

No. 17
STATE OF MICHIGAN
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OF THE
House of Representatives
90th Legislature
REGULAR SESSION OF 1999

House Chamber, Lansing, Tuesday, March 2, 1999.

2:00 p.m.

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

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	Gieleghem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—excused
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—present	Vander Roest—present
Daniels—present	Jellema—present	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

Nathan Polzin, from the New Life Christian Fellowship Church in Mt. Pleasant, offered the following invocation:

“Dear Father God, we praise You for this day and the blessings that You have given us. We thank You for this great country that You have given us with the freedom we have to come and to do the people’s business. We know that all authority in heaven and earth is Yours. We know that every government has been established by Your will. I pray Your Holy Presence would be here today. I know that You have called each and every statesman and stateswoman to be in this House at this point in time to do Your work for the people of this great state. I pray Lord that each one will seek Your wisdom, counsel and guidance as they do the business of the people of Michigan today. Be sovereign here, we pray today. We thank You that they are willing to serve us this day as our representatives. And I pray Your special blessing on each member and their families today. In the precious name of Your Holy Son, Jesus Christ. Amen.”

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

Second Reading of Bills

House Bill No. 4059, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 1603 (MCL 324.1603), as added by 1995 PA 60.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Family and Civil Law (for amendment, see House Journal No. 11, p. 190),

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

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

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

Senate Bill No. 259, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending sections 113, 115, 131, 203, 204, 205, 217, 219, 221, 237, 241, 242, 246, 248, 251, 267, 303, 305, 342, 344, 350, 350a, 350e, 352, 353, 353e, 354, 355, 356, 363, 367, 367b, 367f, 371, 372, 384, 386, 393, 396, 404, 434, 443, 451, 454, 461, 462, 484, 485, 486, 492, and 493 (MCL 18.1113, 18.1115, 18.1131, 18.1203, 18.1204, 18.1205, 18.1217, 18.1219, 18.1221, 18.1237, 18.1241, 18.1242, 18.1246, 18.1248, 18.1251, 18.1267, 18.1303, 18.1305, 18.1342, 18.1344, 18.1350, 18.1350a, 18.1350e, 18.1352, 18.1353, 18.1353e, 18.1354, 18.1355, 18.1356, 18.1363, 18.1367, 18.1367b, 18.1367f, 18.1371, 18.1372, 18.1384, 18.1386, 18.1393, 18.1396, 18.1404, 18.1434, 18.1443, 18.1451, 18.1454, 18.1461, 18.1462, 18.1484, 18.1485, 18.1486, 18.1492, and 18.1493), section 113 as amended by 1987 PA 122, sections 115, 203, 205, 217, 221, 246, 342, 350, 367, 371, 372, 384, 386, 393, and 451 as amended and sections 204, 350a, 350e, 396, and 454 as added by 1988 PA 504, sections 219, 352, and 355 as amended and sections 367b and 367f as added by 1991 PA 72, section 353 as amended by 1994 PA 107, section 353e as added by 1997 PA 144, section 354 as amended by 1995 PA 286, section 363 as amended by 1993 PA 2, section 461 as amended by 1986 PA 251, and sections 484, 485, and 486 as added by 1986 PA 272, and by adding sections 237a, 281a, 430, and 451a; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Appropriations (for amendments, see House Journal No. 14, p. 214),

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

Rep. Raczkowski 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. Raczkowski 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

Senate Bill No. 259, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending sections 113, 115, 131, 203, 204, 205, 217, 219, 221, 237, 241, 242, 246, 248, 251, 267, 303, 305, 342, 344, 350, 350a, 350e, 352, 353, 353e, 354,

355, 356, 363, 367, 367b, 367f, 371, 372, 384, 386, 393, 396, 404, 434, 443, 451, 454, 461, 462, 484, 485, 486, 492, and 493 (MCL 18.1113, 18.1115, 18.1131, 18.1203, 18.1204, 18.1205, 18.1217, 18.1219, 18.1221, 18.1237, 18.1241, 18.1242, 18.1246, 18.1248, 18.1251, 18.1267, 18.1303, 18.1305, 18.1342, 18.1344, 18.1350, 18.1350a, 18.1350e, 18.1352, 18.1353, 18.1353e, 18.1354, 18.1355, 18.1356, 18.1363, 18.1367, 18.1367b, 18.1367f, 18.1371, 18.1372, 18.1384, 18.1386, 18.1393, 18.1396, 18.1404, 18.1434, 18.1443, 18.1451, 18.1454, 18.1461, 18.1462, 18.1484, 18.1485, 18.1486, 18.1492, and 18.1493), section 113 as amended by 1987 PA 122, sections 115, 203, 205, 217, 221, 246, 342, 350, 367, 371, 372, 384, 386, 393, and 451 as amended and sections 204, 350a, 350e, 396, and 454 as added by 1988 PA 504, sections 219, 352, and 355 as amended and sections 367b and 367f as added by 1991 PA 72, section 353 as amended by 1994 PA 107, section 353e as added by 1997 PA 144, section 354 as amended by 1995 PA 286, section 363 as amended by 1993 PA 2, section 461 as amended by 1986 PA 251, and sections 484, 485, and 486 as added by 1986 PA 272, and by adding sections 237a, 281a, 430, and 451a; 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. 60**Yeas—107**

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

Nays—0

In The Chair: Scranton

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

“An act to prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the

regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts.”

The House agreed to the full title.

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

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

Rep. Raczkowski moved that House Committees be given leave to meet during the balance of today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Thomas, Patterson, Byl, Vear, Wojno, DeVuyst, DeHart, Brater, Woodward, Kelly, Vaughn, Scott, LaForge, Caul, Richner, Cherry, Hale, Jansen, Reeves, Bogardus, Kilpatrick, Hanley, Clarke and Garza offered the following resolution:

House Resolution No. 23.

A resolution honoring Judge Claudia House Morcom.

Whereas, It is with deep appreciation for her service to the legal community that we honor Judge Claudia House Morcom as she receives the Harriet Tubman Award from the Black Women’s Lawyers Association of Michigan. Judge Morcom was singled out for this prestigious honor in recognition of her consistent dedication to assisting women in helping them attain excellence in the legal profession; and

Whereas, Following her graduation from Wayne State University Law School, Judge Morcom began her prestigious legal career as an associate member of Goodman, Crockett, Eden, Robb and Philo which was the first integrated law firm in the United States. In the mid 1960’s, Judge Morcom’s compassion for her community led her to Jackson, Mississippi where she served as the Southern Regional Director of the National Lawyers Guild Committee for Legal Assistance to the South. In 1966, she returned to Detroit and became a founding Director and Program Administrator for the Neighborhood Legal Services Centers. From 1972-1983, she was an Administrative Law Judge for the Michigan Bureau of Workers’ Compensation, a position in which she served diligently until her appointment to the Wayne County Circuit Court in 1983; and

Whereas, As one would expect from an individual such as Judge Morcom, her efforts are not limited only to her work in the courtroom. She has devoted a considerable amount of time and talent to endeavors benefiting her community. She currently sits on the Board of Directors of the Merrill Palmer Institute for Child and Family Counseling and Human Development Research. She has been a mentor for Nolan Middle School, the Boy Scouts of America Career Day Program and the Organization of Black Alumni at Wayne State University. In addition, she is a member of the Michigan Black Judges Association, the State Bar of Michigan, the National Bar Association, and the National Association of Women Judges. In 1996, she was honored by the State Bar of Michigan as a Champion of Justice and selected as a recipient of the Michigan Women’s Hall of Fame Life Achievement Award; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute in honor of Judge Claudia House Morcom as she is honored as the 1st Annual Harriet Tubman Award recipient by the Black Women’s Lawyers Association of Michigan; and be it further

Resolved, That copies of this resolution be transmitted to Judge Claudia House Morcom’s family, the Black Women’s Lawyers Association of Michigan and Judge Deborah Thomas of the Wayne County Circuit Court as a testament of our gratitude.

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.

Reps. Rick Johnson, Kukuk, DeRossett, Patterson, Julian, Byl, Vear, LaSata, Kowall, Birkholz, Vander Roest, Wojno, Pappageorge, DeVuyst, Middaugh, Koetje, Ehardt, Woodward, Cassis, Van Woerkom, Kelly, Vaughn, Allen, LaForge, Woronchak, Caul, Richner, Scranton, Green, Jansen, Bovin, Bradstreet, Kilpatrick, Sanborn, Garcia, Raczkowski and Garza offered the following resolution:

House Resolution No. 24.

A resolution encouraging schools to develop “Experience Corps” to help to promote literacy and foster a desire for reading.

Whereas, March is known as Reading Month and innovative ideas and methods are created to continue in the efforts of promoting literacy; and

Whereas, The Governor of the State of Michigan has made great strides in combating illiteracy by creating the Reading Plan for Michigan, R.E.A.D.Y. (Read, Educate and Develop Youth) Tool Kits and is still expanding these endeavors as newly outlined in the State of the State Address; and

Whereas, It is in this spirit that state leaders and educators come together to address this issue that so greatly affects numerous youth in our state; and

Whereas, America is experiencing increased participation in volunteerism. It is important to encourage schools to utilize this opportunity by creating an "Experience Corps" that will provide tutors and mentors for students; and

Whereas, "Experience Corps" consists of retired seniors volunteering to help children learn how to read and thereby providing a foundation to augment education; and

Whereas, In efforts to further empower children with developing their reading skills, parents are challenged to read to their children one-half hour a day at least three times a week; and

Whereas, Reading is an undisputable lifelong tool that is essential in our increasingly high-technology society; now, therefore, be it

Resolved by the House of Representatives, That schools are hereby encouraged to develop "Experience Corps" to help promote literacy and foster a desire for reading; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Board of Education.

The resolution was referred to the Committee on Education.

Rep. Julian offered the following resolution:

House Resolution No. 25.

A resolution commemorating the month of October 1999 as Polka Month in the State of Michigan.

Whereas, The members of the Michigan House are pleased and delighted to commemorate the month of October as Polka Month in the State of Michigan. Polka music is known for its rhythmic and melodious sound that brings joy to everyone who has the privilege of hearing it. Polka music is rich in heritage and is truly known everywhere as happy music; and

Whereas, Polka music is loaded with unbridled energy and unbounded joy and has brought happiness to the hearts of millions of its listeners over the many years since its very beginning. Indeed, the very sound of polka music communicates the culture of a proud and appreciative people, rich with history and heritage; and

Whereas, Polka music has thrived and grown in popularity since it was brought over to the United States by people who were proud of their culture and heritage. They have been able to successfully pass that proud culture and heritage on to their descendants who have kept the music alive in a manner that has brought honor and joy to polka music admirers everywhere; and

Whereas, Polka music is entirely wholesome and fun family entertainment that is enjoyed by people of all ages. Many gatherings of people have instantly been enlivened by the beautiful melodic sounds of polka music; and

Whereas, We are thankful for all radio stations in the State of Michigan that faithfully play polka music for young and old to listen to and enjoy. These stations have labored most successfully in causing us all to remember and carry on that proud culture and heritage of polka music. Our own country, the United States of America, has benefitted greatly from the rich and beautiful melodic sounds of polka music; now, therefore, be it

Resolved by the House of Representatives, That on March 7, 1999, in Bannister, Michigan, we do hereby commemorate the month of October as Polka Month in the State of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to polka music fans throughout the State of Michigan as evidence of our most highest 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.

Reps. Prusi, Richardville and Bovin offered the following resolution:

House Resolution No. 26.

A resolution to memorialize the Congress of the United States and the Veterans Affairs Administration to prevent the reduction of hospital bed capacity at the Iron Mountain Veterans Administration Medical Care Facility.

Whereas, The veterans who are treated at the Iron Mountain VA Medical Care Facility (VAMCF) have served our country with extreme dedication. They are deserving of our respect and care every day, not just on Veterans Day. We

urge administrators and directors at the Veterans Affairs Health Administration to prevent the implementation of a policy that would greatly reduce the level of quality health care services for our veterans, especially in the Upper Peninsula and northern Wisconsin; and

Whereas, The Iron Mountain VA Medical Care Facility covers a patient service area of over 25,000 square miles. Veterans from the Upper Peninsula and northern Wisconsin depend on the full range of services provided by this facility. It is callous to ask veterans suffering from illness to travel approximately 300 miles (Sault Ste. Marie to Iron Mountain) and then another 200 miles (Iron Mountain to Milwaukee) by bus to receive care. This is what the Department of Veterans Affairs is asking of our veterans in the Upper Peninsula. In December of 1998, the VA bus broke down on the way to Milwaukee with 34 veterans who needed care. A second bus was called from Milwaukee to pick up the veterans and it also broke down. This is not a situation that facilitates a return to health; and

Whereas, There is a need for an increase of hospital beds in Iron Mountain, not a decrease. Several years ago, this hospital had approximately 200 beds. The decrease to the current 17 beds far surpasses the national decrease of VA bed utilization and places a tremendous hardship on our veterans and their families; and

Whereas, By providing quality outpatient services to veterans closer to their homes, the quality of care and the number of veterans served has been substantially improved. It does not make sense to reduce services to a facility that is providing much needed and necessary services. It is wrong to force our veterans to travel many hours, in harsh conditions, away from their families, and more appropriate to continue to provide the full range of services our veterans deserve at the Iron Mountain VA Medical Care Facility; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States and the Veterans Affairs Administration to prevent the reduction of hospital bed capacity at the Iron Mountain Veterans Administration Medical Care Facility; and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, Dr. Togo West, Jr., Secretary, Veterans Health Administration, Dr. Kenneth Kizer, Undersecretary of Health, VA Administration, Dr. Hershel Gober, Deputy Secretary for Health, VA Administration and Dr. J. Cummings, Regional VA Network Director, Department of Veterans Affairs.

The resolution was referred to the Committee on Veterans Affairs.

Reps. Shackleton, Julian, Patterson, Ehardt, Van Woerkom, LaSata, Bisbee, Gilbert, Hager, Bovin, Middaugh, Sanborn, Richner, Kukuk, Tabor, Bradstreet, Kowall, Pappageorge, Vear, DeWeese and Caul offered the following resolution:

House Resolution No. 27.

A resolution to memorialize the Congress of the United States to enact legislation to permit states to regulate the flow of solid waste from another state or country.

Whereas, Citizens in certain areas of our state have expressed strong concern over the flow of solid waste into Michigan landfills from other states and Canada. Many people feel that this uses up limited storage capacity that our own state will one day need. Some worry that Michigan and its local units of government are taking on unnecessary future risks if there are problems resulting from trash imported from outside the state; and

Whereas, A significant percentage of solid waste disposed in Michigan comes from outside our state. According to the Department of Environmental Quality, approximately 46 million cubic yards of solid waste was disposed of in Michigan in 1998. Of this total amount, approximately 12 percent came from outside the state. Of the imported solid waste, nearly half (44 percent) came from Canada; and

Whereas, In recent years, Congress has considered bills that would have extended authority to the states to regulate the flow of imported solid waste. States have also tried to prohibit the importation of solid waste, but these laws have been overturned in federal court. This is an issue that involves many other states and many communities across the country; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to permit states to regulate the flow of solid waste from another state or country; 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.

The resolution was referred to the Committee on Conservation and Outdoor Recreation.

THIS RESOLUTION IS OFFERED TO COMPLY WITH ARTICLE V, SECTION 2 OF THE CONSTITUTION OF THE STATE OF MICHIGAN.

Reps. Neumann, Kelly, Rivet, Frank, Daniels, Quarles, Reeves, Basham, Jamnick, Garza, Bovin, Minore, Jacobs, Stallworth, Bob Brown, Clarke, Schauer, Cherry, Callahan, Sheltrown, Gielegem, Wojno, Dennis, Woodward, Spade, Brater, Brewer, Price, Thomas, Byl, Vear, DeHart, Baird, Martinez, Scott, LaForge, Hale, Bogardus and Kilpatrick offered the following concurrent resolution:

House Concurrent Resolution No. 11.

A concurrent resolution to disapprove Executive Order 1999-1 on executive reorganization.

Whereas, On February 3, 1999, Governor Engler, pursuant to authority outlined in Article V, Section 2 of the Constitution of the State of Michigan of 1963, issued Executive Order 1999-1. This proposal on executive reorganization seeks to provide for changes in responsibilities within the Department of Michigan Jobs Commission, the Department of Management and Budget, and the Michigan Strategic Fund; and

Whereas, Article V, Section 2 of the Constitution of the State of Michigan of 1963 also provides:

Where these changes require the force of law, they shall be set forth in executive orders and submitted to the legislature. Thereafter the legislature shall have 60 calendar days of a regular session, or a full regular session if of shorter duration, to disapprove each executive order. Unless disapproved in both houses by a resolution concurred in by a majority of the members elected to and serving in each house, each order shall become effective at a date thereafter to be designated by the governor.

; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of the Michigan Legislature, pursuant to Article V, Section 2 of the Constitution of the State of Michigan, disapprove Executive Order 1999-1; and be it further

Resolved, That a copy of this resolution be transmitted to the office of the Governor.

The concurrent resolution was referred to the Committee on House Oversight and Operations.

Reports of Standing Committees

The Committee on Agriculture and Resource Management, by Rep. Green, Chair, reported

House Bill No. 4323, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 721 (MCL 257.721), as amended by 1995 PA 248.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4323 To Report Out:

Yeas: Reps. Green, Julian, Bradstreet, DeRossett, DeVuyst, Ehardt, Howell, Rick Johnson, Koetje, Vear, Brater, Bogardus, Hansen, Rivet, Sheltroun, Spade,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 2, 1999, at 9:00 a.m.,

Present: Reps. Green, Julian, Bradstreet, DeRossett, DeVuyst, Ehardt, Howell, Rick Johnson, Koetje, Vear, Brater, Bogardus, Hansen, Rivet, Sheltroun, Spade,

Absent: Rep. LaForge,

Excused: Rep. LaForge.

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

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 committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

Favorable Roll Call

HB 4039 To Report Out:

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

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

Senate Bill No. 102, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as added by 1998 PA 328.

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

1. Amend page 2, line 18, after "ENGAGED" by inserting "PRIMARILY".

2. Amend page 4, line 2, after "district." by inserting "AS USED IN THIS SUBDIVISION, NEW PERSONAL PROPERTY DOES NOT INCLUDE BUILDINGS DESCRIBED IN SECTION 14 (6) AND PERSONAL PROPERTY DESCRIBED IN SECTION 8 (H), (I), AND (J).".

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

Favorable Roll Call

SB 102 To Report Out:

Yeas: Reps. Cassis, Allen, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vear, Quarles, Basham, Minore, O'Neil,

Nays: Reps. Vander Roest, Switalski.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 2, 1999, at 9:00 a.m.,

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

The Committee on Constitutional Law and Ethics, by Rep. Bishop, Chair, reported

House Bill No. 4242, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 558 (MCL 168.558), as amended by 1997 PA 137.

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 4242 To Report Out:

Yeas: Reps. Bishop, Patterson, Bradstreet, Green, Rocca, Vaughn, Brater, Lemmons,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bishop, Chair of the Committee on Constitutional Law and Ethics, was received and read:

Meeting held on: Tuesday, March 2, 1999, at 12:00 Noon,

Present: Reps. Bishop, Patterson, Bradstreet, Green, Rocca, Vaughn, Brater, Lemmons,

Absent: Rep. Garza,

Excused: Rep. Garza.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Garcia, Chair of the Committee on Economic Development, was received and read:

Meeting held on: Tuesday, March 2, 1999, at 9:00 a.m.,

Present: Reps. Garcia, Kowall, Bisbee, Richardville, Van Woerkom, Bob Brown, Lockwood, Mans, Vaughn.

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: Tuesday, March 2, 1999, at 12:00 Noon,

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 bill had been printed and placed upon the files of the members, Wednesday, February 24:

Senate Bill No. 390

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

House Bill Nos. 4287 4288 4289 4290 4291 4292 4293 4294 4295 4296 4297 4298 4299 4300
4301 4302 4303 4304 4305 4306 4307 4308 4309 4310 4311 4312 4313 4314
4315 4316 4317 4318 4319 4320 4321 4322 4323 4324 4325 4326 4327 4328

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, March 1:

House Bill Nos. 4329 4330 4331 4332 4333 4334 4335 4336 4337 4338 4339 4340 4341 4342
4343 4344 4345 4346 4347 4348 4349

The Clerk announced that the following Senate bill had been received on Tuesday, March 2:

Senate Bill No. 297

By unanimous consent the House returned to the order of

Messages from the Senate**Senate Bill No. 297, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 402 and 471a (MCL 380.402 and 380.471a), section 471a as amended by 1982 PA 71, and by adding part 5A and section 449.

The Senate has passed the bill.

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

Messages from the Governor

The following messages from the Governor, approving and signing the following bills at the times designated below, were received and read:

Date: February 25, 1999

Time: 11:45 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4035 (Public Act No. 1, I.E.), being

An act to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers

and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts," by amending section 51 (MCL 206.51), as amended by 1995 PA 194.

(Filed with the Secretary of State February 25, 1999, at 2:14 p.m.)

Date: February 25, 1999

Time: 11:47 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4034 (Public Act No. 2, I.E.), being

An act to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts," (MCL 206.1 to 206.532) by adding section 51b.

(Filed with the Secretary of State February 25, 1999, at 2:16 p.m.)

Date: February 25, 1999

Time: 11:49 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4033 (Public Act No. 3, I.E.), being

An act to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts," (MCL 206.1 to 206.532) by adding section 51c.

(Filed with the Secretary of State February 25, 1999, at 2:17 p.m.)

Communications from State Officers

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

February 26, 1999

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

Financial Audit of the
State Employees' Deferred Compensation
Fund I and Fund II
Department of Treasury
October 1, 1996 through September 30, 1997

March 2, 1999

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

Performance Audit of the
Cadillac Local Development Finance Authority
March 1999

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

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

Introduction of Bills

Reps. Gosselin, Pappageorge, Kukuk, Voorhees, Ehardt, Bradstreet and Jansen introduced

House Bill No. 4350, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 625, 625a, 625c, 625g, and 625m (MCL 257.303, 257.625, 257.625a, 257.625c, 257.625g, and 257.625m), sections 303 and 625a as amended by 1998 PA 351, sections 625 and 625c as amended by 1998 PA 350, section 625g as amended by 1994 PA 450, and section 625m as amended by 1998 PA 347.

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

Rep. Gosselin introduced

House Bill No. 4351, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 48 of chapter XVII (MCL 777.48), as added by 1998 PA 317.

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

Rep. Gosselin introduced

House Bill No. 4352, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16l of chapter XVII (MCL 777.16l), as added by 1998 PA 317.

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

Reps. Neumann, Pestka, Frank, Kelly, Daniels, Quarles, Reeves, Basham, Jannick, Garza, Bovin, Minore, Jacobs, Rivet, Bob Brown, Clarke, Schauer, Cherry, Callahan, Sheltroun, Gielegem, Wojno, Dennis, Woodward, Spade, Brater, Lockwood, Brewer, Price and Thomas introduced

House Bill No. 4353, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 520 and 522 (MCL 206.520 and 206.522), section 520 as amended by 1995 PA 245 and section 522 as amended by 1996 PA 484.

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

Reps. Gosselin, Kuipers, Kukuk, Patterson, Voorhees, Gilbert, Ehardt, Bishop and Bradstreet introduced

House Bill No. 4354, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 217d.

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

Reps. Howell, Faunce, Sanborn, Julian, Tabor, Richner, Bishop, Vander Roest and Shulman introduced

House Bill No. 4355, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16f of chapter XVII (MCL 777.16f), as added by 1998 PA 317.

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

Reps. Faunce, Sanborn, Julian, Tabor, Richner, Bishop, Vander Roest and Shulman introduced

House Bill No. 4356, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 110a (MCL 750.110a), as added by 1994 PA 270.

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

Rep. Law introduced

House Bill No. 4357, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86; and to repeal acts and parts of acts.

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

Reps. Law, Woronchak, Richner and Green introduced

House Bill No. 4358, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5509 (MCL 700.5509).

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Rep. Faunce introduced

House Bill No. 4359, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 520a (MCL 750.520a), as amended by 1983 PA 158.

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

Reps. Schermesser, Hale and DeHart introduced

House Bill No. 4360, entitled

A bill to provide for actions on behalf of the people of the state for damages caused by unlawful burning; and to provide for remedies and sanctions.

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

Reps. Scranton, Caul, Mortimer and Tabor introduced

House Bill No. 4361, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 1996 PA 476.

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

Reps. Price, Jamnick, Cherry, Lockwood, Switalski, Hansen, Brater, Hale, Vaughn, Kelly, Lemmons, Garza, Frank, Gielegghem, Rivet, LaForge, Jacobs, Reeves, Bogardus, Minore, Schauer, Woodward, Martinez, Spade, Dennis, Clarke, Daniels, Kilpatrick and Thomas introduced

House Bill No. 4362, entitled

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

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Rep. Stallworth moved that the House adjourn.

The motion prevailed, the time being 3:20 p.m.

Associate Speaker Pro Tempore Scranton declared the House adjourned until Wednesday, March 3, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.