

**No. 3**  
**STATE OF MICHIGAN**  
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**OF THE**  
**House of Representatives**  
**90th Legislature**  
**REGULAR SESSION OF 1999**

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House Chamber, Lansing, Wednesday, January 27, 1999.

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.

Allen—present	Frank—present	Kuipers—present	Rison—present
Baird—present	Garcia—present	Kukuk—present	Rivet—present
Basham—present	Garza—present	LaForge—present	Rocca—present
Birkholz—present	Geiger—present	LaSata—present	Sanborn—present
Bisbee—present	Gielegem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—present
Bogardus—present	Godchaux—present	Lockwood—present	Scott—present
Bovin—present	Gosselin—present	Mans—present	Scranton—present
Bradstreet—present	Green—present	Martinez—present	Shackleton—present
Brater—present	Hager—present	Mead—present	Sheltrown—present
Brewer—present	Hale—present	Middaugh—present	Shulman—present
Brown, Bob—present	Hanley—present	Minore—present	Spade—present
Brown, Cameron—present	Hansen—present	Mortimer—present	Stallworth—present
Byl—present	Hardman—present	Neumann—present	Stamas—present
Callahan—present	Hart—present	O’Neil—present	Switalski—present
Cassis—present	Howell—present	Pappageorge—present	Tabor—present
Caul—present	Jacobs—present	Patterson—present	Tesanovich—present
Cherry—present	Jamnick—present	Perricone—present	Thomas—present
Clark—present	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—excused	Vander Roest—present
Daniels—present	Jellema—excused	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—present	Quarles—present	Vear—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—present	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Rev. Mark Frost, from the Trenton Church of Christ, offered the following invocation:

“Our Father in Heaven, as we gather together this afternoon we invite your presence to be among us and in us. Father, we confess to You that as human beings we are limited. We have limited foresight and we are easily deceived, we are swayed by pride, by lust, and by greed. And often times our wisdom is lacking. And so Father we turn to You, as many voices are directed toward us we pray that You will give us the perception to hear Your voice and the courage to follow. Father, I pray that this body may be guided by Your righteousness as they pursue integrity, honesty, and justice. I pray that they may be guided by Your love as they seek compassion, fairness, and forgiveness. May the actions of this body be ones that will honor You, and that will bless the people of this state. Father, I pray, Your richest blessings upon the members of this House, give them strength and courage equal to their task. I pray that those of us who are served by their efforts may conduct ourselves in a way that may make their tasks a joy and not a burden. I pray this in the name of our Lord. Amen.”

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Rep. DeWeese moved that Rep. Jellema be excused from today’s and tomorrow’s session due to illness. The motion prevailed.

Rep. Scott moved that Rep. Price be excused from today’s session. The motion prevailed.

Rep. Raczkowski moved that when the House adjourns today it stand adjourned until Thursday, January 28, at 6:00 p.m. The motion prevailed.

### Reports of Standing Committees

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

**House Bill No. 4033, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 51c.

With the recommendation that the bill pass.

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

#### Favorable Roll Call

**HB 4033** To Report Out:

Yeas: Reps. Cassis, Woronchak, Allen, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Vear,

Nays: None.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

**House Bill No. 4034, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 51b.

With the recommendation that the bill pass.

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

#### Favorable Roll Call

**HB 4034** To Report Out:

Yeas: Reps. Cassis, Woronchak, Allen, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Vear,

Nays: None.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

**House Bill No. 4035, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 51 (MCL 206.51), as amended by 1995 PA 194.

With the recommendation that the bill pass.

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

## Favorable Roll Call

**HB 4035** To Report Out:

Yeas: Reps. Cassis, Woronchak, Allen, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Vear,  
Nays: None.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

**House Bill No. 4036, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51d.  
With the recommendation that the bill pass.

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

## Favorable Roll Call

**HB 4036** To Report Out:

Yeas: Reps. Cassis, Woronchak, Allen, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Vear,  
Nays: Rep. O'Neil.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

**House Bill No. 4037, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51e.  
With the recommendation that the bill pass.

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

## Favorable Roll Call

**HB 4037** To Report Out:

Yeas: Reps. Cassis, Woronchak, Allen, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Vear,  
Nays: Reps. Minore, O'Neil.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

**House Bill No. 4038, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51f.  
With the recommendation that the bill pass.

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

## Favorable Roll Call

**HB 4038** To Report Out:

Yeas: Reps. Cassis, Woronchak, Allen, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Vear,  
Nays: Reps. Minore, O'Neil.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 27, 1999, at 10:00 a.m.,

Present: Reps. Cassis, Woronchak, Allen, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Vear, Quarles,  
Basham, Garza, Jammick, Minore, O'Neil, Switalski.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 27, 1999, at 11:30 a.m.,

Present: Reps. Hart, DeRossett, Cassis, Law, Shulman, LaForge, Gielegem, Hardman, Jacobs.

### 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, Wednesday, January 27:

**House Bill Nos. 4033 4034 4035 4036 4037 4038**

By unanimous consent the House returned to the order of

#### Motions and Resolutions

Reps. Jansen, Spade, Godchaux, Birkholz, Stamas, Gosselin, Caul, Howell, Voorhees, Toy, Byl, Scranton, Tesanovich, Richner, Kukuk, Raczkowski, Schauer, Vaughn, Scott, Prusi, Wojno, Kilpatrick, Rison, Jacobs, Martinez, DeHart, Mortimer, Kuipers, Tabor and Daniels offered the following resolution:

#### House Resolution No. 9.

A resolution recognizing the National Groundhog Job Shadow Day '99 Program.

Whereas, Education of our young people is a societal goal upheld by thoughtful people across our state; and

Whereas, The importance of education has been recognized time after time in our state's Constitution and laws; and

Whereas, Sound education is often a determining factor in a young person's future employment and quality of life; and

Whereas, Students benefit from the assistance of parents, the classroom attention of teachers, and from direct observation of workers, scholars and managers in the everyday work world; and

Whereas, Michigan businesses and organizations are joining the National Groundhog Job Shadow Day '99 Program to provide just such an educational experience to students; and

Whereas, This chance for students to see firsthand the work of many varied professions should greatly enhance their total education; and

Whereas, The Michigan House of Representatives congratulates the students who will benefit from the Job Shadow Program, and hope that their experiences will be of lasting, long-range benefit to themselves and our state; now, therefore, be it

Resolved by the House of Representatives, That tribute be paid to the organizers and participants in the National Groundhog Job Shadow Day '99 Program, and thanks be given to them for their willingness to contribute to students education outside the classroom; and be it further

Resolved, That copies of this resolution be transmitted to the coordinators of this event as evidence of our esteem.

Pending the reference of the resolution to a committee,

Rep. Raczkowski 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.

#### Introduction of Bills

Reps. Richner and Thomas introduced

#### House Bill No. 4039, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 60 (MCL 211.60), as amended by 1993 PA 291.

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

Rep. Patterson introduced

#### House Bill No. 4040, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11514a.

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

Rep. Ehardt introduced

#### House Bill No. 4041, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 11 (MCL 257.1811).

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

Rep. Raczkowski introduced  
**House Bill No. 4042, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 1a (MCL 247.651a).

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

Rep. Raczkowski introduced  
**House Bill No. 4043, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature 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 Family and Civil Law.

Reps. Neumann, Wojno, Schermesser, Schauer, Prusi, Bogardus and Pestka introduced  
**House Bill No. 4044, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding sections 531k and 531l.

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

Reps. Neumann, Wojno, Schermesser, Schauer, Prusi and Pestka introduced  
**House Bill No. 4045, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 1307 and 1308.

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

Reps. Brewer, Quarles, Kelly and Frank introduced  
**House Bill No. 4046, entitled**

A bill to prohibit the use of the name of a state agency or a name similar to the name of a state agency without fair compensation; and to provide penalties.

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

Reps. Brewer, Neumann, Quarles, Kelly and Frank introduced  
**House Bill No. 4047, entitled**

A bill to amend 1973 PA 196, entitled "An act to prescribe standards of conduct for public officers and employees; to create a state board of ethics and prescribe its powers and duties; and to prescribe remedies and penalties," by amending the title and section 5 (MCL 15.345), the title as amended by 1980 PA 481, and by adding section 2f.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Reps. Brewer, Neumann, Quarles, Kelly and Frank introduced

**House Bill No. 4048, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 270.

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

Reps. Brewer, Neumann, Quarles, Kelly and Frank introduced

**House Bill No. 4049, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1531d.

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

Reps. Brewer, Quarles, Kelly and Frank introduced

**House Bill No. 4050, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 262a.

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

Reps. Faunce, Richardville, Woronchak, DeWeese, Rick Johnson, Garcia, Geiger, Raczkowski and Van Woerkom introduced

**House Bill No. 4051, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 72, 83, 88, 89, 91, 110, 213, 317, 349, 520b, 520c, 520d, 529, and 530 (MCL 750.72, 750.83, 750.88, 750.89, 750.91, 750.110, 750.213, 750.317, 750.349, 750.520b, 750.520c, 750.520d, 750.529, and 750.530), section 110 as amended by 1994 PA 270, sections 520b and 520c as amended by 1983 PA 158, and section 520d as amended by 1996 PA 155, and by adding section 506b.

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

Rep. Callahan introduced

**House Bill No. 4052, entitled**

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

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

Rep. Callahan introduced

**House Bill No. 4053, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 47a.

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

Rep. Callahan introduced

**House Bill No. 4054, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 176 (MCL 168.176).

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

Rep. Callahan introduced

**House Bill No. 4055, entitled**

A bill to create the nuclear waste escrow fund; to provide for the deposit of certain fees in the fund; and to provide for the use of the fund.

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

Reps. Cherry, Lockwood, Minore, Martinez, Brater, Dennis and Bogardus introduced

**House Bill No. 4056, entitled**

A bill to amend 1978 PA 472, entitled "An act to regulate political activity; to regulate lobbyists, lobbyist agents, and lobbying activities; to require registration of lobbyists and lobbyist agents; to require the filing of reports; to

prescribe the powers and duties of the department of state; to prescribe penalties; and to repeal certain acts and parts of acts," (MCL 4.411 to 4.431) by adding section 21a.

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

Reps. Cherry, Minore, Martinez, Brater, Dennis, Price, Bogardus, Switalski and Thomas introduced

**House Bill No. 4057, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by repealing section 737a (MCL 168.737a).

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

Reps. Gosselin, Voorhees, Mortimer, Kuipers, Bishop, Jansen and Gilbert introduced

**House Joint Resolution C, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 12 of article IV, to provide that the state officers compensation commission's determination of certain salaries and expense allowances becomes effective only upon approval by the legislature.

The joint resolution was read a first time by its title and referred to the Committee on House Oversight and Operations.

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Rep. Woodward moved that the House adjourn.

The motion prevailed, the time being 3:05 p.m.

The Speaker declared the House adjourned until Thursday, January 28, at 6:00 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives.

