

**No. 41**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**89th Legislature**  
**REGULAR SESSION OF 1998**

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House Chamber, Lansing, Tuesday, May 5, 1998.

2:00 p.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—present  |
| Callahan—present     | Hale—present        | Middaugh—present   | Tesanovich—present  |
| Cassis—present       | Hammerstrom—present | Middleton—present  | Thomas—present      |
| Cherry—present       | Hanley—present      | Murphy—present     | Varga—present       |
| Ciaramitaro—present  | Harder—present      | Nye—present        | Vaughn—present      |
| Crissman—present     | Hertel—present      | Olshove—present    | Voorhees—present    |
| Cropsey—present      | Hood—present        | Owen—present       | Walberg—present     |
| Curtis—present       | Horton—present      | Oxender—present    | Wallace—present     |
| Dalman—present       | Jansen—present      | Palamara—present   | Wetters—present     |
| DeHart—present       | Jelinek—present     | Parks—present      | Whyman—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

Rev. Garfield Judkins, Pastor, Northside Assembly of God, Macomb Township, offered the following invocation:

“Lord, we acknowledge Your sovereignty and Your grace. We recognize that it is by Your grace and by Your blessing that we have become Your people blessed with abundance. By Your mercy, You give us leadership and good government. You set men into responsible positions, and we thank You for them. We would pray the prayer of King Solomon; that You would give to these leaders a discerning heart to govern these people, and the ability to distinguish between right and wrong as they execute their responsibilities. Help each representative to employ what he knows to good and godly ends. Remembering that each will stand before God and give account for the use of authority entrusted to them. We ask for Your blessing on this session, and thank You for hearing our prayer today. In the name of Him, Who has all authority, Jesus Christ our Lord. Amen.”

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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

May 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

By unanimous consent the House returned to the order of  
**Second Reading of Bills**

### House Bill No. 5588, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 1998 and the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

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

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

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The Speaker Pro Tempore assumed the Chair.

Rep. Gustafson moved that Rep. Sikkema be excused temporarily from today's session.  
The motion prevailed.

Rep. Jansen moved to amend the bill as follows:

1. Amend page 4, line 23, by striking out “850,000” and inserting “564,500”.
2. Amend page 4, line 25, by striking out “2,242,400” and inserting “1,762,700”.
3. Amend page 4, line 26, by striking out “74,400” and inserting “58,500”.
4. Amend page 5, line 1, by striking out “74,400” and inserting “58,500”.
5. Amend page 5, line 7, by striking out “4,852,400” and inserting “4,055,400”.

6. Amend page 9, line 15, by striking out "36,600" and inserting "28,700".
  7. Amend page 9, line 16, by striking out "71,000" and inserting "55,800".
  8. Amend page 9, line 17, by striking out "1,140,800" and inserting "896,800".
  9. Amend page 9, line 18, by striking out "246,800" and inserting "194,000".
  10. Amend page 9, line 19, by striking out "1,859,000" and inserting "1,461,300".
  11. Amend page 9, line 20, by striking out "40,400" and inserting "31,800".
  12. Amend page 9, line 21, by striking out "1,667,500" and inserting "1,310,800".
  13. Amend page 9, line 22, by striking out "144,100" and inserting "113,300".
  14. Amend page 10, line 1, by striking out "7,094,400" and inserting "7,780,700".
  15. Amend page 10, line 2, by striking out all of line 2 and adjusting the subtotals, totals, and section 201 accordingly.
- The question being on the adoption of the amendments offered by Rep. Jansen,  
Rep. Jansen demanded the yeas and nays.  
The demand was supported.  
The question being on the adoption of the amendments offered by Rep. Jansen,  
The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 326****Yeas—38**

|              |            |         |            |
|--------------|------------|---------|------------|
| Birkholz     | DeVuyst    | Jansen  | Middleton  |
| Bobier       | Fitzgerald | Jelinek | Nye        |
| Bodem        | Galloway   | Jellema | Oxender    |
| Brackenridge | Geiger     | Kaza    | Perricone  |
| Brown        | Gernaat    | Kukuk   | Raczkowski |
| Byl          | Gilmer     | London  | Richner    |
| Cassis       | Godchaux   | Lowe    | Sanborn    |
| Crissman     | Goschka    | McBryde | Voorhees   |
| Cropsey      | Gustafson  | McNutt  | Whyman     |
| Dalman       | Horton     |         |            |

**Nays—64**

|             |             |           |             |
|-------------|-------------|-----------|-------------|
| Agee        | Dobronski   | LaForge   | Rhead       |
| Alley       | Emerson     | Law       | Rison       |
| Anthony     | Frank       | Leland    | Rocca       |
| Baade       | Freeman     | LeTarte   | Schauer     |
| Baird       | Gagliardi   | Llewellyn | Schermesser |
| Bankes      | Gire        | Martinez  | Schroer     |
| Basham      | Gubow       | Mathieu   | Scott       |
| Bogardus    | Hale        | Middaugh  | Scranton    |
| Brater      | Hammerstrom | Murphy    | Stallworth  |
| Brewer      | Hanley      | Olshove   | Tesanovich  |
| Callahan    | Harder      | Owen      | Thomas      |
| Cherry      | Hertel      | Parks     | Vaughn      |
| Ciaramitaro | Hood        | Price     | Walberg     |
| Curtis      | Johnson     | Profit    | Wetters     |
| DeHart      | Kelly       | Prusi     | Willard     |
| Dobb        | Kilpatrick  | Quarles   | Wojno       |

In The Chair: Murphy

Rep. Jansen 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. 5588, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 1998 and the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

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

**Roll Call No. 327**

**Yeas—86**

|              |             |            |             |
|--------------|-------------|------------|-------------|
| Agee         | DeVuyst     | Jellema    | Parks       |
| Alley        | Dobb        | Johnson    | Price       |
| Anthony      | Dobronski   | Kelly      | Profit      |
| Baade        | Emerson     | Kilpatrick | Prusi       |
| Baird        | Frank       | Kukuk      | Quarles     |
| Bankes       | Freeman     | LaForge    | Rhead       |
| Basham       | Gagliardi   | Law        | Rison       |
| Birkholz     | Galloway    | Leland     | Rocca       |
| Bodem        | Geiger      | LeTarte    | Sanborn     |
| Bogardus     | Gernaat     | Llewellyn  | Schauer     |
| Brackenridge | Gilmer      | Martinez   | Schermesser |
| Brater       | Gire        | Mathieu    | Schroer     |
| Brewer       | Goschka     | McBryde    | Scott       |
| Brown        | Green       | McNutt     | Scranton    |
| Callahan     | Gubow       | Middaugh   | Tesanovich  |
| Cassis       | Hale        | Middleton  | Thomas      |
| Cherry       | Hammerstrom | Murphy     | Vaughn      |
| Ciaramitaro  | Hanley      | Olshove    | Wallace     |
| Crissman     | Harder      | Owen       | Wetters     |
| Curtis       | Hertel      | Oxender    | Willard     |
| Dalman       | Hood        | Palamara   | Wojno       |
| DeHart       | Jelinek     |            |             |

**Nays—18**

|            |           |            |          |
|------------|-----------|------------|----------|
| Bobier     | Gustafson | Lowe       | Richner  |
| Byl        | Horton    | Nye        | Voorhees |
| Cropsey    | Jansen    | Perricone  | Walberg  |
| Fitzgerald | Kaza      | Raczkowski | Whyman   |
| Godchaux   | London    |            |          |

In The Chair: Murphy

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

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

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

“Mr. Speaker and members of the House:

I voted no on this bill because it was substantially over budget, about 30 percent.”

**House Bill No. 5163, entitled**

A bill to amend 1978 PA 485, entitled “An act to permit the creation of a county officers compensation commission; and to prescribe the powers and duties of the commission and other public officers,” (MCL 45.471 to 45.477) by amending the title and by adding section 6a.

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

**Roll Call No. 328**

**Yeas—104**

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

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

**House Bill No. 5164, entitled**

A bill to amend 1923 PA 116, entitled “Township and village public improvement and public service act,” (MCL 41.411 to 41.419) by amending the title, as amended by 1989 PA 82, and by adding section 3c.

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

**Roll Call No. 329**

**Yeas—106**

|         |            |            |         |
|---------|------------|------------|---------|
| Agee    | Dobronski  | Kaza       | Profit  |
| Alley   | Emerson    | Kelly      | Prusi   |
| Anthony | Fitzgerald | Kilpatrick | Quarles |

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

**Nays—0**

In The Chair: Murphy

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

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

A bill to amend 1923 PA 116, entitled "Township and village public improvement and public service act," by amending the title and section 3a (MCL 41.413a), the title as amended by 1989 PA 82 and section 3a as amended by 1992 PA 177.

The motion prevailed.

The House agreed to the title as amended.

**House Bill No. 5165, entitled**

A bill to amend 1905 PA 157, entitled "An act to provide for the acquisition, maintenance, management, and control of township parks, resorts, bathing beaches, and places of recreation; to provide for the creation of a township park commission; to provide for a board of commissioners to provide for the issuance of bonds and the levy of taxes; to provide for the transfer of certain real property for parks; to authorize cities and villages to appropriate money for park purposes; to provide for the acquisition, construction, and use of wharves, piers, docks, and landing places in townships; and to provide the powers and duties of certain local units of government and certain officials," (MCL 41.421 to 41.429) by amending the title, as amended by 1989 PA 79, and by adding section 5a.

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

**Roll Call No. 330****Yeas—105**

|         |            |            |           |
|---------|------------|------------|-----------|
| Agee    | Emerson    | Kaza       | Profit    |
| Alley   | Fitzgerald | Kelly      | Prusi     |
| Anthony | Frank      | Kilpatrick | Quarles   |
| Baade   | Freeman    | Kukuk      | Rackowski |

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

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

**House Bill No. 5167, entitled**

A bill to amend 1974 PA 160, entitled “An act to provide for the adjustment of county boundaries; to provide for referendum thereon; and to prescribe the powers and duties of the secretary of state,” (MCL 45.101 to 45.102) by amending the title and by adding section 1a.

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

**Roll Call No. 331****Yeas—103**

|              |            |            |             |
|--------------|------------|------------|-------------|
| Agee         | Dobronski  | Kaza       | Prusi       |
| Alley        | Emerson    | Kelly      | Quarles     |
| Anthony      | Fitzgerald | Kilpatrick | Rackowski   |
| Baade        | Frank      | Kukuk      | Rhead       |
| Baird        | Freeman    | LaForge    | Richner     |
| Bankes       | 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    | Stallworth  |
| Brown        | Gubow      | McNutt     | Tesanovich  |

|          |           |           |          |
|----------|-----------|-----------|----------|
| Byl      | Gustafson | Middaugh  | Thomas   |
| Callahan | Hale      | Middleton | Varga    |
| Cassis   | Hanley    | Murphy    | Vaughn   |
| Cherry   | Harder    | Nye       | Voorhees |
| Crissman | Hertel    | Olshove   | Walberg  |
| Cropsey  | Hood      | Oxender   | Wallace  |
| Curtis   | Horton    | Palamara  | Wetters  |
| Dalman   | Jansen    | Parks     | Whyman   |
| DeHart   | Jelinek   | Perricone | Willard  |
| DeVuyst  | Jellema   | Price     | Wojno    |
| Dobb     | Johnson   | Profit    |          |

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

**House Bill No. 5180, entitled**

A bill to amend 1909 PA 283, entitled “An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; and providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials,” (MCL 220.1 to 239.6) by amending the title, as amended by 1996 PA 218, and by adding section 1a to chapter IV.

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

**Roll Call No. 332****Yeas—104**

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



Dalman  
DeHart  
DeVuyst

Horton  
Jansen  
Jelinek

Palamara  
Parks  
Perricone

Wetters  
Willard  
Wojno

### Nays—0

In The Chair: Murphy

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

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

A bill to amend 1909 PA 283, entitled “An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; and providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials,” by amending the title and section 1 of chapter IV (MCL 224.1), the title as amended by 1996 PA 218.

The motion prevailed.

The House agreed to the title as amended.

### House Bill No. 5181, entitled

A bill to amend 1957 PA 206, entitled “An act to authorize 2 or more counties, cities, townships and incorporated villages, or any combination thereof, to incorporate an airport authority for the planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining and operating the landing, navigational and building facilities necessary thereto of 1 or more community airports; to provide for changes in the membership therein; to authorize an authority or the counties, cities, townships and incorporated villages that form an authority to levy taxes for such purposes; to provide for the operation and maintenance and issuing notes therefor; and to authorize condemnation proceedings,” (MCL 259.621 to 259.631) by amending the title, as amended by 1987 PA 153, and by adding section 8a.

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

### Roll Call No. 333

### Yeas—96

Agee  
Alley  
Anthony  
Baade  
Baird  
Banks  
Basham  
Birkholz  
Bobier  
Bodem  
Brackenridge  
Brater  
Brewer  
Brown  
Byl  
Callahan  
Cassis  
Cherry  
Ciaramitaro  
Crissman

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

Jelinek  
Jellema  
Johnson  
Kaza  
Kelly  
Kilpatrick  
Kukuk  
Law  
Leland  
Llewellyn  
London  
Lowe  
Martinez  
Mathieu  
McBryde  
McNutt  
Middaugh  
Middleton  
Nye  
Olshove

Price  
Profit  
Prusi  
Quarles  
Rackowski  
Rhead  
Richner  
Rison  
Rocca  
Sanborn  
Schauer  
Schermesser  
Scott  
Scranton  
Stallworth  
Tesanovich  
Thomas  
Varga  
Vaughn  
Voorhees

|         |        |           |         |
|---------|--------|-----------|---------|
| Cropsey | Hertel | Oxender   | Wallace |
| Curtis  | Hood   | Palamara  | Wetters |
| Dalman  | Horton | Parks     | Willard |
| DeHart  | Jansen | Perricone | Wojno   |

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

**House Bill No. 5182, entitled**

A bill to amend 1956 PA 197, entitled “An act to promote the agricultural interests of the various townships of this state; to provide referenda,” (MCL 285.201 to 285.203) by amending the title and by adding section 2a.

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

**Roll Call No. 334****Yeas—104**

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

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

**House Bill No. 5183, entitled**

A bill to amend 1989 PA 24, entitled “The district library establishment act,” (MCL 397.171 to 397.196) by amending the title and by adding section 10a.

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

**Roll Call No. 335****Yeas—101**

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

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

**House Bill No. 5184, entitled**

A bill to amend 1877 PA 164, entitled “An act to authorize cities, incorporated villages, and townships to establish and maintain, or contract for the use of, free public libraries and reading rooms,” (MCL 397.201 to 397.217) by amending the title, as amended by 1984 PA 128, and by adding section 11a.

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

**Roll Call No. 336****Yeas—105**

|         |            |            |         |
|---------|------------|------------|---------|
| Agee    | Dobronski  | Kaza       | Profit  |
| Alley   | Emerson    | Kelly      | Prusi   |
| Anthony | Fitzgerald | Kilpatrick | Quarles |

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

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

---

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

**House Bill No. 5185, entitled**

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," (MCL 436.1 to 436.58) by adding section 18b.

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

**Roll Call No. 337****Yeas—101**

|          |            |            |            |
|----------|------------|------------|------------|
| Agee     | Dobronski  | Kaza       | Price      |
| Alley    | Fitzgerald | Kelly      | Profit     |
| Anthony  | Frank      | Kilpatrick | Prusi      |
| Baird    | Freeman    | Kukuk      | Quarles    |
| Bankes   | Gagliardi  | LaForge    | Raczkowski |
| Basham   | Galloway   | Law        | Rhead      |
| Birkholz | Geiger     | Leland     | Richner    |
| Bobier   | Gernaat    | LeTarte    | Rison      |
| Bodem    | Gilmer     | Llewellyn  | Rocca      |

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

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

**House Bill No. 5186, entitled**

A bill to amend 1967 PA 179, entitled “An act to authorize the registered electors of, or governing body of, a county, city, village, or township to levy taxes and expend funds for youth centers,” (MCL 123.461) by amending the title, as amended by 1988 PA 342, and by adding section 2.

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

**Roll Call No. 338****Yeas—100**

|              |             |            |             |
|--------------|-------------|------------|-------------|
| Agee         | DeVuyst     | Johnson    | Price       |
| Alley        | Dobb        | Kaza       | Profit      |
| Anthony      | Dobronski   | Kelly      | Prusi       |
| Baade        | Fitzgerald  | Kilpatrick | Quarles     |
| Baird        | Frank       | Kukuk      | Rackowski   |
| Bankes       | Freeman     | LaForge    | Rhead       |
| Basham       | Gagliardi   | Law        | Richner     |
| Birkholz     | Galloway    | Leland     | Rison       |
| Bobier       | Geiger      | LeTarte    | Rocca       |
| Bodem        | Gernaat     | Llewellyn  | Sanborn     |
| Bogardus     | Gilmer      | London     | Schauer     |
| Brackenridge | Gire        | Lowe       | Schermesser |
| Brater       | Godchaux    | Martinez   | Schroer     |
| Brewer       | Goschka     | Mathieu    | Scott       |
| Brown        | Green       | McBryde    | Scranton    |
| Byl          | Gubow       | McNutt     | Tesanovich  |
| Callahan     | Gustafson   | Middaugh   | Thomas      |
| Cassis       | Hale        | Middleton  | Varga       |
| Cherry       | Hammerstrom | Murphy     | Vaughn      |
| Ciaramitaro  | Harder      | Olshove    | Voorhees    |
| Crissman     | Hood        | Owen       | Walberg     |

|         |         |           |         |
|---------|---------|-----------|---------|
| Cropsey | Horton  | Oxender   | Wallace |
| Curtis  | Jansen  | Palamara  | Whyman  |
| Dalman  | Jelinek | Parks     | Willard |
| DeHart  | Jellema | Perricone | Wojno   |

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

**House Bill No. 5187, entitled**

A bill to amend 1891 PA 186, entitled “An act to authorize the cities and villages of this state to provide for the lighting of their streets and other public places therein by means of electric or other lights,” (MCL 123.91 to 123.93) by amending the title and by adding section 4.

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

**Roll Call No. 339****Yeas—100**

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

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

**House Bill No. 5188, entitled**

A bill to amend 1929 PA 199, entitled “An act to authorize and empower villages and townships of this state having a population not exceeding 10,000 inhabitants, to levy a tax for the maintenance or the purchase of lands and maintenance of property for a community center for the benefit of the public, provided the question of such purchase or maintenance, or both purchase and maintenance, as the case may be, is submitted to the duly qualified voters of such villages or townships and is adopted by a majority vote of those participating in said election,” (MCL 123.41 to 123.46) by amending the title and by adding section 1a.

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

**Roll Call No. 340****Yeas—99**

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

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

**House Bill No. 5189, entitled**

A bill to amend 1923 PA 230, entitled “An act to authorize and empower villages and townships of this state, also cities having a population not exceeding 50,000 inhabitants, to levy a tax for the maintenance and employment of a band for musical purposes for the benefit of the public, provided said special question is submitted to the duly qualified voters of such villages, townships or cities and adopted or agreed to by a majority vote of those participating in said election,” (MCL 123.861 to 123.863) by amending the title and by adding section 1a.

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

**Roll Call No. 341****Yeas—102**

|         |            |            |         |
|---------|------------|------------|---------|
| Agee    | Dobb       | Kelly      | Profit  |
| Alley   | Dobronski  | Kilpatrick | Prusi   |
| Anthony | Fitzgerald | Kukuk      | Quarles |

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

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

**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 third time.

The question being on the passage of the bill,

Rep. Fitzgerald moved to amend the bill as follows:

1. Amend page 2, line 10, after “preservation” by inserting a comma and “1 of which is a representative of the Michigan museum association”.

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

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 342****Yeas—100**

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



|              |             |           |             |
|--------------|-------------|-----------|-------------|
| Bodem        | Gernaat     | LeTarte   | Sanborn     |
| Bogardus     | Gilmer      | Llewellyn | Schauer     |
| Brackenridge | Gire        | London    | Schermesser |
| Brater       | Godchaux    | Lowe      | Schroer     |
| Brewer       | Goschka     | Martinez  | Scott       |
| Brown        | Green       | Mathieu   | Scranton    |
| Byl          | Gubow       | McBryde   | Stallworth  |
| Callahan     | Gustafson   | McNutt    | Tesanovich  |
| Cassis       | Hale        | Middaugh  | Thomas      |
| Cherry       | Hammerstrom | Middleton | Vaughn      |
| Crissman     | Hanley      | Murphy    | Voorhees    |
| Cropsey      | Harder      | Nye       | Walberg     |
| Curtis       | Hood        | Olshove   | Wallace     |
| Dalman       | Horton      | Owen      | Whyman      |
| DeHart       | Jansen      | Oxender   | Willard     |
| DeVuyst      | Jelinek     | Palamara  | 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, Alley, Baade, Banks, Basham, Bodem, Brewer, Callahan, Dalman, DeVuyst, Dobronski, Emerson, Fitzgerald, Freeman, Gagliardi, Galloway, Gernaat, Gilmer, Godchaux, Hood, Jellema, Johnson, Kukuk, LeTarte, London, Martinez, Mathieu, Middaugh, Murphy, Olshove, Price, Prusi, Richner, Rison, Rocca, Schermesser, Schroer, Scranton, Tesanovich, Voorhees, Wallace, Wetters and Whyman were named co-sponsors of the bill.

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Rep. Brackenridge moved that Reps. Dalman and Jelinek be excused from the balance of today's session.  
The motion prevailed.

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

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

**House Bill No. 5190, entitled**

A bill to amend 1955 PA 233, entitled "An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; and to provide for the issuance of bonds to acquire, construct, extend, or improve the systems," (MCL 124.281 to 124.294) by amending the title, as amended by 1981 PA 154, and by adding section 8a.

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

**Roll Call No. 343****Yeas—99**

|       |            |            |            |
|-------|------------|------------|------------|
| Agee  | Emerson    | Kelly      | Quarles    |
| Alley | Fitzgerald | Kilpatrick | Raczkowski |

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

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

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Rep. Olshove moved that Rep. Baade be excused from the balance of today's session.  
The motion prevailed.

**House Bill No. 5191, entitled**

A bill to amend 1967 PA 204, entitled "Metropolitan transportation authorities act of 1967," (MCL 124.401 to 124.426) by amending the title, as amended by 1988 PA 481, and by adding section 16a.

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

**Roll Call No. 344****Yeas—96**

|          |            |            |             |
|----------|------------|------------|-------------|
| Agee     | Dobronski  | Kaza       | Prusi       |
| Alley    | Emerson    | Kelly      | Quarles     |
| Anthony  | Fitzgerald | Kilpatrick | Rhead       |
| Baird    | Frank      | Kukuk      | Richner     |
| Bankes   | Freeman    | Law        | Rison       |
| Basham   | Gagliardi  | Leland     | Rocca       |
| Birkholz | Galloway   | LeTarte    | Sanborn     |
| Bobier   | Geiger     | Llewellyn  | Schauer     |
| Bodem    | Gernaat    | London     | Schermesser |

|             |             |           |            |
|-------------|-------------|-----------|------------|
| Bogardus    | Gilmer      | Lowe      | Schroer    |
| Brater      | Godchaux    | Martinez  | Scott      |
| Brewer      | Goschka     | Mathieu   | Scranton   |
| Brown       | Green       | McBryde   | Stallworth |
| Byl         | Gubow       | McNutt    | Tesanovich |
| Callahan    | Gustafson   | Middaugh  | Thomas     |
| Cassis      | Hale        | Middleton | Varga      |
| Cherry      | Hammerstrom | Murphy    | Vaughn     |
| Ciaramitaro | Hanley      | Nye       | Voorhees   |
| Crissman    | Harder      | Olshove   | Walberg    |
| Cropsey     | Hood        | Oxender   | Wallace    |
| Curtis      | Horton      | Palamara  | Wetters    |
| DeHart      | Jansen      | Perricone | Whyman     |
| DeVuyst     | Jellema     | Price     | Willard    |
| Dobb        | Johnson     | Profit    | Wojno      |

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

**House Bill No. 5192, entitled**

A bill to amend 1927 PA 165, entitled “An act to authorize the consolidation of township libraries in adjoining townships in certain cases, and to provide for their joint maintenance,” (MCL 397.351 to 397.358) by amending the title and by adding section 2a.

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

**Roll Call No. 345****Yeas—96**

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

**Nays—0**

In The Chair: Murphy

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

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

A bill to amend 1927 PA 165, entitled “An act to authorize the consolidation of township libraries in adjoining townships in certain cases, and to provide for their joint maintenance,” by amending the title and section 2 (MCL 397.352).

The motion prevailed.

The House agreed to the title as amended.

**House Bill No. 5193, entitled**

A bill to amend 1956 (Ex Sess) PA 6, entitled “Township water system act of 1956,” (MCL 486.501 to 486.508) by amending the title and by adding section 4a.

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—95**

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

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

**House Bill No. 5194, entitled**

A bill to amend 1945 PA 47, entitled “An act to authorize 2 or more cities, townships, and villages, or any combination of cities, townships, and villages, to incorporate a hospital authority for planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining, and operating 1 or more community hospitals and related buildings or structures and related facilities; to provide for the sale, lease, or other transfer of a hospital owned by a hospital authority to a nonprofit corporation established under the laws of this state for no or nominal monetary consideration; to define hospitals and community hospitals; to provide for changes in the membership therein; to authorize the cities, townships, and villages to levy taxes for community hospital purposes; to provide for the issuance of bonds; to provide for the pledge of assessments; to provide for borrowing money for operation and maintenance and issuing notes for operation and maintenance; to validate elections heretofore held and notes heretofore issued; to validate bonds heretofore issued; to authorize condemnation proceedings; to grant certain powers of a body corporate; and to validate and ratify the organization, existence, and membership of entities acting as hospital authorities under the act and the actions taken by hospital authorities and by the members of the hospital authorities,” (MCL 331.1 to 331.11) by amending the title, as amended by 1987 PA 117, and by adding section 10.

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—102**

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

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

**House Bill No. 5195, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 1102.

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

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

**House Bill No. 5196, entitled**

A bill to amend 1978 PA 639, entitled "Hertel-Law-T. Stopczynski port authority act," (MCL 120.101 to 120.130) by amending the title and by adding section 14a.

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     | Emerson    | Kaza      | Profit     |
| Alley    | Fitzgerald | Kelly     | Prusi      |
| Anthony  | Frank      | Kukuk     | Quarles    |
| Baird    | Freeman    | LaForge   | Raczkowski |
| Bankes   | Gagliardi  | Law       | Rhead      |
| Basham   | Galloway   | Leland    | Richner    |
| Birkholz | Geiger     | LeTarte   | Rison      |
| Bobier   | Gernaat    | Llewellyn | Rocca      |
| Bodem    | Gilmer     | London    | Sanborn    |
| Bogardus | Gire       | Lowe      | Schauer    |

|             |             |           |             |
|-------------|-------------|-----------|-------------|
| Brater      | Godchaux    | Martinez  | Schermesser |
| Brewer      | Goschka     | Mathieu   | Schroer     |
| Brown       | Green       | McBryde   | Scott       |
| Byl         | Gubow       | McNutt    | Scranton    |
| Callahan    | Gustafson   | Middaugh  | Stallworth  |
| Cassis      | Hale        | Middleton | Tesanovich  |
| Cherry      | Hammerstrom | Murphy    | Thomas      |
| Ciaramitaro | Hanley      | Nye       | Varga       |
| Crissman    | Harder      | Olshove   | Vaughn      |
| Cropsey     | Hertel      | Owen      | Voorhees    |
| Curtis      | Hood        | Oxender   | Walberg     |
| DeHart      | Horton      | Palamara  | Wallace     |
| DeVuyst     | Jansen      | Parks     | Whyman      |
| Dobb        | Jellema     | Perricone | Willard     |
| Dobronski   | Johnson     | Price     | Wojno       |

### Nays—0

In The Chair: Murphy

The House agreed to the title of the bill.

### Second Reading of Bills

#### House Bill No. 5564, entitled

A bill to amend 1939 PA 288, entitled “An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act,” by amending sections 2, 2a, 2c, 14, 15, 17, 17c, 18, and 26 of chapter XIIA (MCL 712A.2, 712A.2a, 712A.2c, 712A.14, 712A.15, 712A.17, 712A.17c, 712A.18, and 712A.26), sections 2, 2a, 2c, and 17 as amended by 1996 PA 409, section 14 as amended by 1988 PA 224, section 15 as amended by 1987 PA 72, section 17c as amended by 1994 PA 264, and section 18 as amended by 1996 PA 244.

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

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

Rep. Nye moved to amend the bill as follows:

1. Amend page 2, following “THE PEOPLE OF THE STATE OF MICHIGAN ENACT:” by inserting:  
“CHAPTER X

Sec. 21. (1) THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE “PROBATE CODE OF 1939”.

(2) This chapter shall be known and may be cited as the “Michigan adoption code”.

2. Amend page 34, line 16, by striking out all of enacting section 1 and inserting:

“Enacting section 1. Sections 2, 2a, 2c, 14, 15, 17, 17c, 18, and 26 of chapter XIIA of 1939 PA 288, MCL 712A.2, 712A.2a, 712A.2c, 712A.14, 712A.15, 712A.17, 712A.17c, 712A.18, and 712A.26, as amended by this amendatory act, take effect September 1, 1998.”

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

Rep. Nye moved to amend the bill as follows:

1. Amend page 10, line 14, after “THAN” by striking out “17” and inserting “18”.

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

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

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

**House Bill No. 5567, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 15b and 15c of chapter IV (MCL 764.15b and 764.15c), as amended by 1996 PA 15.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Judiciary (for amendments, see House Journal No. 33, p. 644),

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

Rep. Nye moved to amend the bill as follows:

1. Amend page 4, line 27, after "ORDER" by striking out "DESCRIBED IN THIS SECTION ISSUED" and inserting "ISSUED PURSUANT TO SECTION 2(H) OF CHAPTER XIIA OF 1939 PA 288, MCL 712A.2".

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

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

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

**House Bill No. 5657, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2529, 2950, and 2950a (MCL 600.2529, 600.2950, and 600.2950a), section 2529 as amended by 1994 PA 403 and sections 2950 and 2950a as amended by 1997 PA 115.

The bill was read a second time.

Rep. Nye moved to amend the bill as follows:

1. Amend page 5, line 13, after "IN" by striking out "SUBSECTION (27)" and inserting "SUBSECTIONS (27) AND (28)".

2. Amend page 5, line 18, after "the" by inserting "FAMILY DIVISION OF".

3. Amend page 15, line 11, after "IF" by striking out the balance of the line through "PETITIONER." on line 13 and inserting "EITHER OF THE FOLLOWING APPLIES:

(A) THE RESPONDENT IS THE UNEMANCIPATED MINOR CHILD OF THE PETITIONER.

(B) THE PETITIONER IS THE UNEMANCIPATED MINOR CHILD OF THE RESPONDENT.

(28)" and renumbering the remaining subsection.

4. Amend page 16, line 2, after "the" by striking out "FAMILY DIVISION OF".

5. Amend page 16, line 2, after "court" by inserting "OR FAMILY DIVISION OF CIRCUIT COURT".

6. Amend page 16, line 4, after "IN" by striking out "SUBSECTION (25)" and inserting "SUBSECTIONS (25) AND (26)".

7. Amend page 16, line 9, after "the" by inserting "FAMILY DIVISION OF".

8. Amend page 24, line 7, after "IF" by striking out the balance of the line through "PETITIONER." on line 9 and inserting "EITHER OF THE FOLLOWING APPLIES:

(A) THE RESPONDENT IS THE UNEMANCIPATED MINOR CHILD OF THE PETITIONER.

(B) THE PETITIONER IS THE UNEMANCIPATED MINOR CHILD OF THE RESPONDENT.

(26)" and renumbering the remaining subsection.

9. Amend page 24, line 19, after "court" by inserting "OR FAMILY DIVISION OF CIRCUIT COURT".

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

Rep. McNutt moved to amend the bill as follows:

1. Amend page 15, following line 16, following subsection (28), by inserting:

"(29) THE STATE COURT ADMINISTRATOR SHALL DO EITHER OF THE FOLLOWING:

(A) PROVIDE TO THE CLERK OF EACH COURT THE SELF-DUPLICATING CARBONLESS FORMS CAPABLE OF SIMULTANEOUSLY PRODUCING THE NUMBER OF COPIES OF A PETITION NECESSARY FOR A PETITIONER TO COMMENCE AN ACTION UNDER THIS SECTION.

(B) REIMBURSE EACH COUNTY FOR THE ACTUAL COST OF THE FORMS DESCRIBED IN SUBDIVISION (A) PROVIDED BY THE CLERK OF THE COURT TO PETITIONERS FOR COMMENCING AN ACTION UNDER THIS SECTION AND FILED IN A COURT LOCATED IN THAT COUNTY." and renumbering the remaining subsection.

2. Amend page 24, following line 12, following subsection (26), by inserting:

"(27) THE STATE COURT ADMINISTRATOR SHALL DO EITHER OF THE FOLLOWING:

(A) PROVIDE TO THE CLERK OF EACH COURT THE SELF-DUPLICATING CARBONLESS FORMS CAPABLE OF SIMULTANEOUSLY PRODUCING THE NUMBER OF COPIES OF A PETITION NECESSARY FOR A PETITIONER TO COMMENCE AN ACTION UNDER THIS SECTION.

(B) REIMBURSE EACH COUNTY FOR THE ACTUAL COST OF THE FORMS DESCRIBED IN SUBDIVISION (A) PROVIDED BY THE CLERK OF THE COURT TO PETITIONERS FOR COMMENCING AN ACTION UNDER THIS SECTION AND FILED IN A COURT LOCATED IN THAT COUNTY." and renumbering the remaining subsection.

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

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

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



**House Bill No. 5658, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 15, 15a, 15b, 15c, and 15e of chapter IV (MCL 764.15, 764.15a, 764.15b, 764.15c, and 764.15e), section 15 as amended by 1996 PA 490, section 15a as amended by 1996 PA 138, sections 15b and 15c as amended by 1996 PA 15, and section 15e as amended by 1993 PA 52.

The bill was read a second time.

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

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

**House Bill No. 5659, entitled**

A bill to amend 1935 PA 59, entitled "An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929," by amending section 6 (MCL 28.6), as amended by 1989 PA 10.

The bill was read a second time.

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

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

**House Bill No. 5662, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 81 and 81a (MCL 750.81 and 750.81a), section 81 as amended by 1994 PA 64 and section 81a as amended by 1994 PA 65.

The bill was read a second time.

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

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

**House Bill No. 5663, entitled**

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 36 (MCL 791.236), as amended by 1996 PA 554.

The bill was read a second time.

Rep. Nye moved to amend the bill as follows:

1. Amend page 2, following "THE PEOPLE OF THE STATE OF MICHIGAN ENACT:" by inserting:

"SEC. 1A. THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE "MICHIGAN CORRECTIONS CODE"."

2. Amend page 5, line 21, after "1." by striking out "This amendatory act" and inserting "Section 36 of 1953 PA 232, MCL 791.236, as amended by this amendatory act,".

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

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

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

**House Bill No. 5664, entitled**

A bill to amend 1978 PA 389, entitled "An act to provide for the prevention and treatment of domestic violence; to develop and establish policies, procedures, and standards for providing domestic violence assistance programs and services; to create a domestic violence prevention and treatment board and prescribe its powers and duties; to establish a domestic violence prevention and treatment fund and provide for its use; and to prescribe powers and duties of the department of social services," by amending the title and section 1 (MCL 400.1501).

The bill was read a second time.

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.

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

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

Reps. Jelinek, DeVuyst, Gernaat, Green, Middleton, Kukuk, Kaza, Nye, Brackenridge, Middaugh, Gilmer, Birkholz, Perricone, Cassis and Oxender offered the following resolution:

**House Resolution No. 281.**

A resolution to memorialize the United States Department of Agriculture to continue operations in Niles, Michigan, of its Plant Protection Center.

Whereas, For more than 30 years, the Niles Plant Protection Center has been a valuable and responsive partner to Michigan agriculture and the agribusiness industry throughout the Midwest; and

Whereas, The Niles Plant Protection Center is the only center found in the Midwestern United States between the East Coast and Texas; and

Whereas, The Niles Plant Protection Center has been instrumental in controlling the Cereal Leaf Beetle first found close by within Berrien County; and

Whereas, It is sensible to have this facility operating in the region of crop, vegetable, and fruit production where it is now located; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Department of Agriculture to keep the Niles Plant Protection Center open and functioning as it plays an essential role in current and future biocontrol and other plant protection activities that directly affect the food production mechanisms of the Midwest; and be it further

Resolved, That a copy of this resolution be transmitted to the United States Secretary of Agriculture and to the USDA Center for Plant Health Science and Technology.

The resolution was referred to the Committee on Agriculture.

**Reports of Select Committees**

Joint Committee on Administrative Rules  
Certificates of Approval

Date: April 29, 1998

Subject: Trans. No. 98-16

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Treasury Department, Revenue Division, pertaining to Income Tax, dated November 7, 1997.

Date: April 29, 1998

Subject: Trans. No. 98-17

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Treasury Department, Bureau of Revenue, pertaining to Taxpayer Bill of Rights, dated October 24, 1997.

Date: April 29, 1998

Subject: Trans. No. 98-18

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 121. Livestock Diseases, dated January 27, 1998.

Date: April 29, 1998

Subject: Trans. No. 98-19

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 145. Movement of Sheep, dated January 27, 1998.

Date: April 29, 1998

Subject: Trans. No. 98-20

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 156. Disposition of Animals Exposed to Brucellosis, dated January 27, 1998.

Date: April 29, 1998

Subject: Trans. No. 98-21

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 107. Contagious and Infectious Diseases in Poultry, dated January 27, 1998.

Date: April 29, 1998

Subject: Trans. No. 98-22

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 114. Contagious and Infectious Livestock Diseases, dated January 27, 1998.

Date: April 29, 1998

Subject: Trans. No. 98-23

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 117. Public Exhibition of Livestock, dated January 27, 1998.

Date: April 29, 1998

Subject: Trans. No. 98-24

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 118. Reduction Plants for Disposal of Dead Animals, dated January 27, 1998.

Date: April 29, 1998

Subject: Trans. No. 98-25

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 124. Tuberculin and Blood Testing, dated January 27, 1998.

Date: April 29, 1998

Subject: Trans. No. 98-26

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 133. Public Exhibition of Poultry, dated January 27, 1998.

Date: April 29, 1998

Subject: Trans. No. 98-27

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 135. Serums, Antigens, and Vaccines, dated January 27, 1998.

Date: April 29, 1998

Subject: Trans. No. 98-28

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 140. Brucellosis-Free Herds, dated January 27, 1998.

Date: April 29, 1998

Subject: Trans. No. 98-29

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 141. Approval of Calfood Vaccination, dated January 27, 1998.

Date: April 29, 1998

Subject: Trans. No. 98-30

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 142. Area Testing, dated January 27, 1998.

Date: April 29, 1998

Subject: Trans. No. 98-31

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 152. Feedlots, dated January 27, 1998.

Date: April 29, 1998

Subject: Trans. No. 98-32

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 401. Sediment Tests, dated January 27, 1998.

Date: April 29, 1998

Subject: Trans. No. 98-33

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 403. Milk and Cream Sold for Direct Consumption, dated January 27, 1998.

Date: April 29, 1998

Subject: Trans. No. 98-34

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Agriculture Department, Food and Dairy Division, pertaining to Regulation No. 406. Cottage Cheese, dated January 27, 1998.

Date: April 29, 1998

Subject: Trans. No. 98-35

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Consumer and Industry Services Department, Unemployment Agency Director's Office, pertaining to Employment Security, dated February 26, 1998.

Sincerely,  
Senator Walter H. North  
Chair

## Joint Committee on Administrative Rules

April 29, 1998

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 98-12, submitted by the Department of Corrections, pertaining to General Rules.

Sincerely,  
Senator Walter H. North  
Chair

**Reports of Standing Committees**

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

**House Bill No. 5780, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending section 25 (MCL 552.625), as added by 1985 PA 210.

**Adverse Roll Call****HB 5780** To Report Out:

Yeas: Reps. Horton, London, Sanborn,

Nays: Reps. LaForge, Scott, Schauer.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaForge, Chair of the Committee on Human Services and Children, was received and read:

Meeting held on: Tuesday, May 5, 1998, at 9:00 a.m.,

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

Absent: Rep. McManus,

Excused: Rep. McManus.

The Committee on Local Government, by Rep. Dobronski, Chair, reported

**House Bill No. 5201, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 14.

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 5201** To Report Out:

Yeas: Reps. Dobronski, Callahan, Brackenridge, Birkholz, Crissman, Hammerstrom,

Nays: None.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Dobronski, Chair of the Committee on Local Government, was received and read:

Meeting held on: Tuesday, May 5, 1998, at 9:00 a.m.,

Present: Reps. Dobronski, Brewer, Callahan, Brackenridge, Birkholz, Crissman, Hammerstrom,

Absent: Reps. Mans, Brater,

Excused: Reps. Mans, Brater.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wallace, Chair of the Committee on Judiciary, was received and read:  
Meeting held on: Tuesday, May 5, 1998, at 9:00 a.m.,  
Present: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Kilpatrick, Schauer, Vaughn, Willard, Wojno, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner.

**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, Wednesday, April 29:

**Senate Bill No. 1071**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, April 30:

**House Bill Nos. 5783 5784 5785 5786 5789 5790 5791 5792 5793**

The Clerk announced the enrollment printing and presentation to the Governor on Friday, May 1, for his approval of the following bills:

**Enrolled House Bill No. 4503 at 11:27 a.m.**

**Enrolled House Bill No. 5059 at 11:29 a.m.**

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

**House Bill Nos. 5794 5795 5796 5797 5798 5799 5800 5801 5802 5803 5804 5805 5806 5807  
5808 5809 5810 5811 5812 5813 5814 5815 5816 5817 5818**

**Messages from the Governor**

The following message from the Governor, approving and signing the following bill at the time designated below, was received and read:

Date: May 4, 1998

Time: 2:50 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5534 (Public Act No. 80, I.E.), being**

An act to amend 1957 PA 261, entitled “An act for the creation, maintenance, and administration of a legislative members’ and presiding officers’ retirement system within the legislature; to provide retirement allowances to the participants of the retirement system, and survivors’ allowances and other benefits to their beneficiaries upon death; to exempt those allowances and benefits from certain taxes and legal processes; to authorize and make appropriations for the retirement system; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; and to prescribe penalties and provide remedies,” by amending section 50a (MCL 38.1050a), as amended by 1994 PA 359.

(Filed with the Secretary of State May 4, 1998, at 4:51 p.m.)

**Communications from State Officers**

The following communications from the Secretary of State were received and read:

Notices of Filing  
Administrative Rules

March 23, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:25 P.M. this date, administrative rule (98-3-4) for the Department of Environmental Quality, Drinking Water and Radiological Protection Division, entitled “*Drinking Water*”, effective 15 days hereafter.

April 6, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:07 P.M. this date, administrative rule (98-4-1) for the Department of Consumer and Industry Services, Director's Office, entitled "*Pharmacy General Rules*", effective 15 days hereafter.

April 6, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:09 P.M. this date, administrative rule (98-4-2) for the Department of Consumer and Industry Services, Director's Office, entitled "*Optometry*", effective 15 days hereafter.

April 7, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:19 P.M. this date, administrative rule (98-4-3) for the Department of Treasury, Revenue Division, entitled "*Tobacco Products Tax*", effective 15 days hereafter.

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

The communications were referred to the Clerk.

The following communication from the Oakland County Employment and Training Division was received and read:

April 7, 1998

In accordance with Section 105 (a) of the Job Training Partnership Act (JTPA), the Oakland County Michigan Works! Agency's Workforce Development Board and Chief Elected Official are submitting for your review and comment the enclosed summaries of the following documents:

1. the JTPA Title IIA Biennial Job Training Plan, which covers the period of July 1, 1998 through June 30, 1999;
2. the JTPA Title IIC Biennial Job Training Plan, which covers the period of July 1, 1998 through June 30, 1999;
3. the JTPA Title III Biennial Job Training Plan, which covers the period of July 1, 1998 through June 30, 1999;
4. the JTPA Title IIA 5% Job Training Plan, which covers the period of July 1, 1998 through June 30, 1999; and
5. the JTPA Title IIB Job Training Plan, which covers the Balance of Oakland County for the period of January 1, 1998 through December 31, 1998.

Sincerely,  
Mr. John Almstadt, Manager  
Employment and Training Division  
1200 N. Telegraph Road, Dept. #437  
Pontiac, Michigan 48341-0437

The communication was referred to the Clerk.

The following communication from the Livingston Job Center was received and read:

April 30, 1998

Enclosed is the summary of the PY 1998 JTPA Title III Economic Dislocation and Worker Adjustment Assistance Act Local Biennial Job Training Plan for the Livingston County Michigan Works! Agency (MWA).

Sincerely,  
William S. Sleight  
Director

The communication was referred to the Clerk.

The following communication from the Michigan Works! Region 7B Consortium was received and read:

April 30, 1998

Enclosed is a copy of the 1998 (PY'98), Title IIA Biennial, Title IIC and Title IIB Summer Youth Employment Training Plans, for Michigan Works! Region 7B Consortium.

Sincerely,  
Mark L. Berdan, Manager  
Planning and Program Development

The communication was referred to the Clerk.

The following communication from the South Central Michigan Works! was received and read:

May 1, 1998

In accordance with 20 CFR 628.425 of the Job Training Partnership Act (JTPA), enclosed please find South Central Michigan Works! Title IIA, Title IIA-5%, Title IIB, and Title IIC proposed plans for review and comment.

Sincerely,  
Scott A. Menzel  
Director

The communication was referred to the Clerk.

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

April 30, 1998

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

Performance Audit of the  
Forensic Science Division  
Michigan Department of State Police  
April 1998

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

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

### Introduction of Bills

Rep. Profit introduced

**House Bill No. 5819, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 221.

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

Reps. Scranton, Wojno, Hammerstrom, Kilpatrick, Schauer, Hale, Martinez, Birkholz, Richner, Rocca, Basham, Scott, Raczkowski, Llewellyn and Perricone introduced

**House Bill No. 5820, entitled**

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

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

Rep. Jansen introduced

**House Bill No. 5821, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3020 (MCL 500.3020), as amended by 1996 PA 77.

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

Rep. Harder introduced

**House Bill No. 5822, 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 establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within



the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending sections 1e and 10 (MCL 247.651e and 247.660), section 10 as amended by 1997 PA 79.

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

Reps. Stallworth, Thomas, Hale and Kilpatrick introduced

**House Bill No. 5823, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding sections 2907, 2909, and 2911.

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

Reps. Lowe, Whyman, Horton, McManus, Hammerstrom, Rocca, Richner, Jelinek, Voorhees, Kukuk, DeHart, McBryde, Gernaat, Middleton, McNutt, Perricone and Raczkowski introduced

**House Bill No. 5824, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 43524, 43526, 43527, 43528, 43530, 43531, and 43532 (MCL 324.43524, 324.43526, 324.43527, 324.43528, 324.43530, 324.43531, and 324.43532), as amended by 1996 PA 585; and to repeal acts and parts of acts.

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

Reps. London, Galloway, Jellema, Crissman, Birkholz, Bodem, Baade, Brackenridge, Voorhees, Curtis and Middleton introduced

**House Bill No. 5825, 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.

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

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Rep. Nye moved that the House adjourn.

The motion prevailed, the time being 4:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, May 6, at 2:00 p.m.

MARY KAY SCULLION  
Clerk of the House of Representatives.

