

No. 50
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House of Representatives
89th Legislature
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House Chamber, Lansing, Tuesday, May 26, 1998.

2:00 p.m.

The House was called to order by the Speaker.

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—excused
Bankes—present	Galloway—present	Leland—present	Richner—present
Basham—present	Geiger—present	LeTarte—present	Rison—present
Birkholz—present	Gernaat—present	Llewellyn—e/d/s	Rocca—present
Bobier—present	Gilmer—present	London—present	Sanborn—present
Bodem—present	Gire—present	Lowe—present	Schauer—present
Bogardus—present	Godchaux—present	Mans—present	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—present	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—e/d/s	Owen—present	Walberg—present
Curtis—present	Horton—excused	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

Rep. Lynne Martinez, from the 69th District, offered the following invocation:

The highest good is like water.
Water gives life to the ten thousand things and does not strive.
It flows in places men reject and so is like the Tao.

In dwelling be close to the land.
In meditation, go deep in the heart.
In dealing with others, be gentle and kind.
In speech, be true.
In ruling, be just.
In business, be competent.
In action, watch the timing.

Quoted from Tao Lao Tsu Te Ching

Rep. Hammerstrom moved that Reps. Rhead and Horton be excused from today's session.
The motion prevailed.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4324, entitled

A bill to amend 1978 PA 325, entitled "An act to provide for a suggestion awards program; and to prescribe the duties of the department of civil service," by amending the title and sections 1, 2, 3, and 4 (MCL 38.1161, 38.1162, 38.1163, and 38.1164).

(The bill was received from the Senate on April 28, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until April 29, see House Journal No. 38, p. 810.)

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

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

Roll Call No. 463

Yeas—105

Agee	Dobronski	Kaza	Profit
Alley	Emerson	Kelly	Prusi
Anthony	Fitzgerald	Kilpatrick	Quarles
Baade	Frank	Kukuk	Raczkowski
Baird	Freeman	LaForge	Richner
Banks	Gagliardi	Law	Rison
Basham	Galloway	Leland	Rocca
Birkholz	Geiger	LeTarte	Sanborn
Bobier	Gernaat	London	Schauer
Bodem	Gilmer	Lowe	Schermesser
Bogardus	Gire	Mans	Schroer
Brackenridge	Godchaux	Martinez	Scott
Brater	Goschka	Mathieu	Scranton
Brewer	Green	McBryde	Sikkema
Brown	Griffin	McManus	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	Jansen	Oxender	Wetters
Dalman	Jelinek	Palamara	Whyman
DeHart	Jellema	Parks	Willard
DeVuyst	Johnson	Perricone	Wojno
Dobb			

Nays—0

In The Chair: Hertel

The House agreed to the title as amended.

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

Rep. Hood entered the House Chambers.

The Speaker laid before the House

House Bill No. 5289, entitled

A bill to amend 1986 PA 32, entitled “Emergency telephone service enabling act,” by amending sections 320 and 703 (MCL 484.1320 and 484.1730), section 320 as added and section 703 as amended by 1994 PA 29.

(The bill was received from the Senate on May 14, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 19, see House Journal No. 46, p. 1039.)

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

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

Roll Call No. 464

Yeas—106

Agee	Dobronski	Kaza	Profit
Alley	Emerson	Kelly	Prusi
Anthony	Fitzgerald	Kilpatrick	Quarles
Baade	Frank	Kukuk	Raczkowski
Baird	Freeman	LaForge	Richner
Banks	Gagliardi	Law	Rison
Basham	Galloway	Leland	Rocca
Birkholz	Geiger	LeTarte	Sanborn
Bobier	Gernaat	London	Schauer
Bodem	Gilmer	Lowe	Schermesser
Bogardus	Gire	Mans	Schroer
Brackenridge	Godchaux	Martinez	Scott
Brater	Goschka	Mathieu	Scranton
Brewer	Green	McBryde	Sikkema
Brown	Griffin	McManus	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	Wetters
Dalman	Jansen	Palamara	Whyman
DeHart	Jelinek	Parks	Willard
DeVuyst	Jellema	Perricone	Wojno
Dobb	Johnson		

Nays—0

In The Chair: Hertel

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 4943, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 5 (MCL 38.1305), as amended by 1994 PA 272, and by adding section 43d.

(The bill was received from the Senate on May 19, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 20, see House Journal No. 47, p. 1076.)

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

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

Roll Call No. 465**Yeas—99**

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

Dalman
DeHart
DeVuyst

Hertel
Hood
Jansen

Oxender
Palamara
Parks

Whyman
Wojno

Nays—8

Brater
Kilpatrick

LaForge
Martinez

Quarles
Rison

Wetters
Willard

In The Chair: Hertel

The House agreed to the full title.

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

Rep. Llewellyn entered the House Chambers.

The Speaker laid before the House

House Bill No. 5608, entitled

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

(The bill was received from the Senate on May 19, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 20, see House Journal No. 47, p. 1077.)

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

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

Roll Call No. 466

Yeas—106

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

Dobronski
Fitzgerald
Frank
Freeman
Gagliardi
Galloway
Geiger
Gernaat
Gilmer
Gire
Godchaux
Goschka
Green
Griffin
Gubow
Gustafson
Hale
Hammerstrom

Kelly
Kilpatrick
Kukuk
LaForge
Law
Leland
LeTarte
Llewellyn
London
Lowe
Mans
Martinez
Mathieu
McBryde
McManus
McNutt
Middaugh
Middleton

Price
Profit
Prusi
Quarles
Raczkowski
Richner
Rison
Rocca
Sanborn
Schauer
Schermesser
Schroer
Scott
Scranton
Sikkema
Stallworth
Tesanovich
Thomas

Cherry	Hanley	Murphy	Varga
Ciaramitaro	Harder	Nye	Vaughn
Crissman	Hertel	Olshove	Voorhees
Cropsey	Hood	Owen	Walberg
Curtis	Jansen	Oxender	Wallace
Dalman	Jelinek	Palamara	Wetters
DeHart	Jellema	Parks	Willard
DeVuyst	Johnson	Perricone	Wojno
Dobb	Kaza		

Nays—0

In The Chair: Hertel

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 5135, entitled

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

(The bill was received from the Senate on May 21, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 49, p. 1138.)

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

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

Roll Call No. 467**Yeas—105**

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

DeHart
DeVuyst
Dobb

Johnson
Kaza

Parks
Perricone

Willard
Wojno

Nays—0

In The Chair: Hertel

The House agreed to the title as amended.

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

Third Reading of Bills

Senate Bill No. 458, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 310 (MCL 257.310), as amended by 1996 PA 205.

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

Roll Call No. 468

Yeas—108

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

Nays—0

In The Chair: Hertel

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

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

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 554, entitled

A bill to regulate the transportation of certain hazardous materials; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Conservation, Environment and Recreation (for amendment, see House Journal No. 31, p. 578),

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

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

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

Senate Bill No. 729, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 11104, 11126, 11130, 11133, 11138, 11144, 11146, 11147, and 11148 (MCL 324.11104, 324.11126, 324.11130, 324.11133, 324.11138, 324.11144, 324.11146, 324.11147, and 324.11148) and by adding section 11132a; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Conservation, Environment and Recreation (for amendments, see House Journal No. 31, p. 578),

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

Reps. Brater and Middaugh moved to amend the bill as follows:

1. Amend page 4, following line 24, by inserting:

“SEC. 11126A. BY SEPTEMBER 1, 1998, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE LEGISLATURE THAT RECOMMENDS A FEE SCHEDULE TO IMPLEMENT THIS PART.”.

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

Rep. McNutt moved to amend the bill as follows:

1. Amend page 9, line 15, after “POLICE,” by striking out the balance of the line through “health,” on line 17.

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

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

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

Senate Bill No. 730, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 12101, 12102, 12103, 12105, 12106, 12107, 12109, 12114, and 12116 (MCL 324.12101, 324.12102, 324.12103, 324.12105, 324.12106, 324.12107, 324.12109, 324.12114, and 324.12116), sections 12101 and 12102 as amended by 1995 PA 61; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Conservation, Environment and Recreation (for amendment, see House Journal No. 31, p. 579),

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

Rep. Middaugh moved to amend the bill as follows:

1. Amend page 16, line 26, after "TO" by striking out the balance of the subsection and inserting "SEIZURE AND FORFEITURE AS PROVIDED IN CHAPTER 47 OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL 600.4701 TO 600.4709."

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

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

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

Senate Bill No. 731, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 1996 PA 327.

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

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

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

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

Senate Bill No. 789, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 405 (MCL 418.405), as amended by 1980 PA 457.

The bill was read a second time.

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

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

House Bill No. 5716, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11f, 11g, 11h, and 11i (MCL 388.1611, 388.1611f, 388.1611g, 388.1611h, and 388.1611i), section 11 as amended and sections 11f, 11g, 11h, and 11i as added by 1997 PA 142, and by adding sections 11j, 11k, and 11l.

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.

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

1. Amend page 1, line 1, after "SECTION 11K," by inserting "AND SUBJECT TO SECTION 11K(8),".

2. Amend page 10, line 7, after "2008." by inserting "SUBJECT TO SUBSECTION (8),".

3. Amend page 10, line 17, after "1999." by inserting "SUBJECT TO SUBSECTION (8),".

4. Amend page 11, line 1, after "(3)" by inserting "SUBJECT TO SUBSECTION (8),".

5. Amend page 12, following line 14, by inserting:

"(8) IF A DISTRICT OR INTERMEDIATE DISTRICT IS OR BECOMES A PLAINTIFF IN A LAWSUIT AGAINST THIS STATE ALLEGING A VIOLATION OF SECTION 29 OF ARTICLE IX OF THE STATE CONSTITUTION OF 1963 WITH REGARD TO FUNDING FOR SPECIAL EDUCATION PROGRAMS AND SERVICES, SPECIAL EDUCATION TRANSPORTATION, OR THE SCHOOL LUNCH PROGRAM, THAT DISTRICT OR INTERMEDIATE DISTRICT IS NOT ELIGIBLE FOR A PAYMENT UNDER THIS SECTION."

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

Rep. Agee moved to amend the bill as follows:

1. Amend page 12, following line 14, following subsection (8), by inserting:

"SEC. 11l. (1) IN ADDITION TO ANY OTHER MONEY APPROPRIATED UNDER THIS ACT, THERE IS APPROPRIATED FROM THE STATE SCHOOL AID FUND AN AMOUNT NOT TO EXCEED \$2,000,000.00 FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1999 AND THERE SHALL BE APPROPRIATED FROM THE STATE SCHOOL AID FUND AN AMOUNT NOT TO EXCEED \$2,000,000.00 EACH FISCAL YEAR FOR EACH SUCCEEDING FISCAL YEAR THROUGH THE FISCAL YEAR ENDING SEPTEMBER 30, 2008. PAYMENTS UNDER THIS SECTION WILL CEASE AFTER SEPTEMBER 30, 2008. THESE APPROPRIATIONS ARE FOR PAYING THE AMOUNTS DESCRIBED IN SUBSECTION (2) TO DISTRICTS, OTHER THAN THOSE RECEIVING A LUMP SUM PAYMENT UNDER SUBSECTION (3), THAT HAVE ISSUED FOR A SCHOOL CONSTRUCTION PROJECT BONDS THAT MEET ALL OF THE FOLLOWING:

(A) THE ISSUANCE OF THE BONDS WAS APPROVED BY THE SCHOOL ELECTORS AT AN ELECTION THAT OCCURRED AFTER NOVEMBER 21, 1994 AND BEFORE JUNE 27, 1997.

(B) THE BONDS ARE QUALIFIED BONDS UNDER 1961 PA 108, MCL 388.951 TO 388.963.

(2) THE AMOUNT PAID EACH FISCAL YEAR TO EACH DISTRICT OR INTERMEDIATE DISTRICT UNDER SUBSECTION (1) SHALL BE 1/10 OF THE TOTAL AMOUNT, AS DETERMINED BY THE DEPARTMENT, THAT THE DISTRICT IS OR HAS BEEN REQUIRED TO PAY TO COMPLY WITH 1965 PA 116, MCL 408.551 TO 408.558, ON THOSE PORTIONS OF THE CONSTRUCTION PROJECT DESCRIBED IN SUBSECTION (1) THAT WERE NOT CONTRACTED FOR OR BID BEFORE JUNE 27, 1997.

(3) IN ADDITION TO ANY OTHER MONEY APPROPRIATED UNDER THIS ACT, THERE IS APPROPRIATED FROM THE STATE SCHOOL AID FUND AN AMOUNT NOT TO EXCEED \$50,000.00 FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1999. THIS APPROPRIATION IS FOR PAYING THE AMOUNTS DESCRIBED IN THIS SUBSECTION TO DISTRICTS THAT HAVE ISSUED FOR A SCHOOL CONSTRUCTION PROJECT BONDS THAT MEET THE REQUIREMENTS UNDER SUBSECTION (1), AND FOR WHICH THE TOTAL AMOUNT AS OTHERWISE CALCULATED UNDER SUBSECTION (2) IS LESS THAN \$25,000.00. FOR A DISTRICT QUALIFYING FOR A PAYMENT UNDER THIS SUBSECTION, THE ENTIRE AMOUNT CALCULATED UNDER SUBSECTION (2) SHALL BE PAID IN A LUMP SUM ON NOVEMBER 15, 1998 OR ON THE NEXT BUSINESS DAY FOLLOWING THAT DATE.

(4) THE ENTIRE AMOUNT OF EACH PAYMENT UNDER SUBSECTION (1) EACH FISCAL YEAR SHALL BE PAID ON NOVEMBER 15 OF THE APPLICABLE FISCAL YEAR OR ON THE NEXT BUSINESS DAY FOLLOWING THAT DATE.

(5) TO BE ELIGIBLE FOR A PAYMENT UNDER THIS SECTION, A DISTRICT SHALL SUBMIT TO THE DEPARTMENT EVIDENCE SATISFACTORY TO THE DEPARTMENT THAT IT MEETS THE REQUIREMENTS FOR A PAYMENT UNDER THIS SECTION AND SHALL SUBMIT TO THE DEPARTMENT ALL INFORMATION THE DEPARTMENT CONSIDERS NECESSARY TO CALCULATE THE AMOUNT OF THE PAYMENT.”.

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

Rep. Agee demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 469

Yeas—56

Agee	Dobronski	Kukuk	Rison
Alley	Frank	LaForge	Rocca
Anthony	Freeman	Law	Schauer
Baade	Gagliardi	Leland	Schermesser
Baird	Gire	Mans	Scott
Basham	Goschka	Mathieu	Stallworth
Bogardus	Gubow	Murphy	Tesanovich
Brater	Hale	Olshove	Thomas
Brewer	Hanley	Owen	Varga
Brown	Harder	Palamara	Vaughn
Callahan	Hertel	Parks	Wallace
Cherry	Hood	Profit	Wetters
Cropsey	Kelly	Prusi	Willard
Curtis	Kilpatrick	Quarles	Wojno

Nays—45

Banks	Galloway	Johnson	Oxender
Birkholz	Geiger	Kaza	Perricone
Bobier	Gernaat	LeTarte	Rackowski
Bodem	Gilmer	London	Richner
Brackenridge	Godchaux	Lowe	Sanborn

Byl	Green	McBryde	Schroer
Cassis	Gustafson	McManus	Scranton
Crissman	Hammerstrom	McNutt	Sikkema
Dalman	Jansen	Middaugh	Voorhees
DeVuyst	Jelinek	Middleton	Walberg
Dobb	Jellema	Nye	Whyman
Fitzgerald			

In The Chair: Hertel

Rep. Dobb 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. 5716, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11f, 11g, 11h, and 11i (MCL 388.1611, 388.1611f, 388.1611g, 388.1611h, and 388.1611i), section 11 as amended and sections 11f, 11g, 11h, and 11i as added by 1997 PA 142, and by adding sections 11j, 11k, and 11l.

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

Roll Call No. 470

Yeas—105

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

Nays—0

In The Chair: Hertel

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

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

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by adding sections 11j, 11k, and 11l.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills**House Bill No. 5382, entitled**

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," (MCL 491.102 to 491.1202) by adding section 702b.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Commerce,

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

Rep. Brown 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. 5417, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," (MCL 780.751 to 780.834) by adding sections 26, 53, and 85.

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. Bogardus 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. 4176, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21720a (MCL 333.21720a).

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

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

Rep. Raczkowski moved to amend the bill as follows:

1. Amend page 3, line 17, after "A" by striking out "COMPETENCY-EVALUATED NURSE ASSISTANT" and inserting "DIRECT PATIENT CARE PROVIDER".

2. Amend page 11, line 7, after "MEDICATIONS" by inserting "AND TREATMENTS".

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

Rep. DeHart moved to amend the bill as follows:

1. Amend page 5, line 1, after "DEPARTMENT." by striking out the balance of the subsection.

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

Rep. DeHart moved to amend the bill as follows:

1. Amend page 5, line 20, after "LIMITS." by striking out the balance of the subsection.

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

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

The motion prevailed.

House Bill No. 4495, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20165 and 20175 (MCL 333.20165 and 333.20175), section 20165 as amended by 1990 PA 179 and section 20175 as amended by 1993 PA 79, and by adding section 20173.

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

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

Rep. Brewer moved to substitute (H-6) the bill.

The motion prevailed and the substitute (H-6) was adopted, a majority of the members serving voting therefor.

Rep. Voorhees moved to amend the bill as follows:

1. Amend page 7, line 19, after "(7)" by inserting "EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (8).".
2. Amend page 8, following line 2, by inserting:

"(8) A HEALTH FACILITY OR AGENCY THAT IS A NURSING HOME, COUNTY MEDICAL CARE FACILITY, OR HOME FOR THE AGED SHALL REPORT THE CRIMINAL HISTORY RECORD INFORMATION OBTAINED UNDER SUBSECTION (4) OR (5) AND ANY OTHER CRIMINAL HISTORY INFORMATION REGARDING AN INDIVIDUAL EMPLOYED BY, UNDER CONTRACT TO, OR GRANTED CLINICAL PRIVILEGES BY THE HEALTH FACILITY OR AGENCY AND OBTAINED BY THE HEALTH FACILITY OR AGENCY TO THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES."

3. Amend page 10, line 14, after "AGENCY" by inserting "AND ALL CRIMINAL HISTORY RECORD INFORMATION OBTAINED UNDER SECTION 20173(4) OR (5) OR DESCRIBED IN SECTION 20173(8)".

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

Rep. Brewer 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. 4940, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21771 (MCL 333.21771).

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

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

Rep. Anthony 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. 4524, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2922 (MCL 600.2922), as amended by 1985 PA 93, and by adding section 2922a.

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

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

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

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

Senate Bill No. 21, entitled

A bill to define certain crimes against pregnant women; to define and allow certain practices; and to prescribe certain penalties.

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

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

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

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

Senate Bill No. 894, entitled

A bill to amend 1986 PA 135, entitled "Asbestos abatement contractors licensing act," by amending the title and sections 103, 207, 211, 217, 220, and 221 (MCL 338.3103, 338.3207, 338.3211, 338.3217, 338.3220, and 338.3221), the title as amended by 1990 PA 2 and sections 103, 207, and 220 as amended and section 221 as added by 1993 PA 55.

The bill was read a second time.

Rep. Cherry moved to amend the bill as follows:

1. Amend page 10, line 4, after "C.F.R." by striking out "1926.58 (e)(6)" and inserting "1926.1101(g)(5)(i)".

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

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

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

Senate Bill No. 895, entitled

A bill to amend 1988 PA 440, entitled "Asbestos workers accreditation act," by amending sections 2, 11, 13, and 14 (MCL 338.3402, 338.3411, 338.3413, and 338.3414), as amended by 1995 PA 127.

The bill was read a second time.

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

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

Senate Bill No. 896, entitled

A bill to amend 1995 PA 127, entitled "An act to amend the title and sections 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, and 15 of Act No. 440 of the Public Acts of 1988, entitled "An act to provide for the accreditation of persons who perform asbestos-related work in schools and school buildings; to prescribe the powers and duties of certain state agencies and officers; to prescribe remedies and penalties; and to assess certain fees," being sections 338.3402, 338.3403, 338.3404, 338.3405, 338.3406, 338.3407, 338.3409, 338.3410, 338.3411, 338.3412, 338.3413, 338.3414, and 338.3415 of the Michigan Compiled Laws; to add section 15a; and to repeal acts and parts of acts," by amending enacting section 2.

The bill was read a second time.

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

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

The House returned to the consideration of

House Bill No. 4176, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21720a (MCL 333.21720a).

(The bill was considered earlier today, see today's Journal, p. 1154.)

Rep. DeHart moved to amend the bill as follows:

1. Amend page 9, line 4, by striking out all of subsection (13) and inserting:

"(13) IN ORDER TO NOTIFY PATIENTS AND THEIR FAMILIES REGARDING THE REQUIREMENTS OF THIS SECTION, A NURSING HOME SHALL POST THE NAME OF THE DIRECT PATIENT CARE PROVIDER WHO IS ASSIGNED TO A PARTICULAR PATIENT EITHER IN A CONSPICUOUS PLACE NEAR THE NURSES STATION OR OUTSIDE THE PATIENT'S DOOR NEAR THE PATIENT'S NAME."

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

Rep. Leland 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. 5642, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2210 (MCL 500.2210), as amended by 1994 PA 227.

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

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

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

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

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

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

Rep. Wallace moved that Rep. Dobronski be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5642, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2210 (MCL 500.2210), as amended by 1994 PA 227.

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

Roll Call No. 471

Yeas—105

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

Nays—0

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

—

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. Johnson, Perricone, Dobronski, Kelly, DeVuyst, Hale, Ciaramitaro, Gire, Vaughn, Godchaux, Jellema, Martinez, Bankes, Anthony, Freeman, DeHart, Scott, Baade, Walberg, Kilpatrick, Baird, Parks, McBryde, Whyman, Hammerstrom, Griffin, Cherry, Gubow, Fitzgerald, Cassis, Dalman, Crissman, McManus, Jansen, Rocca, Galloway, Gernaat, Bodem, Profit, Brater, LaForge, Jelinek, Birkholz, Scranton, Green, Dobb, Richner, Oxender, Olshove and Llewellyn offered the following resolution:

House Resolution No. 308.

A resolution honoring Paul M. Tarr, Jr. upon the occasion of his retirement.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Paul M. Tarr, Jr. has put forth on behalf of the people of State of Michigan that we offer this expression of our thanks and best wishes in retirement. As the legislators and staff of the House of Representatives recognize the loyalty and devotion to public service of this conscientious individual, we add our sentiments of gratitude for a job well done; and

Whereas, In 35 years of service to the people of State of Michigan, Paul M. Tarr, Jr. has displayed a statesman's abilities as he shuttled between the House, the Senate and the Executive branch to formulate budgets and policy; and

Whereas, The members of both houses grew to know Paul well as he cunningly contorted limbs, on behalf of the 'Department', while offering a joke here and there. Mr. Tarr's devotion to the cause was done with vigor and zest; and

Whereas, Paul's deep understanding of governmental infrastructure and a personal sense of duty has allowed him to meet challenges with enthusiasm and a genuine regard for others. This has been deeply appreciated both by legislators and organizations in the state that have benefited directly from Paul M. Tarr, Jr.'s work; and

Whereas, His dedicated career to health related policy has made him a shining example to other public servants who have witnessed his commitment; and

Whereas, Paul brings to his work outside interests such as theater, fishing, hunting and photography that have fostered personal friendships with many legislators. There can be little doubt that the record of Paul M. Tarr, Jr. in his responsibilities as Legislative Liaison over the past 35 years will continue to reap rewards for the people of State of Michigan; and

Whereas, We offer our thanks on this personal milestone. We are all better off because of Paul, both personally and professionally; now, therefore, be it

Resolved by the House of Representatives, That the House of Representatives join with the citizens of the State of Michigan in saluting Paul M. Tarr, Jr. in acknowledgment of his 35 outstanding years in public service. May he enjoy the happiest of retirements; and be it further

Resolved, That a copy of this resolution be transmitted to Paul as a symbol of our respect and token of our gratitude for a job well done.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reports of Standing Committees

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

House Bill No. 5815, entitled

A bill to amend 1994 PA 204, entitled "The children's ombudsman act," (MCL 722.921 to 722.935) by adding section 6a.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5815 To Report Out:

Yeas: Reps. LaForge, Scott, Bogardus, Gire, Schauer, London, Sanborn,

Nays: None.

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

House Bill No. 5816, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 45 (MCL 24.245), as amended by 1993 PA 141.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5816 To Report Out:

Yeas: Reps. LaForge, Scott, Bogardus, Gire, Schauer, London, Sanborn,

Nays: None.

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 26, 1998, at 9:00 a.m.,

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

Absent: Reps. Horton, McManus,

Excused: Reps. Horton, McManus.

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

House Bill No. 4407, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 758, 759, and 759b (MCL 168.758, 168.759, 168.759b), section 758 as amended by 1996 PA 207 and section 759 as amended by 1995 PA 261.

The committee recommended that the bill be referred to the Committee on Agriculture.

Favorable Roll Call

HB 4407 To Report Out:

Yeas: Reps. Dobronski, Mans, Brater, Brewer, Callahan, Brackenridge, Birkholz, Crissman, Hammerstrom,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Agriculture.

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

House Bill No. 5615, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 13 (MCL 15.243), as amended by 1996 PA 553.

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 5615 To Report Out:

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

Nays: None.

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

House Joint Resolution CC, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 13 of article V to require a special election to fill a vacancy in the office of state senator or state representative under certain circumstances.

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

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

Favorable Roll Call

HJR CC To Report Out:

Yeas: Reps. Dobronski, Mans, Callahan, Brackenridge, Birkholz, Crissman, Hammerstrom,
Nays: None.

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

Senate Bill No. 855, entitled

A bill to amend 1978 PA 34, entitled "An act to revise the laws relating to fences on certain lands and fence viewers; and to repeal certain acts and parts of acts," by amending sections 4, 5, and 6 (MCL 43.54, 43.55, and 43.56).

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

SB 855 To Report Out:

Yeas: Reps. Dobronski, Mans, Brater, Brewer, 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 26, 1998, at 9:00 a.m.,

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

The Committee on Health Policy, by Rep. Palamara, Chair, reported

House Bill No. 4193, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9162.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4193 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Gubow, Leland, Murphy, Profit, Thomas, Wojno, Law, Raczkowski, Rocca, Scranton,

Nays: None.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

House Bill No. 4274, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131, 16146, and 16263 (MCL 333.16131, 333.16146, and 333.16263), sections 16131 and 16263 as amended by 1995 PA 126 and section 16146 as amended by 1988 PA 462, and by adding section 16348 and part 185; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-3) 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 4274 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Gubow, Leland, Murphy, Thomas, Wojno, Hammerstrom, Crissman, Law, Llewellyn, Raczkowski, Rocca, Scranton,

Nays: None.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

House Bill No. 4296, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16350 and part 189.

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 4296 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Gubow, Leland, Profit, Thomas, Wojno, Hammerstrom, Law, Raczkowski, Scranton,

Nays: None.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

House Bill No. 5072, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5101, 5111, 5123, 5129, and 20191 (MCL 333.5101, 333.5111, 333.5123, 333.5129, and 333.20191), sections 5101, 5111, and 5123 as amended by 1994 PA 200, section 5129 as amended by 1995 PA 253, and section 20191 as amended by 1994 PA 419.

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

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

Favorable Roll Call

HB 5072 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Leland, Murphy, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Raczkowski, Rocca, Scranton,

Nays: None.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

House Bill No. 5355, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16323a and part 168.

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

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

Favorable Roll Call

HB 5355 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Gubow, Leland, Profit, Thomas, Wojno, Hammerstrom, Law, Raczkowski, Rocca,

Nays: None.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

House Bill No. 5687, entitled

A bill to amend 1987 PA 230, entitled "Municipal health facilities corporations act," by amending section 304 (MCL 331.1304), as amended by 1988 PA 502.

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

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

Favorable Roll Call

HB 5687 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Gubow, Leland, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Raczkowski, Rocca,

Nays: Rep. Scranton.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

House Bill No. 5817, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 92A.

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

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

Favorable Roll Call

HB 5817 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Leland, Murphy, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Raczkowski, Rocca, Scranton,

Nays: None.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

House Bill No. 5847, entitled

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

The committee recommended that the bill be referred to the Committee on Insurance.

Favorable Roll Call

HB 5847 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Leland, Murphy, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Raczkowski, Rocca, Scranton,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Insurance.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

House Bill No. 5848, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416b.

The committee recommended that the bill be referred to the Committee on Insurance.

Favorable Roll Call

HB 5848 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Leland, Murphy, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Raczkowski, Rocca, Scranton,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Insurance.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

House Bill No. 5849, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21053e.

The committee recommended that the bill be referred to the Committee on Insurance.

Favorable Roll Call

HB 5849 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Leland, Murphy, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Raczkowski, Rocca, Scranton,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Insurance.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

House Bill No. 5850, entitled

A bill to amend 1976 PA 220, entitled "Persons with disabilities civil rights act," by amending section 202 (MCL 37.1202), as amended by 1998 PA 20.

The committee recommended that the bill be referred to the Committee on Constitutional and Civil Rights.

Favorable Roll Call

HB 5850 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Leland, Murphy, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Raczkowski, Rocca, Scranton,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Constitutional and Civil Rights.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

Senate Bill No. 152, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 401f.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 152 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Leland, Murphy, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Raczkowski, Rocca, Scranton,

Nays: None.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

Senate Bill No. 184, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of the department of social services and adoption facilitators; to provide penalties; and to repeal certain acts and parts of acts," by amending section 2a (MCL 722.112a), as added by 1994 PA 349.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 184 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Gubow, Leland, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Rocca, Scranton,

Nays: None.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

Senate Bill No. 726, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7212 (MCL 333.7212), as amended by 1993 PA 25.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 726 To Report Out:

Yeas: Reps. Palamara, Gire, Griffin, Gubow, Leland, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Raczkowski, Rocca, Scranton,

Nays: None.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

Senate Bill No. 862, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21528.

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

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

Favorable Roll Call

SB 862 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Leland, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Raczkowski, Rocca, Scranton,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 26, 1998, at 10:30 a.m.,

Present: Reps. Palamara, Schauer, Gire, Griffin, Gubow, Leland, Murphy, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Llewellyn, Raczkowski, Rocca, Scranton.

Notices

Public Hearings

Committee on Conservation, Environment and Recreation

Date: Friday, June 19, 1998

Time: 6:00 p.m.

Place: Alpena High School, 3303 S. 3rd St., Large Commons, Alpena, Michigan
Rep. Alley
Chair

Agenda: Bovine tuberculosis in deer population
and any/or all business properly before the committee

Committee on Senior Citizens and Veterans Affairs

Date: Friday, May 29, 1998

Time: 12:00 Noon

Place: Grand Rapids Veterans Home, 3000 Monroe Street, N.W., Grand Rapids, Michigan
Rep. Willard
Chair

Agenda: Service at the Grand Rapids Veterans Home
and any/or all business properly before the committee

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, May 22:

House Bill Nos. 5867 5868 5869 5870 5871 5872 5873 5875 5877 5878 5879 5885

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, May 26, for his approval of the following bills:

Enrolled House Bill No. 4060 at 9:44 a.m.

Enrolled House Bill No. 4061 at 9:46 a.m.

Enrolled House Bill No. 4846 at 9:48 a.m.
Enrolled House Bill No. 4962 at 9:50 a.m.
Enrolled House Bill No. 5316 at 9:52 a.m.
Enrolled House Bill No. 5426 at 9:54 a.m.
Enrolled House Bill No. 5475 at 9:56 a.m.
Enrolled House Bill No. 5535 at 9:58 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Tuesday, May 26:

House Bill Nos. 5880 5881 5882 5883 5884 5886

Communications from State Officers

The following communication from the Northwest Michigan Council of Governments was received and read:

May 12, 1998

Enclosed are summaries of four plans developed under the Job Training Partnership Act for the year beginning July 1, 1998, through June 30, 1999. They cover the 10 Counties of Northwest lower Michigan. Attached are summaries for:

JTPA Title IIA (for economically disadvantaged adults),
JTPA Title IIC (year round program for economically disadvantaged youth,)
JTPA Title IIB (summer program for economically disadvantaged youth,)
JTPA Title III (for dislocated workers).

Please be advised that the 120 and 80-day requirements for publication have been waived, due to the late availability of funds. We welcome your interest and continued support of JTPA programs.

Sincerely,
Jan Warren,
Program Development Coordinator

The communication was referred to the Clerk.

The following communication from the Michigan Works!- Lansing Tri-County Job Training Partnership was received and read:

May 18, 1998

As required by the Michigan Jobs Commission, Michigan Works!-Lansing Tri-County Job Training Partnership has submitted PY98-99 grant application packages for JTPA Titles IIA, IIB, and IIC, and Title III (EDWAAA), and FY 98 Title IIB SYETP Biennial Plans. The grant applications include narrative and forms which indicate Michigan Works! - Lansing Tri-County's strategy for providing JTPA funded services to the Lansing tri-county area.

Sincerely,
Michael A. Quinn
Executive Director

The communication was referred to the Clerk.

The following communications from the Auditor General were received and read:

May 21, 1998

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

Financial Audit of the Schedules of Section 9945(1)(d)
Revenue of the 36th District Court, State of Michigan
And
Section 9945(8) Revenue and Expenditures
Of the Parking Violations Bureau, City of Detroit
October 1, 1994 through September 30, 1996

May 21, 1998

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

Performance Audit of the Children's Trust Fund
Family Independence Agency
May 1998

May 22, 1998

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

Compliance Audit of the Community Colleges
Activities Classification Structure
Department of Education
July 1, 1996 through June 30, 1997

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

The communications were referred to the Clerk and the accompanying reports referred to the Committee on House Oversight and Ethics.

Introduction of Bills

Reps. Rhead, Llewellyn, Green, McNutt and Perricone introduced

House Bill No. 5887, entitled

A bill to amend 1982 PA 528, entitled "An act to authorize the department of natural resources to convey certain state owned property in Sanilac county; and to prescribe conditions for the conveyance," by adding section 2a.

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

Rep. Brackenridge moved that the House adjourn.
The motion prevailed, the time being 5:00 p.m.

The Speaker declared the House adjourned until Wednesday, May 27, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.