

No. 22
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
89th Legislature
REGULAR SESSION OF 1998

House Chamber, Lansing, Thursday, March 5, 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	Emerson—present	Kelly—present	Profit—present
Alley—present	Fitzgerald—present	Kilpatrick—present	Prusi—present
Anthony—present	Frank—present	Kukuk—present	Quarles—present
Baade—present	Freeman—present	LaForge—present	Raczkowski—present
Baird—present	Gagliardi—present	Law—present	Rhead—present
Bankes—present	Galloway—present	Leland—present	Richner—present
Basham—present	Geiger—present	LeTarte—present	Rison—present
Birkholz—present	Gernaat—present	Llewellyn—present	Rocca—present
Bobier—present	Gilmer—present	London—present	Sanborn—present
Bodem—present	Gire—present	Lowe—present	Schauer—present
Bogardus—present	Godchaux—present	Mans—excused	Schermesser—present
Brackenridge—present	Goschka—present	Martinez—present	Schroer—present
Brater—present	Green—present	Mathieu—present	Scott—present
Brewer—present	Griffin—present	McBryde—present	Scranton—present
Brown—present	Gubow—present	McManus—excused	Sikkema—present
Byl—present	Gustafson—present	McNutt—present	Stallworth—e/d/s
Callahan—present	Hale—present	Middaugh—present	Tesanovich—present
Cassis—present	Hammerstrom—present	Middleton—present	Thomas—present
Cherry—present	Hanley—present	Murphy—present	Varga—present
Ciaramitaro—present	Harder—present	Nye—present	Vaughn—present
Crissman—present	Hertel—absent	Olshove—present	Voorhees—present
Cropsey—present	Hood—e/d/s	Owen—present	Walberg—present
Curtis—present	Horton—present	Oxender—present	Wallace—present
Dalman—present	Jansen—present	Palamara—e/d/s	Wetters—present
DeHart—present	Jelinek—present	Parks—present	Whyman—present
DeVuyst—present	Jellema—present	Perricone—present	Willard—present
Dobb—present	Johnson—present	Price—present	Wojno—present
Dobronski—present	Kaza—present		

e/d/s = entered during session

Rep. Vera Rison, from the 48th District, offered the following invocation:

“Father God, we come this morning giving You all the praise. We thank You for life, health and strength. We ask You for the wisdom and knowledge to lead Your people. We ask You to give us the commitment to stand for what is right and good for mankind. We thank You Father because we know that without You it would not be. We ask You for all these blessings in Jesus’ name. Amen.”

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

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

Notices

March 5, 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.

Sincerely,
Curtis Hertel
Speaker of the House

March 5, 1998

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

Sincerely,
Curtis Hertel
Speaker of the House

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5473, entitled

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

(The bill was received from the Senate on March 4, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 21, p. 377.)

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. 142

Yeas—104

Agee
Alley
Anthony
Baade
Baird
Banks
Basham
Birkholz

Dobb
Dobronski
Emerson
Fitzgerald
Frank
Freeman
Gagliardi
Galloway

Johnson
Kaza
Kelly
Kilpatrick
Kukuk
LaForge
Law
Leland

Profit
Prusi
Quarles
Raczowski
Rhead
Richner
Rison
Rocca

Bobier	Geiger	LeTarte	Sanborn
Bodem	Gernaat	Llewellyn	Schauer
Bogardus	Gilmer	London	Schermesser
Brackenridge	Gire	Lowe	Schroer
Brater	Godchaux	Martinez	Scott
Brewer	Goschka	Mathieu	Scranton
Brown	Green	McBryde	Sikkema
Byl	Griffin	McNutt	Tesanovich
Callahan	Gubow	Middaugh	Thomas
Cassis	Gustafson	Middleton	Varga
Cherry	Hale	Murphy	Vaughn
Ciaramitaro	Hammerstrom	Nye	Voorhees
Crissman	Hanley	Olshove	Walberg
Cropsey	Harder	Owen	Wallace
Curtis	Horton	Oxender	Wetters
Dalman	Jansen	Parks	Whyman
DeHart	Jelinek	Perricone	Willard
DeVuyst	Jellema	Price	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.

Third Reading of Bills

House Bill No. 4345, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

Reps. Profit and Kukuk moved to amend the bill as follows:

1. Amend page 4, line 22, after “RETROACTIVELY.” by inserting “HOWEVER, IF THE APPLICATION OF THE BULLETIN OR LETTER RULING WOULD RESULT IN A REFUND, THE BULLETIN OR LETTER RULING SHALL APPLY PROSPECTIVELY AND RETROACTIVELY FOR PURPOSES OF THE REFUND.”.

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

The question being on the passage of the bill,

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

The motion prevailed.

House Bill No. 4924, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

House Bill No. 5583, entitled

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

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

Roll Call No. 143**Yeas—103**

Agee	Dobb	Kaza	Prusi
Alley	Dobronski	Kelly	Quarles
Anthony	Fitzgerald	Kilpatrick	Raczkowski
Baade	Frank	Kukuk	Rhead
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	Scott
Brater	Goschka	Mathieu	Scranton
Brewer	Green	McBryde	Sikkema
Brown	Griffin	McNutt	Tesanovich
Byl	Gubow	Middaugh	Thomas
Callahan	Gustafson	Middleton	Varga
Cassis	Hale	Murphy	Vaughn
Cherry	Hammerstrom	Nye	Voorhees
Ciaramitaro	Hanley	Olshove	Walberg
Crissman	Harder	Owen	Wallace
Cropsey	Horton	Oxender	Wetters
Curtis	Jansen	Parks	Whyman
Dalman	Jelinek	Perricone	Willard
DeHart	Jellema	Price	Wojno
DeVuyst	Johnson	Profit	

Nays—0

In The Chair: Hanley

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, Baade, Bodem, Bogardus, Brackenridge, Byl, Cassis, Cherry, Ciaramitaro, Crissman, DeHart, Dobb, Emerson, Freeman, Gagliardi, Gernaat, Gire, Hale, Harder, Jansen, Jelinek, Johnson, Kaza, Kelly, Kilpatrick, LaForge, Law, London, McBryde, Middaugh, Oxender, Parks, Price, Richner, Rocca, Scott, Thomas, Vaughn, Voorhees, Wallace and Whyman were named co-sponsors of the bill.

Rep. Hood entered the House Chambers.

House Bill No. 5584, entitled

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

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

Roll Call No. 144**Yeas—105**

Agee	Dobronski	Johnson	Profit
Alley	Emerson	Kaza	Prusi
Anthony	Fitzgerald	Kelly	Quarles
Baade	Frank	Kilpatrick	Rackowski
Baird	Freeman	Kukuk	Rhead
Bankes	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	Scott
Brewer	Green	Mathieu	Scranton
Brown	Griffin	McBryde	Sikkema
Byl	Gubow	McNutt	Tesanovich
Callahan	Gustafson	Middaugh	Thomas
Cassis	Hale	Middleton	Varga
Cherry	Hammerstrom	Murphy	Vaughn
Ciaramitaro	Hanley	Nye	Voorhees
Crissman	Harder	Olshove	Walberg
Cropsey	Hood	Owen	Wallace
Curtis	Horton	Oxender	Wetters
Dalman	Jansen	Parks	Whyman
DeHart	Jelinek	Perricone	Willard
DeVuyst	Jellema	Price	Wojno
Dobb			

Nays—0

In The Chair: Hanley

The House agreed to the title of the bill.

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

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

Reps. Birkholz, Bodem, Brackenridge, Crissman, DeVuyst, Dobb, Gernaat, Hammerstrom, Jansen, Jellema, Johnson, Kukuk, McBryde, Middaugh, Oxender, Profit, Richner, Vaughn, Voorhees and Whyman were named co-sponsors of the bill.

Rep. Stallworth entered the House Chambers.

The House returned to the consideration of

House Bill No. 4345, entitled

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

(The bill was considered earlier today, see today's Journal, p. 389.)

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. 145**Yeas—82**

Alley	DeVuyst	Johnson	Profit
Anthony	Dobb	Kaza	Quarles
Banks	Dobronski	Kukuk	Raczkowski
Basham	Frank	Law	Rhead
Birkholz	Gagliardi	Leland	Richner
Bobier	Galloway	LeTarte	Rison
Bodem	Geiger	Llewellyn	Rocca
Bogardus	Gernaat	London	Sanborn
Brackenridge	Gilmer	Lowe	Schauer
Brater	Godchaux	Mathieu	Scranton
Brewer	Goschka	McBryde	Sikkema
Brown	Green	McNutt	Tesanovich
Byl	Griffin	Middaugh	Thomas
Callahan	Gustafson	Middleton	Varga
Cassis	Hammerstrom	Nye	Voorhees
Cherry	Hanley	Olshove	Walberg
Crissman	Harder	Owen	Wetters
Cropsey	Horton	Oxender	Whyman
Curtis	Jansen	Perricone	Willard
Dalman	Jelinek	Price	Wojno
DeHart	Jellema		

Nays—23

Agee	Gire	LaForge	Schroer
Baade	Gubow	Martinez	Scott
Baird	Hale	Murphy	Stallworth
Ciaramitaro	Hood	Parks	Vaughn
Fitzgerald	Kelly	Prusi	Wallace
Freeman	Kilpatrick	Schermesser	

In The Chair: Hanley

The House agreed to the title of the bill.

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

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

Reps. Birkholz, Bodem, Brackenridge, Cassis, Crissman, Cropsey, Dobb, Goschka, Hammerstrom, Horton, Jansen, Jelinek, Jellema, Johnson, Kaza, Law, LeTarte, Llewellyn, Lowe, McBryde, Middaugh, Middleton, Profit, Rhead, Richner, Rocca, Sanborn, Voorhees and Whyman were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 4769, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 6107 (MCL 500.6107), as added by 1992 PA 174.

The bill was read a second time.

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

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

Acting Speaker DeHart assumed the Chair.

House Bill No. 5056, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 12917. Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Consumer Protection,

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

Rep. Gustafson moved to reconsider the vote by which the House adopted the substitute (H-4) previously recommended by the Committee on Consumer Protection.

The motion did not prevail, a majority of the members present not voting therefor.

Rep. Gustafson moved to suspend Rule 67.

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

Rep. Gustafson moved to reconsider the vote by which the House adopted the substitute (H-4) previously recommended by the Committee on Consumer Protection.

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

The question being on the adoption of the substitute (H-4) previously recommended by the Committee on Consumer Protection,

Rep. Crissman demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-4) previously recommended by the Committee on Consumer Protection,

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

The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

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

Senate Bill No. 362, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 116 (MCL 330.1116), as amended by 1995 PA 290.

Rep. Gagliardi moved that Rule 67 be suspended.

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

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

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

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

The motion prevailed.

Rep. Palamara entered the House Chambers.

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, March 10 at 2:00 p.m.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Bankes, Crissman, Dalman, Richner, Scranton, Rocca, Godchaux, Parks, Dobronski, Baird, Kelly, DeHart, Hammerstrom, Whyman, McBryde, Harder, Oxender, Gilmer, Johnson, McNutt, Bodem, Gubow, Jellema, Freeman, Lowe, Jansen, Brackenridge, Dobb, Goschka, Gernaat, Cherry, Kilpatrick, Tesanovich, Green, Voorhees, Rhead, Jelinek, Fitzgerald, Cassis, Middaugh, Horton, Profit, Brater, Galloway, Scott, Gire, Bogardus, Varga, Birkholz, Vaughn, Raczkowski and London offered the following resolution:

House Resolution No. 224.

A resolution honoring Tim Richard upon being inducted into the Michigan Journalism Hall of Fame.

Whereas, It is a pleasure indeed to offer highest tribute to Tim Richard as he is inducted into the Michigan Journalism Hall of Fame. His many years of dedication as a public servant, skilled professional, and hardworking individual have enabled him to make exemplary contributions to the journalism community and it is a privilege to honor him; and

Whereas, Chairman of the Michigan Hall of Fame Committee said: "The committee is impressed by Tim Richard's courageous leadership on behalf of a free press." His commitment to the Freedom of Information Act (FOIA) and Open Meetings Act and his tireless effort behind the scenes to protect those measures will stand as a model for Michigan journalists for years to come. Tim Richard's longtime commitment to the public's right-to-know led toward the eventual passage in 1976 of the Open Meetings Act and the Freedom of Information Act; and

Whereas, It has been said that the Michigan Freedom of Information Act is alive and well today because of Tim Richard's determination to never let legislation get swept under the rug or hidden in obscure language. What is known today in the media regarding the FOIA and Sunshine laws has come to them through Tim Richard. He grew up on Detroit's west side and attended Redford High School. He attributes excellent high school journalism teachers with getting him started as a reporter; and

Whereas, As a journalist, Tim Richard's career has taken many interesting turns and twists. In 1961, he won first prize in the Michigan Associated Press contest for a series on St. Joseph Junior High School and, in 1966, the unpublished WMU expose led directly to his advocacy of the Open Meetings Act. In 1971, Tim Richard wrote about the "age of majority" in the old Observer and sold the idea to Governor William Milliken, which resulted in the state laws lowering legal ages from 21 to 18. Tim stated: "You have a right to know what the government wants to do to you before it does it to you." He has won many awards, receiving Suburban Press Foundation's national prizes for feature story and editorial. He received six awards from the Michigan Associated Press Editorial Association. Last year, he won first prize for a column from the Michigan Press Association; now, therefore, be it

Resolved by the House of Representatives, That this resolution be dedicated to honor and commend Tim Richard on his induction into the Michigan Journalism Hall of Fame. May he know of our admiration and appreciation for his valuable contributions to the journalism community of the great State of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Mr. Richard as a symbol of our esteem for his work.

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. Fitzgerald, Crissman, Dalman, Kukuk, Richner, Scranton, Rocca, Godchaux, Parks, Dobronski, Baird, Kelly, DeHart, Hammerstrom, Whyman, McBryde, Anthony, Oxender, Gilmer, McNutt, Bodem, Gubow, Jellema, Wojno, Freeman, Jansen, Brackenridge, Dobb, Goschka, Gernaat, Cherry, Kilpatrick, Tesanovich, Green, Voorhees, Rhead, Jelinek, Cassis, Middaugh, Profit, Baade, Brater, Walberg, Galloway, Scott, Gire, Schauer, Bogardus, Bankes, Varga, Birkholz, Vaughn, Raczkowski and London offered the following resolution:

House Resolution No. 225.

A resolution commemorating May, 1998, as Motorcycle Safety Awareness Month.

Whereas, It is most appropriate to join with the members of the Gold Wing Touring Association in commemorating May, 1998, as Motorcycle Safety Awareness Month. This worthwhile observance provides all Michigan motorists with an opportunity to rededicate themselves to the highest standards of highway safety; and

Whereas, The coming of spring marks the return of motorcycle enthusiasts to our state's highways. An international association of motorcycle operators with nearly 300 members in Michigan, the Gold Wing Touring Association has been at the forefront of efforts to promote the wise and sensible use of this most enjoyable mode of travel. Indeed, the disproportionate number of motorcycle fatalities makes it vitally important to encourage motorcyclists to understand and practice the highest degree of safety as well as to remind other drivers that highway safety is a two-way street; and

Whereas, Motorcycle Safety Awareness Month encourages motorcycle operators to be properly outfitted with crash helmets and other protective gear, to keep their motorcycles in good operating condition, to adhere to the laws of the road, and to adopt the driving techniques which provide an extra measure of safety. In addition, car and truck drivers are made aware of the seasonal return of motorcyclists and are urged to be particularly alert and careful when approaching or overtaking a motorcycle on the highway. It is truly a pleasure to take this opportunity to once again remind all of those who share our highways that safety is every drivers responsibility; now, therefore, be it

Resolved by the House of Representatives, That we commemorate May, 1998, as Motorcycle Safety Awareness Month and transmit a copy of this special tribute to the Gold Wing Touring Association as evidence of support for this praiseworthy endeavor; and be it further

Resolved, That a copy of the resolution be transmitted to the Gold Wing Touring Association 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 serving voting therefor.

Reports of Standing Committees

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

House Bill No. 5535, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 4038 (MCL 500.4038), as added by 1993 PA 349.

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

1. Amend page 3, line 9, after "on" by striking out "CURRENTLY ISSUED policies" and inserting "THE POLICY ILLUSTRATED OR TO BE ISSUED".

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

Favorable Roll Call

HB 5535 To Report Out:

Yeas: Reps. Gubow, Scott, Bogardus, Dobronski, Varga, Vaughn, Basham, Llewellyn, Green, Jelinek, Law, London, Middaugh, Voorhees,

Nays: None.

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

House Bill No. 5608, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 224, 476a, and 5256 (MCL 500.224, 500.476a, and 500.5256), section 224 as amended by 1994 PA 228 and sections 476a and 5256 as amended by 1990 PA 256.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5608 To Report Out:

Yeas: Reps. Gubow, Scott, Bogardus, Dobronski, Thomas, Varga, Vaughn, Basham, Llewellyn, Green, Jelinek, Law, London, Middaugh, 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, March 4, 1998, at 3:20 p.m.,

Present: Reps. Gubow, Scott, Bogardus, Dobronski, Thomas, Varga, Vaughn, Basham, Llewellyn, Green, Jelinek, Law, London, Middaugh, Voorhees,

Absent: Reps. Palamara, Profit,

Excused: Reps. Palamara, Profit.

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

House Bill No. 4139, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 716 (MCL 257.716), as amended by 1980 PA 311.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 4139 To Report Out:

Yeas: Reps. Leland, Baade, Brown, Curtis, Olshove, Schauer, Scott, Wojno, London, Birkholz, Byl, Galloway, Gernaat,

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, March 4, 1998, at 3:20 p.m.,

Present: Reps. Leland, Baade, Brown, Curtis, Olshove, Schauer, Scott, Wojno, London, Birkholz, Byl, Galloway, Gernaat, Green,

Absent: Reps. Schermesser, Mans, Middleton,

Excused: Reps. Schermesser, Mans, Middleton.

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

House Bill No. 4576, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 303 (MCL 257.303), as amended by 1996 PA 587.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 4576 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Kilpatrick, Schauer, Wojno, Nye, Dalman, Fitzgerald, Law, McNutt, Richner,

Nays: None.

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

House Bill No. 5122, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 904 (MCL 257.904), as amended by 1994 PA 450, and by adding section 904d.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 5122 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Schauer, Wojno, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner,

Nays: None.

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

House Bill No. 5123, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 904 (MCL 257.904), as amended by 1994 PA 450, and by adding section 904c.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 5123 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Schauer, Wojno, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner,

Nays: None.

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

House Bill No. 5604, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding sections 8650, 8651, 8652, and 8653.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 5604 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Gubow, Vaughn, Wojno, Nye, Dalman, Fitzgerald, Law, McNutt, Richner,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 3, 1998, at 9:00 a.m.,

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

Absent: Rep. Willard,

Excused: Rep. Willard.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

House Bill No. 4248, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80101, 80140, 80141, 80143, and 80146 (MCL 324.80101, 324.80140, 324.80141, 324.80143, and 324.80146), as added by 1995 PA 58, and by adding sections 80140a, 80140b, 80140c, 80140d, 80140e, 80140f, 80140g, 80140h, 80140i, and 80142a.

With the recommendation that the substitute (H-6) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 4248 To Report Out:

Yeas: Reps. Alley, Callahan, Brown, Kilpatrick, Mans, Schermesser, Basham, Birkholz, Bodem, Byl, McNutt,

Nays: Rep. Walberg.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

House Bill No. 5426, entitled

A bill to promote the safe use of personal watercraft on the waters of this state; to provide for rules relative to the operation of personal watercraft; to impose certain safety requirements on operators of personal watercraft; to prescribe the duties and responsibilities of owners, operators, and dealers of personal watercraft; to prescribe the powers and duties of certain state departments; to provide for penalties; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 5426 To Report Out:

Yeas: Reps. Alley, Callahan, Brown, Kilpatrick, Mans, Schermesser, Basham, Birkholz, Bodem, Byl, McNutt, Walberg,

Nays: None.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

House Bill No. 5547, entitled

A bill to repeal 1947 LA 9, entitled "The act to prevent hunting, on Sunday, for game animals and game birds in the county of Macomb;" and to provide for a referendum.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5547 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, LaForge, Mans, Schermesser, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McNutt, Walberg,

Nays: None.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

House Resolution No. 219.

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

(For text of resolution, see House Journal No. 20, p. 351.)

With the recommendation that the following amendments be adopted and that the resolution then be adopted.

1. Amend the title, line 3, after "Taylor," by inserting "Garden City,".
2. Amend the first Resolving clause, line 3, after "Taylor," by inserting "Garden City,".

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

Favorable Roll Call

HR 219 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, LaForge, Mans, Schermesser, Basham, Middaugh, Birkholz, Bodem, Byl, McNutt, Walberg,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Alley, Chair of the Committee on Conservation, Environment and Recreation, was received and read:

Meeting held on: Wednesday, March 4, 1998, at 10:30 a.m.,

Present: Reps. Alley, Callahan, Anthony, Brater, Brown, Kilpatrick, LaForge, Mans, Schermesser, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McNutt, Walberg,

Absent: Reps. Wetters, McManus,

Excused: Rep. McManus.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, March 5, 1998, at 8:45 a.m.,

Present: Reps. Wetters, Vaughn, Baade, Bogardus, Brewer, LaForge, Willard, Green, DeVuyst, Gernaat, Horton, Jelinek, Nye.

Messages from the Senate**House Bill No. 4841, entitled**

A bill to amend 1927 PA 150, entitled "An act to prescribe a privilege tax for the use of the public highways by owners and drivers of motor vehicles by imposing a specific tax upon the sale or use, within the state of Michigan, of motor fuel; to prescribe the manner and the time of paying this tax and the duties of officials and others respecting the payment and collection of this tax; to provide for the licensing of wholesale distributors, certain retail dealers, exporters, and suppliers as defined in this act; to fix a time when this tax and interest and penalties thereon become a lien upon the property of persons, firms, partnerships, associations, or corporations, subject to the payment of this tax; to provide for the enforcement of this lien; to permit the inspection and testing of petroleum products; to provide for certain exemptions and refunds and for the disposition of the proceeds of this tax; and to prescribe penalties for the violation of this act," by amending sections 12a and 22 (MCL 207.112a and 207.122), section 22 as amended by 1995 PA 52.

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.

House Bill No. 5237, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 19 (MCL 29.19).

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

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

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

Notices**Public Hearings**

House Appropriations Subcommittee on Family Independence Agency

Date: Monday, March 9, 1998

Time: 10:00 a.m.

Place: Room 351, Capitol Building

Rep. Price
Chair

Agenda: Proposed budget
and any/or all business properly before the subcommittee

House Appropriations Subcommittee on Family Independence Agency

Date: Friday, March 13, 1998

Time: 10:00 a.m.

Place: Pontiac City Hall, City Council Chambers, 450 Wide Track East, Pontiac, Michigan

Rep. Price
Chair

Agenda: Proposed budget
and any/or all business properly before the subcommittee

House Appropriations Subcommittee on Family Independence Agency

Date: Monday, March 16, 1998

Time: 11:00 a.m.

Place: 300 Monroe Avenue, Kent County Board of Commissioners Room, Grand Rapids, Michigan

Rep. Price
Chair

Agenda: Proposed budget
and any/or all business properly before the subcommittee

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, Monday, March 3:

Senate Bill Nos.	925	926	927	928	929	930	931	932	933	934	935	936	937	938
	939	940	941	942	943	944	945	946	947	948	949	950	951	952
	954	955	956	962	963	964	965	966	967	968	969	970	971	972
	973	974	975	976	977	978	979	980	981	982	983	984	985	986
	987	988	989	990	991									

Introduction of Bills

Reps. Cherry, LaForge, Harder, Curtis, Griffin, Agee, Prusi, Anthony, Brewer, Ciaramitaro, Tesanovich and Goschka introduced

House Bill No. 5636, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 355b.

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

Reps. Thomas, Schauer, Profit, DeHart, Brater, McBryde, Harder, Kelly, Kilpatrick, Jelinek, Goschka, LaForge, Baird, Cherry, Dobb, Oxender, Gubow, Gire, Stallworth, Hale, Bogardus, Anthony, Scott, Vaughn, Cassis, Perricone and Raczkowski introduced

House Bill No. 5637, entitled

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

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

Rep. Profit moved that the House adjourn.

The motion prevailed, the time being 1:30 p.m.

Acting Speaker DeHart declared the House adjourned until Tuesday, March 10, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.