

No. 59
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House Chamber, Lansing, Tuesday, June 16, 1998.

10:00 a.m.

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

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—excused
Baade—present	Freeman—present	LaForge—present	Raczkowski—present
Baird—present	Gagliardi—present	Law—excused	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—present	Schermesser—present
Brackenridge—excused	Goschka—present	Martinez—present	Schroer—present
Brater—present	Green—present	Mathieu—present	Scott—present
Brewer—present	Griffin—absent	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—e/d/s	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

United States Army Major Chaplin Richard Quinn, offered the following invocation:

“Lord I thank You for past leaders of this great State of Michigan who knew the necessity of Your presence and wisdom in each piece of business conducted in this room, and determined every day to begin in prayer. We sincerely request Your presence here today and I pray that Your Holy Spirit not be invited only to be ignored or forgotten. The system today Lord is, they debate issues of the environment, taxes and justice. May these leaders choose what is morally correct rather than politically gainful. May they earnestly desire Your interest rather than special interest. May they seek heavenly wisdom and Godly truth rather than earthly praise or progressive religion. Lord bring revival to this land, to this State of Michigan. Bring Godly men and women to govern us. Forgive us for our abuse of freedom which exchange Your presence in our homes with infidelity, violence and divorce. Your presence in our schools with drugs, gangs, weapons and teen pregnancies. Exchange Your presence in our towns with empty churches, apathetic neighbors and senseless crime. Protect us from the legislation of godless moral decay in the name of liberty. Yes, Lord, I do implore Your presence here today, and pray that You not be silent nor we be deaf. I ask these things in Your Holy Name. Amen.”

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

Rep. Hammerstrom moved that Reps. Brackenridge and Law be excused from today’s session.
The motion prevailed.

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

Rep. London moved that Rep. Gernaat be excused temporarily from today’s session.
The motion prevailed.

Rep. Johnson moved that Rep. Gilmer be excused temporarily from today’s session.
The motion prevailed.

Reports of Select Committees

The Speaker laid before the House the conference report relative to
Senate Bill No. 3, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7410 (MCL 333.7410), as amended by 1994 PA 174.

(The conference report was received from the Senate on June 9, consideration of which, under the rules, was postponed until June 10.)

(For conference report, see House Journal No. 56, p. 1340.)

The question being on the adoption of the conference report,

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

Roll Call No. 619

Yeas—99

Alley	Dobronski	Kaza	Prusi
Anthony	Emerson	Kelly	Rackowski
Baade	Fitzgerald	Kilpatrick	Rhead
Baird	Frank	Kukuk	Richner
Banks	Freeman	LaForge	Rison
Basham	Gagliardi	Leland	Rocca
Birkholz	Galloway	LeTarte	Sanborn
Bobier	Geiger	Llewellyn	Schauer
Bodem	Gernaat	London	Schermesser
Bogardus	Godchaux	Lowe	Schroer

Brater	Goschka	Mans	Scott
Brewer	Green	Martinez	Scranton
Brown	Gubow	Mathieu	Stallworth
Byl	Gustafson	McBryde	Tesanovich
Callahan	Hale	McManus	Thomas
Cassis	Hammerstrom	McNutt	Varga
Cherry	Hanley	Middaugh	Vaughn
Ciaramitaro	Harder	Middleton	Voorhees
Crissman	Hertel	Nye	Walberg
Cropsey	Hood	Olshove	Wallace
Curtis	Horton	Owen	Wetters
Dalman	Jansen	Palamara	Whyman
DeHart	Jelinek	Parks	Willard
DeVuyst	Jellema	Price	Wojno
Dobb	Johnson	Profit	

Nays—0

In The Chair: Gire

Reports of Standing Committees

The Speaker laid before the House

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.

(For text of resolution, see House Journal No. 41, p. 888.)

(The resolution was reported by the Committee on Agriculture on June 9, consideration of which was postponed until June 10 under the rules.)

The question being on the adoption of the resolution,

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

The Speaker laid before the House

House Resolution No. 176.

A resolution to memorialize the President and the Congress of the United States to oppose religious persecution around the world.

(For text of resolution, see House Journal No. 90 of 1997, p. 2341.)

(The resolution was reported by the Committee on Constitutional and Civil Rights on June 9, consideration of which was postponed until June 10 under the rules.)

The question being on the adoption of the resolution,

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

Rep. Hammerstrom moved that Rep. Sikkema be excused temporarily from today's session.

The motion prevailed.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4694, entitled

A bill to amend 1913 PA 206, entitled "An act to declare telephone lines and telephone companies within this state to be common carriers; to regulate the telephone business; to confer certain powers, duties, and responsibilities on the

public service commission; to provide for the consolidation of telephone lines and telephone companies; to prohibit certain uses of telephone lines and telephone equipment; to regulate persons using telephone lines and telephone equipment; to prescribe a penalty for the violation of this act; and to repeal certain acts and parts of acts on specific dates," by amending section 25 (MCL 484.125), as added by 1980 PA 47.

(The bill was received from the Senate on June 4, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 9, see House Journal No. 55, p. 1304.)

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. 620

Yeas—99

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

Nays—0

In The Chair: Gire

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

The Speaker laid before the House

House Bill No. 4640, entitled

A bill to amend 1915 PA 312, entitled "An act to establish, protect and enforce by lien the rights of garage keepers who furnish labor or material for storing, repairing, maintaining, keeping or otherwise supplying automobiles or other vehicles," by amending sections 1, 2, and 3 (MCL 570.301, 570.302, and 570.303), sections 1 and 2 as amended by 1990 PA 58, and by adding sections 4, 5, 6, and 7; and to repeal acts and parts of acts.

(The bill was received from the Senate on June 10, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 57, p. 1399.)

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. 621**Yeas—100**

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

Nays—0

In The Chair: Gire

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

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

Second Reading of Bills**House Bill No. 5419, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 8, 31, 33, and 34 of chapter IX and section 14 of chapter XI (MCL 769.8, 769.31, 769.33, 769.34, and 771.14), section 8 of chapter IX as amended by 1994 PA 322, sections 31, 33, and 34 of chapter IX as added and section 14 of chapter XI as amended by 1994 PA 445, and by adding chapter IXA.

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

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

Reps. Nye and Ciaramitaro moved to amend the bill as follows:

1. Amend page 18, line 14, by striking out all of section 35 and inserting:

"SEC. 35. THE DEPARTMENT OF CORRECTIONS SHALL OPERATE A JAIL REIMBURSEMENT PROGRAM THAT PROVIDES FUNDING TO COUNTIES FOR HOUSING OFFENDERS IN COUNTY JAILS WHO OTHERWISE WOULD HAVE BEEN SENTENCED TO PRISON. THE CRITERIA FOR REIMBURSEMENT,

INCLUDING BUT NOT LIMITED TO CRITERIA FOR DETERMINING THOSE OFFENDERS WHO OTHERWISE WOULD HAVE BEEN SENTENCED TO PRISON, AND THE RATE OF REIMBURSEMENT SHALL BE ESTABLISHED IN THE ANNUAL APPROPRIATIONS ACTS FOR THE DEPARTMENT OF CORRECTIONS.”.

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

Rep. LeTarte moved to amend the bill as follows:

1. Amend page 2, following line 21, by inserting:

“(3) IF THE COURT DETERMINES AN INDIVIDUAL WHO IS TO BE SENTENCED TO A TERM OF IMPRISONMENT WOULD BENEFIT FROM ATTENDING A DRUG OR ALCOHOL TREATMENT PROGRAM OFFERED TO PRISONERS, THE COURT MAY, WITH THE INDIVIDUAL’S CONSENT, ORDER THE INDIVIDUAL TO ATTEND THAT DRUG OR ALCOHOL TREATMENT PROGRAM. IF THE COURT ORDERS THE INDIVIDUAL TO ATTEND A DRUG OR ALCOHOL TREATMENT PROGRAM UNDER THIS SECTION, THE COURT SHALL ORDER THE INDIVIDUAL TO SERVE THE TERM OF IMPRISONMENT AUTHORIZED BY LAW FOR THAT VIOLATION WITH THE OPPORTUNITY FOR A REDUCTION OF NOT MORE THAN 30% OF THAT SENTENCE BASED UPON THE INDIVIDUAL SUCCESSFULLY COMPLETING THAT DRUG OR ALCOHOL TREATMENT PROGRAM. IF THE COURT DETERMINES THE INDIVIDUAL HAS SUCCESSFULLY COMPLETED THE DRUG OR ALCOHOL TREATMENT PROGRAM, THE COURT SHALL ORDER THAT THE INDIVIDUAL SERVE THE REDUCED SENTENCE.”.

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

Rep. LeTarte demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 622

Yeas—22

Bankes	Godchaux	Mans	Rison
Brater	Gubow	Palamara	Schroer
Byl	Jellema	Parks	Scott
Emerson	Kilpatrick	Price	Scranton
Freeman	LaForge	Profit	Vaughn
Gire	LeTarte		

Nays—81

Agee	DeVuyst	Johnson	Prusi
Alley	Fitzgerald	Kaza	Rackowski
Anthony	Frank	Kelly	Rhead
Baade	Gagliardi	Kukuk	Richner
Baird	Galloway	Leland	Rocca
Basham	Geiger	Llewellyn	Sanborn
Birkholz	Gernaat	London	Schauer
Bobier	Gilmer	Lowe	Schermesser
Bodem	Goschka	Martinez	Sikkema
Bogardus	Green	Mathieu	Stallworth
Brewer	Gustafson	McBryde	Tesanovich
Brown	Hale	McManus	Thomas
Callahan	Hammerstrom	McNutt	Varga
Cassis	Hanley	Middaugh	Voorhees
Cherry	Harder	Middleton	Walberg
Ciaramitaro	Hertel	Nye	Wallace
Crissman	Hood	Olshove	Wetters
Cropsey	Horton	Owen	Whyman
Curtis	Jansen	Oxender	Willard
Dalman	Jelinek	Perricone	Wojno
DeHart			

In The Chair: Gire

Rep. McNutt 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. 5419, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 8, 31, 33, and 34 of chapter IX and section 14 of chapter XI (MCL 769.8, 769.31, 769.33, 769.34, and 771.14), section 8 of chapter IX as amended by 1994 PA 322, sections 31, 33, and 34 of chapter IX as added and section 14 of chapter XI as amended by 1994 PA 445, and by adding chapter IXA.

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

Roll Call No. 623

Yeas—99

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

Nays—2

Frank

LeTarte

In The Chair: Gire

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 175, entitled "The code of criminal procedure," by amending sections 8, 10, 11, 12, 31, 33, and 34 of chapter IX and section 14 of chapter XI (MCL 769.8, 769.10, 769.11, 769.12, 769.31, 769.33, 769.34, and 771.14), section 8 of chapter IX as amended by 1994 PA 322, sections 10 and 11 of chapter IX as amended by 1988

PA 90, and section 12 of chapter IX and section 14 of chapter XI as amended and sections 31, 33, and 34 of chapter IX as added by 1994 PA 445, and by adding section 35 to chapter IX and adding chapter XVII.

The motion prevailed.

The House agreed to the title as amended.

Reps. Birkholz, Bodem, Brewer, Byl, Ciaramitaro, Crissman, Cropsey, DeVuyst, Fitzgerald, Geiger, Gernaat, Gilmer, Gire, Goschka, Jansen, Jelinek, Jellema, Johnson, Kukuk, London, Lowe, Mans, McBryde, Middaugh, Middleton, Nye, Oxender, Perricone, Profit, Raczkowski, Richner, Rocca, Sikkema and Voorhees were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5421, entitled

A bill to amend 1893 PA 118, entitled “An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith,” by amending section 34 (MCL 800.34), as amended by 1996 PA 83; and to repeal acts and parts of acts.

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

The substitute (H-4) was 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.

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. 5421, entitled

A bill to amend 1893 PA 118, entitled “An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith,” by amending section 34 (MCL 800.34), as amended by 1996 PA 83; and to repeal acts and parts of acts.

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

Roll Call No. 624

Yeas—102

Agee	Emerson	Kelly	Profit
Alley	Fitzgerald	Kilpatrick	Prusi
Anthony	Frank	Kukuk	Raczkowski
Baade	Gagliardi	LaForge	Rhead
Baird	Galloway	Leland	Richner
Banks	Geiger	LeTarte	Rison
Basham	Gernaat	Llewellyn	Rocca
Birkholz	Gilmer	London	Sanborn
Bobier	Gire	Lowe	Schauer
Bodem	Godchaux	Mans	Schermesser
Bogardus	Goschka	Martinez	Schroer
Brater	Green	Mathieu	Scott
Brewer	Gubow	McBryde	Sikkema
Brown	Gustafson	McManus	Stallworth
Byl	Hale	McNutt	Tesanovich
Callahan	Hammerstrom	Middaugh	Thomas
Cassis	Hanley	Middleton	Varga
Cherry	Harder	Nye	Vaughn
Ciaramitaro	Hertel	Olshove	Voorhees
Crissman	Hood	Owen	Walberg
Cropsey	Horton	Oxender	Wallace

Curtis
Dalman
DeHart
DeVuyst
Dobronski

Jansen
Jelinek
Jellema
Johnson
Kaza

Palamara
Parks
Perricone
Price

Wetters
Whyman
Willard
Wojno

Nays—0

In The Chair: Gire

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

The motion prevailed, a majority of the members present 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. 625

Yeas—104

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

Emerson
Fitzgerald
Frank
Freeman
Gagliardi
Galloway
Geiger
Gernaat
Gilmer
Gire
Godchaux
Goschka
Green
Gubow
Gustafson
Hale
Hammerstrom
Hanley
Harder
Hertel
Hood
Horton
Jansen
Jelinek
Jellema
Johnson

Kaza
Kelly
Kilpatrick
Kukuk
LaForge
Leland
LeTarte
Llewellyn
London
Lowe
Mans
Martinez
Mathieu
McBryde
McManus
McNutt
Middaugh
Middleton
Nye
Olshove
Owen
Oxender
Palamara
Parks
Perricone
Price

Profit
Prusi
Rackowski
Rhead
Richner
Rison
Rocca
Sanborn
Schauer
Schermesser
Schroer
Scott
Scranton
Sikkema
Stallworth
Tesanovich
Thomas
Varga
Vaughn
Voorhees
Walberg
Wallace
Wetters
Whyman
Willard
Wojno

Nays—0

In The Chair: Gire

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 1893 PA 118, entitled "An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith," by amending sections 34 and 35 (MCL 800.34 and 800.35), section 34 as amended by 1996 PA 83 and section 35 as added by 1994 PA 218; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

Reps. Alley, Baird, Birkholz, Bogardus, Brewer, Cassis, Ciaramitaro, Crissman, Cropsey, Curtis, DeVuyst, Freeman, Gagliardi, Galloway, Geiger, Gernaat, Gilmer, Gire, Godchaux, Goschka, Green, Hanley, Horton, Jansen, Johnson, Kukuk, London, Lowe, Mans, Martinez, McBryde, McManus, McNutt, Middaugh, Middleton, Oxender, Parks, Perricone, Profit, Richner, Rocca, Sanborn, Walberg and Whyman were named co-sponsors of the bill.

Rep. Murphy entered the House Chambers.

Second Reading of Bills

House Bill No. 5876, entitled

A bill to amend 1975 PA 46, entitled "An act to create the office of the legislative corrections ombudsman; to prescribe the powers and duties of the office, the ombudsman, the legislative council, and the department of corrections; and to provide remedies from administrative acts," by amending sections 1, 4, 6, 7, 10, and 13 (MCL 4.351, 4.354, 4.356, 4.357, 4.360, and 4.363), as amended by 1995 PA 197.

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

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

Rep. Hanley 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. 5876, entitled

A bill to amend 1975 PA 46, entitled "An act to create the office of the legislative corrections ombudsman; to prescribe the powers and duties of the office, the ombudsman, the legislative council, and the department of corrections; and to provide remedies from administrative acts," by amending sections 1, 4, 6, 7, 10, and 13 (MCL 4.351, 4.354, 4.356, 4.357, 4.360, and 4.363), as amended by 1995 PA 197.

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

Roll Call No. 626

Yeas—104

Agee	Emerson	Kelly	Profit
Alley	Fitzgerald	Kilpatrick	Prusi
Anthony	Frank	Kukuk	Raczkowski
Baade	Freeman	LaForge	Rhead
Baird	Gagliardi	Leland	Richner
Bankes	Galloway	LeTarte	Rison
Basham	Geiger	Llewellyn	Rocca
Birkholz	Gernaat	London	Sanborn
Bobier	Gilmer	Lowe	Schauer
Bodem	Gire	Mans	Schermesser
Bogardus	Godchaux	Martinez	Schroer
Brater	Goschka	Mathieu	Scott
Brewer	Green	McBryde	Scranton
Brown	Gubow	McManus	Sikkema
Byl	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
Dobronski	Johnson	Price	Wojno

Nays—1

Kaza

In The Chair: Gire

The House agreed to the title of the bill.

Second Reading of Bills

House Bill No. 5398, entitled

A bill to amend 1953 PA 232, entitled “An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending sections 34, 34a, 36, and 65a (MCL 791.234, 791.234a, 791.236, and 791.265a), section 34 as amended by 1994 PA 345, section 34a as amended by 1994 PA 427, section 36 as amended by 1996 PA 554, and section 65a as amended by 1997 PA 13.

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

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

Rep. Freeman moved to substitute (H-5)* the bill.

The motion prevailed and the substitute (H-5)* was adopted, a majority of the members serving voting therefor.

Rep. Frank 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. 5398, entitled

A bill to amend 1953 PA 232, entitled “An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to

allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 34, 34a, 36, and 65a (MCL 791.234, 791.234a, 791.236, and 791.265a), section 34 as amended by 1994 PA 345, section 34a as amended by 1994 PA 427, section 36 as amended by 1996 PA 554, and section 65a as amended by 1997 PA 13.

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

Roll Call No. 627**Yeas—103**

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

Nays—0

In The Chair: Gire

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

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

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 33, 34, 34a, 35, 36, 65, and 65a (MCL 791.233, 791.234, 791.234a, 791.235, 791.236, 791.265, and 791.265a), sections 33, 35, and 65 as amended by 1994 PA 217, section 34 as amended by 1994 PA 345, section 34a as amended by 1998 PA 84, section 36 as amended by 1996 PA 554, and section 65a as amended by 1997 PA 13, and by adding section 7a.

The motion prevailed.

The House agreed to the title as amended.

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

House Bill No. 4044, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding sections 2964 and 2965.

(The bill was received from the Senate on June 11, with substitute (S-5), title amendment and immediate effect given by the Senate, rule 45 suspended and bill postponed temporarily on June 11, see House Journal No. 58, p. 1416.)

The question being on concurring in the adoption of the substitute (S-5) made to the bill by the Senate,
 Rep. Nye moved to amend the Senate substitute (S-5) as follows:

1. Amend page 4, following line 12, by inserting:

"Enacting section 1. Sections 2965, 2966, and 2967 of the revised judicature act of 1961, 1961 PA 236, MCL 600.2965, 600.2966, and 600.2967, as added by this amendatory act, do not apply to a cause of action arising before the effective date of this amendatory act."

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

Rep. Schermesser moved to amend the Senate substitute (S-5) as follows:

1. Amend page 2, line 3, by striking out all of section 2967 and inserting:

"SEC. 2967. A FIREFIGHTER OR POLICE OFFICER HAS NO CLAIM FOR NEGLIGENCE AGAINST THE OWNER OR OCCUPIER OF PROPERTY FOR INJURY OR DEATH CAUSED BY THE CONDITION OF THE PROPERTY IF THE FIREFIGHTER OR POLICE OFFICER WAS ON THE PROPERTY WITHIN THE SCOPE OF HIS OR HER PROFESSIONAL ACTIVITIES, DUTIES, OR FUNCTIONS. THIS SECTION DOES NOT BAR A CLAIM IF 1 OR MORE OF THE FOLLOWING EXCEPTIONS ARE MET:

(A) THE INJURY OR DEATH WAS PROXIMATELY CAUSED BY A VIOLATION OF LAW.

(B) THE INJURY OR DEATH WAS PROXIMATELY CAUSED BY THE SUBSEQUENT NEGLIGENCE OF THE OWNER OR OCCUPIER OF THE PROPERTY AFTER THE FIREFIGHTER OR POLICE OFFICER WAS AT THE SCENE.

(C) THE FIREFIGHTER OR POLICE OFFICER WAS IN A PLACE OPEN TO THE GENERAL PUBLIC AND WAS NOT ENGAGED IN AN ACTIVITY THAT EXPOSED HIM OR HER TO A GREATER RISK OF HARM THAN ANOTHER MEMBER OF THE GENERAL PUBLIC."

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

Rep. Schermesser demanded the yeas and nays.

The demand was supported.

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

Rep. Wallace moved that consideration of the amendment be postponed for the day.

The motion prevailed.

Rep. Gagliardi moved to reconsider the vote by which the House postponed the amendment for the day.

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

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

Rep. Wallace withdrew the motion.

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

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

Roll Call No. 628

Yeas—103

Agee	Frank	Kilpatrick	Prusi
Alley	Freeman	Kukuk	Rackowski
Anthony	Gagliardi	LaForge	Rhead
Baade	Galloway	Leland	Richner
Baird	Geiger	LeTarte	Rison
Banks	Gernaat	Llewellyn	Rocca
Basham	Gilmer	London	Sanborn
Birkholz	Gire	Lowe	Schauer
Bobier	Godchaux	Mans	Schermesser

Bodem	Goschka	Martinez	Schroer
Bogardus	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
Crissman	Hood	Olshove	Voorhees
Cropsey	Horton	Owen	Walberg
Curtis	Jansen	Oxender	Wallace
Dalman	Jelinek	Palamara	Wetters
DeHart	Jellema	Parks	Whyman
DeVuyst	Johnson	Perricone	Willard
Dobronski	Kaza	Price	Wojno
Emerson	Kelly	Profit	

Nays—0

In The Chair: Gire

The question being on concurring in the substitute (S-5) made to the bill by the Senate,

The substitute (S-5), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 629**Yeas—104**

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

Nays—0

In The Chair: Gire

The House agreed to the title as amended.

The Speaker assumed the Chair.

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

Rep. Jellema moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 1156**.

(For first notice see House Journal No. 58, p. 1426.)

The question being on the motion by Rep. Jellema,

Rep. Jellema demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Jellema,

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

Roll Call No. 630**Yeas—49**

Bankes	Gernaat	Kaza	Oxender
Birkholz	Gilmer	Kukuk	Perricone
Bobier	Godchaux	LeTarte	Rackowski
Bodem	Goschka	Llewellyn	Rhead
Byl	Green	London	Richner
Cassis	Gustafson	Lowe	Rocca
Crissman	Hammerstrom	McBryde	Sanborn
Cropsey	Horton	McManus	Scranton
Dalman	Jansen	McNutt	Sikkema
DeVuyst	Jelinek	Middaugh	Voorhees
Fitzgerald	Jellema	Middleton	Walberg
Galloway	Johnson	Nye	Whyman
Geiger			

Nays—53

Agee	Emerson	LaForge	Schauer
Alley	Frank	Leland	Schermesser
Anthony	Freeman	Mans	Schroer
Baade	Gagliardi	Martinez	Scott
Baird	Gire	Mathieu	Stallworth
Basham	Gubow	Murphy	Tesanovich
Brater	Hale	Olshove	Thomas
Brown	Hanley	Owen	Varga
Callahan	Harder	Palamara	Vaughn
Cherry	Hertel	Parks	Wallace
Ciaramitaro	Hood	Price	Wetters
Curtis	Kelly	Prusi	Willard
DeHart	Kilpatrick	Rison	Wojno
Dobronski			

In The Chair: Hertel

Messages from the Senate

The Speaker laid before the House

House Bill No. 5346, entitled

A bill to amend 1917 PA 273, entitled “An act to regulate and license pawnbrokers in cities and incorporated villages of this state, having a population of more than 3,000,” by amending section 5 (MCL 446.205).

(The bill was received from the Senate on June 11, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 58, p. 1440.)

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. 631

Yeas—103

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

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 called the Speaker Pro Tempore to the Chair.

Rep. Horton moved that Rep. Green be excused temporarily from today's session.

The motion prevailed.

The Speaker laid before the House

House Bill No. 4328, entitled

A bill to amend 1976 PA 295, entitled “State transportation preservation act of 1976,” by amending sections 3 and 10 (MCL 474.53 and 474.60), section 3 as amended by 1984 PA 210 and section 10 as amended by 1993 PA 28.

(The bill was received from the Senate on June 11, with substitute (S-5), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 58, p. 1439.)

The question being on concurring in the adoption of the substitute (S-5) made to the bill by the Senate,

The substitute (S-5) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 632

Yeas—103

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

Nays—0

In The Chair: Murphy

The House agreed to the title as amended.

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

Second Reading of Bills

House Bill No. 5122, entitled

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

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

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

Reps. Freeman and Crissman moved to amend the bill as follows:

1. Amend page 6, line 20, after "PERSON" by striking out the balance of the line through "FAULT" on line 21.
2. Amend page 7, line 16, after "ACT," by striking out the balance of the line through "TO" on line 17 and inserting "IF A PERSON IS CONVICTED UNDER SUBSECTION (4), THE COURT MAY ORDER".
3. Amend page 8, line 8, after "VEHICLE" by striking out the balance of the line through "FAULT" on line 9.
4. Amend page 8, line 12, after "BOTH." by striking out the balance of the line through "OF" on line 14 and inserting "IF A PERSON, PARTNERSHIP, OR CORPORATION IS FOUND GUILTY OF VIOLATING THIS SUBSECTION, THE COURT MAY ORDER 1 OF THE PENALTIES DESCRIBED IN".

The question being on the adoption of the amendments offered by Reps. Freeman and Crissman,

Rep. Nye moved to amend the Freeman and Crissman amendments as follows:

1. Amend Reps. Freeman and Crissman Amendment No. 4, page 8, line 12, after "PERSON," by inserting "LIMITED PARTNERSHIP,".

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

The question being on the adoption of the amendments offered previously by Reps. Freeman and Crissman,

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

Rep. Freeman 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. 5123, entitled

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

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

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

Reps. Freeman and Crissman moved to amend the bill as follows:

1. Amend page 6, line 19, after "PERSON" by striking out the balance of the line through "FAULT" on line 20.
2. Amend page 7, line 2, after "ACT," by striking out the balance of the line through "TO" on line 3 and inserting "IF A PERSON IS CONVICTED UNDER SUBSECTION (4), THE COURT MAY ORDER".
3. Amend page 7, line 13, after "VEHICLE" by striking out the balance of the line through "FAULT" on line 14.
4. Amend page 7, line 17, after "BOTH." by striking out the balance of the line through "OF" on line 19 and inserting "IF A PERSON, PARTNERSHIP, OR CORPORATION IS FOUND GUILTY OF VIOLATING THIS SUBSECTION, THE COURT MAY ORDER 1 OF THE PENALTIES DESCRIBED IN".

The question being on the adoption of the amendments offered by Reps. Freeman and Crissman,

Rep. Nye moved to amend the Freeman and Crissman amendments as follows:

1. Amend Reps. Freeman and Crissman Amendment No. 4, page 7, line 17, after "PERSON," by inserting "LIMITED PARTNERSHIP,".

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

The question being on the adoption of the amendments offered previously by Reps. Freeman and Crissman,

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

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Godchaux, Bodem, Perricone, Nye, Galloway, Jansen, Sanborn, Rocca, LeTarte, Byl, Fitzgerald, Hammerstrom, Cassis, Jelinek, Raczkowski, Richner, Basham, Stallworth, Geiger, Crissman, Dalman, Bankes, Middleton, Birkholz, Jellema, DeVuyt, Voorhees, Scranton, Agee, Anthony, Baade, Baird, Bobier, Bogardus, Brewer, Brown, Callahan, DeHart, Dobronski, Frank, Gagliardi, Gernaat, Gire, Goschka, Hale, Harder, Horton, Johnson, Kelly, Kilpatrick, Kukuk, LaForge, London, Martinez, McBryde, McManus, Middaugh, Murphy, Olshove, Palamara, Parks, Price, Profit, Prusi, Rison, Schauer, Scott, Sikkema, Tesanovich, Thomas, Varga and Wojno offered the following resolution:

House Resolution No. 322.

A resolution to memorialize the Congress of the United States to enact the Automobile National Heritage Area Act.

Whereas, Much of our country's manufacturing strength can be traced to the activities of the automobile industry in Michigan. Over the past century, the growth of this key industry has constituted a remarkable chapter in our history and our heritage. From the infancy of automobiles in Michigan to the industry's role during war, the process of manufacturing automobiles has meant more to our country than can be measured by economic statistics alone; and

Whereas, In an effort to recognize and preserve the cultural heritage of the automobile industry, interested citizens and organizations are working with members of Congress to establish a program to establish an automobile heritage area. The automobile heritage area would join the heritage areas already established in our country and maintained in conjunction with the National Park Service; and

Whereas, Two bills have been introduced in Congress to provide for the Automobile National Heritage Area. These measures, H.R.3910 and S.2104, would extend the program to corridors in the state with unique roles in Michigan's automobile history, including not only the metropolitan Detroit region, but also locations in Flint and Lansing; and

Whereas, There are presently sixteen heritage areas throughout the country. These help to preserve the history of the textile industry in Massachusetts, the role of the canals and other waterways in our nation's development, and several other unique components of America's past. The automobile industry certainly is an appropriate addition to this effort to save our cultural heritage; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the Automobile National Heritage Area Act; and be it further

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

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. Bodem, Galloway, Godchaux, Perricone, Nye, Jansen, Sanborn, Rocca, Jellema, LeTarte, Byl, Fitzgerald, Hamnerstrom, Cassis, Jelinek, Raczkowski, Richner, Basham, Stallworth, Crissman, Dalman, Bankes, Birkholz, DeVuyt, Voorhees, Scranton, Agee, Anthony, Baade, Baird, Bobier, Bogardus, Brewer, Brown, Cherry, DeHart, Dobronski, Frank, Geiger, Gernaat, Gilmer, Gire, Goschka, Hale, Harder, Horton, Johnson, Kelly, Kilpatrick, Kukuk, LaForge, London, Lowe, Martinez, McBryde, McManus, Middaugh, Olshove, Parks, Price, Profit, Prusi, Rison, Schauer, Schermesser, Scott, Tesanovich, Thomas, Vaughn and Wetters offered the following concurrent resolution:

House Concurrent Resolution No. 111.

A concurrent resolution to memorialize the Congress of the United States to enact the Automobile National Heritage Area Act.

Whereas, Much of our country's manufacturing strength can be traced to the activities of the automobile industry in Michigan. Over the past century, the growth of this key industry has constituted a remarkable chapter in our history and our heritage. From the infancy of automobiles in Michigan to the industry's role during war, the process of manufacturing automobiles has meant more to our country than can be measured by economic statistics alone; and

Whereas, In an effort to recognize and preserve the cultural heritage of the automobile industry, interested citizens and organizations are working with members of Congress to establish a program to establish an automobile heritage area. The automobile heritage area would join the heritage areas already established in our country and maintained in conjunction with the National Park Service; and

Whereas, Two bills have been introduced in Congress to provide for the Automobile National Heritage Area. These measures, H.R.3910 and S.2104, would extend the program to corridors in the state with unique roles in Michigan's automobile history, including not only the metropolitan Detroit region, but also locations in Flint and Lansing; and

Whereas, There are presently sixteen heritage areas throughout the country. These help to preserve the history of the textile industry in Massachusetts, the role of the canals and other waterways in our nation's development, and several other unique components of America's past. The automobile industry certainly is an appropriate addition to this effort to save our cultural heritage; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to enact the Automobile National Heritage Area Act; and be it further

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

Pending the reference of the concurrent resolution to a committee,

Rep. Gagliardi moved that Rule 77 be suspended and the concurrent 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 concurrent resolution,

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

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

Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Wednesday, June 17, at 10:00 a.m.
The motion prevailed.

Reps. Scott, Vaughn, Murphy, Thomas, Parks, Hood, Varga, Mans, Brown, Hanley, Price, Wojno, Kilpatrick, Hale, Kelly, Wallace, Dobronski, Leland, DeHart, Schermesser, Rison, Cherry, Brater, Schroer, Bankes, Martinez, Basham, Stallworth, Scranton, Richner, Birkholz, Raczkowski, Jelinek, Cassis, Willard, Gire, Gubow, Baird, Curtis, Bogardus and Schauer offered the following resolution:

House Resolution No. 323.

A resolution offered as a memorial to the life of Rebecca H. Barksdale.

Whereas, It is with great respect that we offer tribute to honor the memory of Rebecca H. Barksdale. The founder of one of the largest funeral homes owned by a woman in Michigan, Rebecca was dedicated to the interests of Detroit, and during her more than thirty years as a funeral home owner, she strived to make Detroit a wonderful place to live and work; and

Whereas, Mrs. Barksdale, a devoted wife, mother and grandmother, was a leader who successfully challenged stereotypes to become an entrepreneur in an industry where female African-American owners were rare. Although a calm and unpretentious person, Mrs. Barksdale earned her Bachelor's Degree from Wayne State University and a Mortuary Science Degree from Worsham College in Chicago before opening her first funeral home on Puritan and her second on East State Fair in Detroit, demonstrating the achievement that followed her determination; and

Whereas, This concerned citizen shared her time and talent as a member and director of civic and professional organizations, such as President of the Michigan Selected Morticians Association, member of the state Mortuary Science Board, and board member of the Metropolitan Growth Development and Economic Development Committees of Wayne County. In every endeavor during her productive lifetime, Mrs. Barksdale displayed integrity and dignity. She earned much respect and leaves an unfillable void; and

Whereas, Awards she received paid homage to her effectiveness, integrity, and sincere goodwill that benefited everyone. In the 1970s, she earned both the National Funeral Directors and Embalmers Association's Woman of the Year Award and the Michigan Office of Minority Enterprise's Entrepreneur of the Month Award. As a business leader, she was much admired and will be long remembered; now, therefore, be it

Resolved by the House of Representatives, That we are both saddened by her loss and heartened by her legacy of exceptional dedication to family, work, and her beloved Detroit. We offer our words of praise as a memorial for Rebecca H. Barksdale, a woman who had a profound impact on her community, state, and nation; and be it further

Resolved, That a copy of this resolution be transmitted to her family as a symbol of our sympathy.

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 Public Utilities, by Rep. Olshove, Chair, reported

House Bill No. 5545, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 42 (MCL 24.242), as amended by 1993 PA 141.

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 5545 To Report Out:

Yeas: Reps. Olshove, Thomas, Baade, Dobronski, Freeman, Hanley, Murphy, Profit, Birkholz, Cassis, Galloway, Gustafson, Kukuk, LeTarte, Middaugh, Whyman,

Nays: None.

The Committee on Public Utilities, by Rep. Olshove, Chair, reported

Senate Bill No. 837, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 506.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 837 To Report Out:

Yeas: Reps. Olshove, Thomas, Baade, Dobronski, Freeman, Hanley, Murphy, Profit, Birkholz, Cassis, Galloway, Gustafson, Kukuk, LeTarte, Middaugh, Whyman,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Olshove, Chair of the Committee on Public Utilities, was received and read:
Meeting held on: Tuesday, June 16, 1998, at 1:16 p.m.,
Present: Reps. Olshove, Thomas, Baade, Dobronski, Freeman, Hanley, Murphy, Profit, Birkholz, Cassis, Galloway, Gustafson, Kukuk, LeTarte, Middaugh, Whyman,
Absent: Reps. Alley, Griffin, Gubow, Leland, Wetters, Dobb, Raczkowski,
Excused: Reps. Alley, Griffin, Gubow, Leland, Wetters, Dobb, Raczkowski.

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

Senate Bill No. 908, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 1999; to provide for the expenditure of such appropriations; to create funds; to provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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

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

Favorable Roll Call

SB 908 To Report Out:

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

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

Senate Bill No. 910, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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

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

Favorable Roll Call

SB 910 To Report Out:

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hood, Chair of the Committee on Appropriations, was received and read:
Meeting held on: Tuesday, June 16, 1998, at 9:00 a.m.,
Present: Reps. Hood, Mathieu, Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Martinez, Owen, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde, Oxender,
Absent: Rep. Parks.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 16, 1998, at 8:30 a.m.,

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

Absent: Reps. Cropsey, Law,

Excused: Reps. Cropsey, Law.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cherry, Chair of the Committee on Colleges and Universities, was received and read:

Meeting held on: Tuesday, June 16, 1998, at 9:00 a.m.,

Present: Reps. Cherry, Brown, Brater, Scranton, Walberg,

Absent: Reps. Curtis, Quarles, LeTarte, Dalman,

Excused: Reps. Curtis, Quarles, LeTarte, Dalman.

Messages from the Senate**House Bill No. 5594, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 1999; to provide for the imposition of fees; to create certain work groups and committees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials, local units of government, committees, and work groups; and to provide for the expenditure of the appropriations.

The Senate has appointed Senators Hoffman, DeGrow and Young as conferees to join with Reps. Harder, Hale and Jellema.

The bill was referred to the Conference Committee on June 16, 1998.

Senate Bill No. 907, entitled

A bill to make appropriations for community colleges for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

The Senate has nonconcurrent in the House substitute (H-1) and appointed Senators Gast, DeGrow and Vaughn as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 909, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

The Senate has nonconcurrent in the House substitute (H-1) and appointed Senators Cisky, Hoffman and Vaughn as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 911, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 1999; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The Senate has nonconcurrent in the House substitute (H-1) and appointed Senators Schwarz, Cisky and Koivisto as conferees.

The message was referred to the Clerk for record.

Notices

June 15, 1998

This is to inform you that I will be removing Representative Derrick Hale from the Environmental Quality Conference Committee and replacing him with Representative Mike Prusi.

Sincerely,
Curtis Hertel
Speaker of the House

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, June 10, for his approval of the following bills:

Enrolled Senate Bill No. 74 at 3:28 p.m.
Enrolled Senate Bill No. 75 at 3:30 p.m.
Enrolled Senate Bill No. 895 at 3:32 p.m.
Enrolled Senate Bill No. 896 at 3:34 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, June 12:

House Bill Nos. 5923 5924 5925 5926

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, June 16, for his approval of the following bills:

Enrolled House Bill No. 5138 at 10:00 a.m.
Enrolled House Bill No. 5139 at 10:02 a.m.
Enrolled House Bill No. 5140 at 10:04 a.m.
Enrolled House Bill No. 5141 at 10:06 a.m.
Enrolled House Bill No. 5142 at 10:08 a.m.
Enrolled House Bill No. 5143 at 10:10 a.m.
Enrolled House Bill No. 5144 at 10:12 a.m.
Enrolled House Bill No. 5145 at 10:14 a.m.
Enrolled House Bill No. 5146 at 10:16 a.m.
Enrolled House Bill No. 5147 at 10:18 a.m.
Enrolled House Bill No. 5148 at 10:20 a.m.
Enrolled House Bill No. 5149 at 10:22 a.m.
Enrolled House Bill No. 5150 at 10:24 a.m.
Enrolled House Bill No. 5151 at 10:26 a.m.
Enrolled House Bill No. 5152 at 10:28 a.m.
Enrolled House Bill No. 5153 at 10:30 a.m.
Enrolled House Bill No. 5154 at 10:32 a.m.
Enrolled House Bill No. 5155 at 10:34 a.m.
Enrolled House Bill No. 5156 at 10:36 a.m.
Enrolled House Bill No. 5157 at 10:38 a.m.
Enrolled House Bill No. 5158 at 10:40 a.m.
Enrolled House Bill No. 5159 at 10:42 a.m.
Enrolled House Bill No. 5160 at 10:44 a.m.
Enrolled House Bill No. 5161 at 10:46 a.m.
Enrolled House Bill No. 5162 at 10:48 a.m.
Enrolled House Bill No. 5163 at 10:50 a.m.
Enrolled House Bill No. 5164 at 10:52 a.m.
Enrolled House Bill No. 5165 at 10:54 a.m.
Enrolled House Bill No. 5167 at 10:56 a.m.
Enrolled House Bill No. 5168 at 10:58 a.m.
Enrolled House Bill No. 5169 at 11:00 a.m.
Enrolled House Bill No. 5170 at 11:02 a.m.
Enrolled House Bill No. 5171 at 11:04 a.m.
Enrolled House Bill No. 5172 at 11:06 a.m.
Enrolled House Bill No. 5173 at 11:08 a.m.
Enrolled House Bill No. 5174 at 11:10 a.m.

Enrolled House Bill No. 5176 at 11:12 a.m.
Enrolled House Bill No. 5177 at 11:14 a.m.
Enrolled House Bill No. 5178 at 11:16 a.m.
Enrolled House Bill No. 5179 at 11:18 a.m.
Enrolled House Bill No. 5180 at 11:20 a.m.
Enrolled House Bill No. 5181 at 11:22 a.m.
Enrolled House Bill No. 5182 at 11:24 a.m.
Enrolled House Bill No. 5183 at 11:26 a.m.
Enrolled House Bill No. 5184 at 11:28 a.m.
Enrolled House Bill No. 5186 at 11:30 a.m.
Enrolled House Bill No. 5187 at 11:32 a.m.
Enrolled House Bill No. 5188 at 11:34 a.m.
Enrolled House Bill No. 5189 at 11:36 a.m.
Enrolled House Bill No. 5190 at 11:38 a.m.
Enrolled House Bill No. 5191 at 11:40 a.m.
Enrolled House Bill No. 5192 at 11:42 a.m.
Enrolled House Bill No. 5193 at 11:44 a.m.
Enrolled House Bill No. 5194 at 11:46 a.m.
Enrolled House Bill No. 5195 at 11:48 a.m.
Enrolled House Bill No. 5196 at 11:50 a.m.
Enrolled House Bill No. 5197 at 11:52 a.m.
Enrolled House Bill No. 5198 at 11:54 a.m.
Enrolled House Bill No. 5199 at 11:56 a.m.
Enrolled House Bill No. 5200 at 11:58 a.m.
Enrolled House Bill No. 5202 at 12:00 p.m.
Enrolled House Bill No. 5203 at 12:02 p.m.
Enrolled House Bill No. 5304 at 12:04 p.m.

The Clerk announced that the following bill had been printed and placed upon the files of the members, Tuesday, June 16:

House Bill Nos. 5927 5928 5929 5930 5931 5932 5933 5934 5935 5936 5937 5938

Communications from State Officers

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

Notices of Filing Administrative Rules

May 26, 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 1:13 P.M. this date, administrative rule (98-05-6) for the Department of Consumer and Industry Services, Office of Commercial Services, entitled "*Architects*", effective 15 days hereafter.

May 26, 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 1:15 P.M. this date, administrative rule (98-05-7) for the Department of Consumer and Industry Services, Office of Commercial Services, entitled "*Barbers*", effective 15 days hereafter.

May 26, 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 1:17 P.M. this date, administrative rule (98-05-8) for the Department of Consumer and Industry Services, Office of Commercial Services, entitled "*Builders*", effective 15 days hereafter.

May 26, 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 (98-05-9) for the Department of Consumer and Industry Services, Office of Commercial Services, entitled "*Engineers*", effective 15 days hereafter.

May 26, 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 1:21 P.M. this date, administrative rule (98-05-10) for the Department of Consumer and Industry Services, Office of Commercial Services, entitled "*Foresters*", effective 15 days hereafter.

May 26, 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 1:23 P.M. this date, administrative rule (98-05-11) for the Department of Consumer and Industry Services, Office of Commercial Services, entitled "*Landscape Architects*", effective 15 days hereafter.

May 28, 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 1:08 P.M. this date, administrative rule (98-05-12) for the Department of Consumer and Industry Services, Office of Commercial Services, entitled "*Cemetery Regulation*", 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.

Introduction of Bills

Rep. Anthony introduced

House Bill No. 5939, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 61505a and part 620.

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

Reps. Raczkowski and Cassis introduced

House Bill No. 5940, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending section 8123 (MCL 600.8123), as amended by 1990 PA 54.

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

Reps. Cassis and Raczkowski introduced

House Bill No. 5941, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending section 8123 (MCL 600.8123), as amended by 1990 PA 54.

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

Reps. Rocca, Sanborn, Kukuk, Olshove and Gire introduced

House Bill No. 5942, entitled

A bill to amend 1917 PA 138, entitled "An act to authorize the creation of county libraries; to authorize the contracting by the board of supervisors of any county for library service; to authorize the contracting by the board of

supervisors of any county or the board of trustees of any regional library with any other municipality for the furnishing of such service; and to provide for a tax for the purposes of this act,” by amending section 2 (MCL 397.302), as amended by 1994 PA 77.

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

Reps. Sanborn, Horton, Richner, Lowe, Jansen, Kukuk, Cropsey, Goschka, Dalman, Green, Gernaat, Sikkema, Kaza, Birkholz, Jellema, Law, Walberg, Baade, Brewer, McBryde, Voorhees, Perricone and Scranton introduced

House Bill No. 5943, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 10 (MCL 380.10) as added by 1995 PA 289.

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

Reps. Richner, Scranton, Raczkowski, Birkholz, Jellema, Green, Godchaux, Kaza, Kukuk, Nye, Walberg, Cropsey, Johnson, Wetters, Horton, Jelinek, Cassis, Thomas, Hale, Basham, Lowe, Goschka, McManus, London, Olshove, Fitzgerald, Gubow, Varga, Dalman, Whyman, Gernaat, Bodem, Sikkema, Gustafson, Byl, Middleton, McNutt, Hammerstrom, Ciaramitaro, Schauer, Kelly, Parks, Law, Llewellyn, Harder, DeVuyst, Baade, Geiger, Sanborn, Gilmer, Perricone, Voorhees, Griffin, Frank, Oxender, Profit, Bobier, LeTarte, Bankes, Rhead, Mans, Brackenridge and Middaugh introduced

House Bill No. 5944, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 10204 (MCL 333.10204), as amended by 1988 PA 63.

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

Reps. Lowe, Scranton, Dobb, Nye, Cropsey, Bodem, McNutt, Goschka, Jellema, Green, Horton, Sikkema, Byl, McBryde, Richner, London, Kaza, Voorhees and Perricone introduced

House Bill No. 5945, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 3a (MCL 205.93a), as amended by 1993 PA 326.

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

Rep. Baade moved that the House adjourn.

The motion prevailed, the time being 4:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, June 17, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.