bogardus, Freeman, Palamara, Profit, Thomas, Varga, Llewellyn, Green, Jelinek, Law, London,

Nays: None.

The Committee on Insurance, by Rep. Gubow, Chair, reported

House Bill No. 4757, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2111a.

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

1. Amend page 1, line 1, after "JANUARY 1," by striking out "1999," and inserting "2000 AND EVERY RATE FILING THEREAFTER".

2. Amend page 1, line 2, after "THE" by striking out "ANTICIPATED" and inserting "ACTUAL".

3. Amend page 1, line 3, after "INSURANCE" by inserting "AND RESIDUAL LIABILITY INSURANCE".

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

Favorable Roll Call

HB 4757 To Report Out:

Yeas: Reps. Gubow, Scott, Bogardus, Freeman, Palamara, Profit, Thomas, Varga, Vaughn, Llewellyn, Green, Jelinek, Law, London, Voorhees,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 14, 1997, at 4:04 p.m.,

Present: Reps. Gubow, Scott, Bogardus, Freeman, Palamara, Profit, Thomas, Varga, Vaughn, Llewellyn, Green, Jelinek, Law, London, Voorhees,

Absent: Reps. Dobronski, Middaugh,

Excused: Reps. Dobronski, Middaugh.

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

Senate Bill No. 133, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 40 (MCL 436.40), as amended by 1994 PA 421.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 133 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Olshove, Fitzgerald, Jaye, Richner,

Nays: None.

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

Senate Bill No. 227, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2001 (MCL 339.2001), as amended by 1992 PA 103.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 227 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Olshove, Quarles, Scott, Fitzgerald, Richner, Scranton, Voorhees,

Nays: None.

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

Senate Bill No. 228, entitled

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending section 904 (MCL 450.4904).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 228 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Olshove, Quarles, Scott, Fitzgerald, Richner, Scranton, Voorhees,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Varga, Chair of the Committee on Regulatory Affairs, was received and read:

Meeting held on: Thursday, May 15, 1997, at 8:30 a.m.,

Present: Reps. Varga, Wojno, Anthony, Leland, Olshove, Quarles, Scott, Vaughn, Fitzgerald, Jaye, Richner, Scranton, Voorhees,

Absent: Reps. Profit, Rocca,

Excused: Reps. Profit, Rocca.

The Committee on Appropriations, by Rep. Hood, Chair, reported

House Bill No. 4308, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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

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

Favorable Roll Call

HB 4308 To Report Out:

Yeas: Reps. Hood, Mathieu, Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Schroer, Stallworth, Tesanovich, Bobier, Geiger, Godchaux, Jansen, Jellema, McBryde, Oxender,

Nays: Reps. Gilmer, Bankes, Johnson.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 14, 1997, at 1:00 p.m.,

Present: Reps. Hood, Mathieu, Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde, Oxender,

Absent: Rep. Rison,

Excused: Rep. Rison.

Messages from the Senate

House Bill No. 4352, entitled

A bill to authorize the state administrative board to convey certain state owned property in Genesee county; to prescribe conditions for the conveyance; to provide for disposition of the revenue derived from the conveyance; and to repeal acts and parts of acts.

The Senate has passed the bill and ordered that it be given immediate effect.

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

Senate Bill No. 372, entitled

A bill to amend 1969 PA 235, entitled "An act authorizing local units of government to regulate and control traffic in parking areas; and to provide a penalty for a violation of this act," by amending section 2a (MCL 257.942a).

The Senate has passed the bill.

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

Senate Bill No. 373, entitled

A bill to amend 1956 PA 62, entitled "An act to authorize the director of the department of state police to promulgate a uniform traffic code; to authorize a city, township, or village to adopt the uniform traffic code by reference without publication in full; and to prescribe criminal penalties and civil sanctions for violation of the code," by amending section 1 (MCL 257.951), as amended by 1993 PA 225.

The Senate has passed the bill.

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

Senate Bill No. 374, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending sections 102 and 304b (MCL 484.2102 and 484.2304b), section 102 as amended and section 304b as added by 1995 PA 216.

The Senate has passed the bill.

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

Senate Bill No. 375, entitled

A bill to amend 1921 PA 302, entitled "An act to provide for the supervision of private, denominational and parochial schools; to provide the manner of securing funds in payment of the expense of such supervision; to provide the qualifications of the teachers in such schools; and to provide for the endorsement of the provisions hereof," by amending section 8 (MCL 388.558).

The Senate has passed the bill.

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

Senate Bill No. 376, entitled

A bill to amend 1972 PA 230, entitled "State construction code act of 1972," by amending section 2 (MCL 125.1502), as amended by 1980 PA 371.

The Senate has passed the bill.

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

Senate Bill No. 377, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 34a (MCL 791.234a), as amended by 1994 PA 427.

The Senate has passed the bill.

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

Senate Bill No. 378, entitled

A bill to amend 1967 PA 291, entitled "An act to authorize state universities and colleges to enact parking, traffic and pedestrian ordinances and to provide for the enforcement of the ordinances; and to dispose of fines collected," by amending sections 1 and 2a (MCL 390.891 and 390.892a), section 1 as amended by 1992 PA 229 and section 2a as amended by 1991 PA 42.

The Senate has passed the bill.

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

Senate Bill No. 379, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 380, entitled

A bill to amend 1990 PA 325, entitled "Michigan museum act," by amending sections 110 and 210 (MCL 399.410 and 399.510).

The Senate has passed the bill.

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

Senate Bill No. 381, entitled

A bill to amend 1965 PA 380, entitled "Executive organization act of 1965," by amending section 396 (MCL 16.496).

The Senate has passed the bill.

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

Senate Bill No. 382, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending sections 1, 22, 32b, 44, and 44d (MCL 125.1401, 125.1422, 125.1432b, 125.1444, and 125.1444d), section 1 as amended by 1984 PA 215, sections 22, 32b, and 44 as amended by 1996 PA 475, and section 44d as added by 1987 PA 86.

The Senate has passed the bill.

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

Senate Bill No. 383, entitled

A bill to amend 1964 PA 232, entitled "Rehabilitation act of 1964," by amending section 2 (MCL 395.82).

The Senate has passed the bill.

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

Senate Bill No. 384, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 91 (MCL 38.1391), as amended by 1989 PA 193.

The Senate has passed the bill.

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

Senate Bill No. 385, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, 6, 504, 514, 605, 701, 1296, 1311, 1321, 1701, 1701a, 1711, 1723, 1724, 1751, 1756, 1757, and 1761 (MCL 380.4, 380.5, 380.6, 380.504, 380.514, 380.605, 380.701, 380.1296, 380.1311, 380.1321, 380.1701, 380.1701a, 380.1711, 380.1723, 380.1724, 380.1751, 380.1756, 380.1757, and 380.1761), section 5 as amended by 1995 PA 289, sections 504 and 1701a as amended and section 514 as added by 1994 PA 416, section 605 as amended by 1985 PA 86, section 1311 as amended by 1995 PA 250, section 1321 as amended by 1990 PA 163, and section 1724 as amended by 1994 PA 258.

The Senate has passed the bill.

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

Senate Bill No. 386, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 51a and 105 (MCL 388.1651a and 388.1705), as added by 1996 PA 300.

The Senate has passed the bill.

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

Senate Bill No. 387, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 509b, 40102, 40103, 40107, 70103, 81101, 81123, 81127, and 81133 (MCL 324.509b, 324.40102, 324.40103, 324.40107, 324.70103, 324.81101, 324.81123, 324.81127, and 324.81133), sections 40102, 40103, and 40107 as added by 1995 PA 57 and sections 70103, 81101, 81123, 81127, and 81133 as added by 1995 PA 58.

The Senate has passed the bill.

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

Senate Bill No. 388, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal certain acts and parts of acts," by amending section 10e (MCL 247.660e), as amended by 1990 PA 73.

The Senate has passed the bill.

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

Senate Bill No. 389, entitled

A bill to amend 1986 PA 54, entitled "Building officials and inspection registration," by amending section 3 (MCL 338.2303).

The Senate has passed the bill.

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

Senate Bill No. 390, entitled

A bill to amend 1978 PA 260, entitled "An act to revise and codify the laws relating to blind persons and visually handicapped; to create a commission; to prescribe its powers and duties and those of other state agencies relative to blind persons; to provide services, education, training, and assistance to blind persons; to regulate concessions operated by blind persons; to transfer powers, duties, functions, and appropriations; and to repeal certain acts and parts of acts," by amending the title and sections 4 and 6 (MCL 393.354 and 393.356).

The Senate has passed the bill.

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

Senate Bill No. 391, entitled

A bill to amend 1984 PA 22, entitled "Michigan civilian conservation corps act," by amending section 6 (MCL 409.306), as amended by 1985 PA 30.

The Senate has passed the bill.

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

Senate Bill No. 392, entitled

A bill to amend 1978 PA 454, entitled "Truth in renting act," by amending section 3 (MCL 554.633), as amended by 1991 PA 131.

The Senate has passed the bill.

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

Senate Bill No. 393, entitled

A bill to amend 1988 PA 112, entitled "The handicapper business opportunity act," by amending the title and sections 1, 2, 3, 4, and 5 (MCL 450.791, 450.792, 450.793, 450.794, and 450.795).

The Senate has passed the bill.

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

Senate Bill No. 394, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending sections 700a, 701a, 901, 905, 911, 915, 921, and 925 (MCL 418.700a, 418.701a, 418.901, 418.905, 418.911, 418.915, 418.921, and 418.925), sections 700a and 701a as added by 1993 PA 198 and sections 921 and 925 as amended by 1985 PA 103.

The Senate has passed the bill.

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

Senate Bill No. 395, entitled

A bill to amend 1967 PA 204, entitled "Metropolitan transportation authorities act of 1967," by amending section 4a (MCL 124.404a), as added by 1988 PA 481.

The Senate has passed the bill.

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

Senate Bill No. 396, entitled

A bill to amend 1981 PA 230, entitled "Michigan economic and social opportunity act of 1981," by amending section 11 (MCL 400.1111).

The Senate has passed the bill.

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

Senate Bill No. 397, entitled

A bill to amend 1983 PA 173, entitled "An act to promote the delivery of services by community-based organizations pursuant to the job training partnership act; and to provide for criteria for the selection of service providers," by amending section 1 (MCL 421.151), as amended by 1990 PA 146.

The Senate has passed the bill.

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

Senate Bill No. 398, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5431, 5817, 9315, 20201, 21034, and 21761 (MCL 333.5431, 333.5817, 333.9315, 333.20201, 333.21034, and 333.21761), section 5431 as amended by 1992 PA 81 and sections 20201 and 21034 as amended by 1982 PA 354.

The Senate has passed the bill.

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

Senate Bill No. 399, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 13a (MCL 38.1013a), as amended by 1981 PA 123.

The Senate has passed the bill.

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

Senate Bill No. 400, entitled

A bill to amend 1984 PA 387, entitled "State food stamp distribution act," by amending sections 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 15, 16, 18, 19, and 20 (MCL 400.753, 400.754, 400.755, 400.757, 400.758, 400.759, 400.760, 400.761, 400.762, 400.763, 400.765, 400.766, 400.768, 400.769, and 400.770).

The Senate has passed the bill.

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

Senate Bill No. 401, entitled

A bill to amend 1984 PA 218, entitled "Third party administrator act," by amending sections 40 and 44 (MCL 550.940 and 550.944).

The Senate has passed the bill.

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

Senate Bill No. 402, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 316, 2005, 2515, and 2518 (MCL 339.316, 339.2005, 339.2515, and 339.2518), section 2005 as amended by 1992 PA 103 and section 2515 as amended and section 1518 as added by 1993 PA 93.

The Senate has passed the bill.

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

Senate Bill No. 437, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 796a (MCL 168.796a), as amended by 1996 PA 583.

The Senate has passed the bill.

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

Senate Bill No. 480, entitled

A bill to amend 1929 PA 9, entitled "An act to regulate corporations, associations or persons engaged in the business of carrying and transporting natural gas through pipe lines and to regulate the production, purchase and sale of natural gas; to provide for the control and regulation of such corporations, associations and persons by the Michigan public utilities commission; to define the powers and duties of the commission relative thereto; to prescribe penalties for the violations of the provisions hereof; and to repeal Act No. 29 of the Public Acts of 1889," (MCL 483.101 to 483.120) by adding sections 1a and 1b.

The Senate has passed the bill.

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

Notices**Public Hearing**

Committee on Tax Policy

Date: Monday, May 19, 1997

Time: 2:30 p.m.

Place: Macomb County Court House, Mt. Clemens, Michigan

Rep. Profit

Chair

Agenda: State and local performance of protections for taxpayers in the Michigan constitution and any/or all business properly before this committee

Introduction of Bills

Reps. Llewellyn, Rhead, Varga, Cropsey, McBryde, Bodem, Goschka, London, Lowe, Walberg, Gernaat, Hammerstrom, Oxender, McManus, Horton, Green, Anthony, Tesanovich, McNutt and Harder introduced

House Bill No. 4787, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by amending the title, as amended by 1996 PA 434, and by adding part 400.

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

Rep. Richner introduced

House Bill No. 4788, entitled

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 514 and 530 (MCL 280.514 and 280.530).

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

Reps. Palamara, Profit, Price, Mans, Schauer, Hanley, LaForge, Baird, Olshove, Baade, Law, Hammerstrom, Fitzgerald, Llewellyn, Jelinek, Gagliardi, Brater, Callahan, Wojno, Leland, Griffin, Gire, Alley, Hood, Vaughn, Prusi, Agee, Anthony, Tesanovich, Owen, Mathieu and Rhead introduced

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

Reps. McManus, Anthony, McBryde, Johnson, Walberg, Goschka, Kaza, Lowe, Dobb, Kelly, Cropsey, Cassis, Bodem, London, Hammerstrom, Jellema, Jansen, Green and Perricone introduced

House Bill No. 4790, 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 first time by its title and referred to the Committee on Tax Policy.

Reps. Hanley, Brater, Murphy, Baird, Gubow, Olshove, Dobronski, London, Law, Rocca, Bodem, Kaza, Goschka, Wojno, Willard, Gire, Freeman, Brewer, LaForge, Palamara, Lowe, Bogardus, Price, Varga, Prusi, Bobier, Tesanovich, Cherry, Hale, Stallworth, Godchaux, Leland, Owen, Mans, Galloway and Jellema introduced

House Bill No. 4791, entitled

A bill to provide regulations and prohibitions concerning certain dangerous exotic animals; to impose fees; to prescribe the powers and duties of certain federal, state, and local governmental entities and officials; to provide standards for the care of certain dangerous exotic animals; and to prescribe penalties and provide remedies.

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

Reps. Prusi, Law, Hanley, Bobier, Cherry, Tesanovich, Hale, Wojno, Callahan, Mans, Goschka, Kaza, Freeman, Gire, Willard, Brewer, Dobronski, Olshove, Curtis, Godchaux, Rocca, Kukuk, Harder, London, DeHart, Bodem, Galloway, Lowe, Green and Jellema introduced

House Bill No. 4792, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 429.

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

Reps. Law, Prusi, Hanley, Galloway, Godchaux, Rocca, DeVuyst, Kukuk, Freeman, Dobronski, Gire, Gubow, London, Olshove, Willard, Brewer, Jellema, Lowe, Hammerstrom, Bodem, Richner, McManus, Llewellyn, Green, Palamara, Bobier and Cassis introduced

House Bill No. 4793, entitled

A bill to provide regulations and prohibitions concerning wolf hybrids; to impose fees; to prescribe the powers and duties of certain federal, state, and local governmental entities and officials with respect to certain canids; to provide standards for the care of wolf hybrids; and to prescribe penalties and provide remedies.

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

Reps. Llewellyn, Varga, Kukuk, McBryde, Lowe, Bodem, London, Cropsey, Goschka, Walberg, Gernaat, Oxender, McManus, Horton, Green, Tesanovich, McNutt, Harder and Rhead introduced

House Joint Resolution V, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 25 to article I, to declare the right of the people of Michigan to harvest, hunt, fish, and gather from their renewable resources.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Rocca, Baade, Perricone, Dobronski, McBryde, Crissman, Birkholz, Richner, Anthony, Rhead, Wetters, Freeman, Gire, Dobb, Bodem, Gernaat, Goschka, Cherry, DeHart, Tesanovich, Kukuk, Hale, Gubow, Olshove, Scranton, Llewellyn, Brater, Green, Voorhees, Godchaux, Dalman, Galloway, Lowe, Schermesser, Vaughn and Jaye offered the following resolution:

House Resolution No. 59.

A resolution commemorating the 25th Anniversary of DeKeyser Elementary, Sterling Heights, Michigan.

Whereas, It is with great respect for the role that this outstanding school has played in educating our young people, that we join with the people of Sterling Heights and Utica Community Schools in marking the 25th Anniversary of the founding of DeKeyser Elementary. On behalf of the countless students and families who have been touched by the work that has taken place here, we offer our thanks in celebrating this milestone; and

Whereas, Few activities draw more attention and pressure than those that take place in a school. In seeking to prepare students for the adult world of work, challenge, and responsibility, our schools are, in reality, an extension of a community's hope and concern for the future. This is no small task. To achieve its lofty goals, an institution like DeKeyser Elementary must be focused and unified. DeKeyser Elementary has attained its reputation for effectiveness through the hard work and sacrifice of teachers, staff, and parents who have worked together over these 25 years; and

Whereas, Much has changed since DeKeyser Elementary first opened its doors in 1972. The students who fill the classrooms now face a world in which change will likely take place even faster. While they utilize tools to help them learn what their grandparents could never have imagined, they will need many of the same skills of generations past. These skills include the ability to think clearly, to make decisions based on reason, and to accept the responsibilities we all share as unselfish citizens. In this way, the impact that DeKeyser Elementary has had over the years will only grow stronger; and

Whereas, The process of educating children is an awesome task. At DeKeyser Elementary School, it has been undertaken by many hardworking parents, dedicated teachers, active members in parent/teacher clubs, and by the students themselves. For 25 years, the school has opened its doors to young people who have, in turn, opened their minds to gain knowledge and increase their understanding of the world around them; and

Whereas, The successes DeKeyser Elementary has achieved are reflected by a 1992 recognition as a Blue Ribbon Exemplary School, earning this honor on both the state and national levels. In 1996, DeKeyser Elementary was again an example of academic excellence, as the school was awarded Summary Accreditation by the State of Michigan; now, therefore, be it

Resolved by the House of Representatives, That we celebrate the 25th Anniversary of DeKeyser Elementary. We commend all of the devoted educators, students, parents, and staff who have contributed to its growth in excellence; and be it further

Resolved, That copies of this resolution be transmitted to DeKeyser Elementary School as a token of the high esteem in which it is held.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. Jaye, Kaza, Goschka, Green, Gustafson, McBryde, Cropsey, Law, Gernaat, Bodem, Wojno, Richner, Raczkowski, Geiger, Rhead, Jellema, London and Galloway offered the following concurrent resolution:

House Concurrent Resolution No. 41.

A concurrent resolution to express support for the recognition of the Republic of China on Taiwan.

Whereas, Michigan enjoys strong bonds of friendship with the Republic of China on Taiwan. Numerous cultural, commercial, and educational ventures have brought our people together and fostered mutual respect. The Republic of China on Taiwan has earned great admiration for its success in its free-market economy and its democratic form of government; and

Whereas, Respect for the people of the Republic of China on Taiwan is widespread across our country. American citizens support the inclusion of the island nation among the community of nations in the United Nations, as well as diplomatic recognition from Washington; and

Whereas, In the recent past, the Republic of China on Taiwan's difficult relationship with the mainland has led to tensions. The United States has had to examine its role and put concerns into action in this key area of the world. With the pending change in the jurisdiction of Hong Kong, many people have expressed renewed apprehension for the stability of a delicate situation between the mainland and the Republic of China on Taiwan. With the history of friendship between the United States and the Republic of China on Taiwan, this is an appropriate time to affirm the rights of these 22 million people to full diplomatic recognition; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we express support for the recognition of the Republic of China on Taiwan; and be it further

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

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

Rep. Rison moved that the House adjourn.
The motion prevailed, the time being 1:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, May 20, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.