

No. 72
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House of Representatives
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House Chamber, Lansing, Thursday, October 21, 1999.

12:00 Noon.

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

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—excused	Spade—present
Brown, Cameron—present	Hansen—present	Mortimer—present	Stallworth—present
Byl—present	Hardman—present	Neumann—present	Stamas—present
Callahan—excused	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—e/d/s	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	Year—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

Rep. Steve Pestka, from the 76th District, offered the following invocation:

“This is one of my favorite passages from the Bible. These words were written or uttered approximately 2,500 years ago and I think that the interesting thing is that they are probably just as true today as they were then. From Isaiah:

This is my chosen task: to loosen all the bonds that bind men unfairly; to let the oppressed go free; to break every yoke. Share your bread with the hungry; take the homeless into your home. Clothe the naked when you see him—do not turn away from people in need. Then cleansing light shall break forth like the dawn, and your wounds shall soon be healed. Your triumph shall go before you and the Lord’s glory shall be your rear guard. Then you shall call and the Lord will answer; you shall cry out and He will say, ‘Here I am.’

If you remove from your midst the yoke of oppression, the finger of scorn, and the tongue of malice, if you put yourself out for the hungry and relieve the wretched, then shall your light shine in the darkness, and your gloom shall be as noonday. And the Lord will guide you continually. He will refresh you in dry places, renewing your strength. And you shall be like a watered garden; like a never-failing spring. And you shall rebuild ancient ruins; restoring old foundations. You shall be known as the builder of broken walls; the restorer of dwelling places. This is the promise of the Lord. Amen.”

Rep. Scott moved that Reps. Callahan and Minore be excused from today’s session.
The motion prevailed.

Associate Speaker Pro Tempore Scranton assumed the Chair.

Second Reading of Bills

House Bill No. 4587, entitled

A bill to protect against interest, fines, penalties, and other fees and finance charges by political subdivisions for billing errors caused by computer date failures.

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

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

Reps. DeHart and Birkholz moved to amend the bill as follows:

1. Amend page 3, following line 19, by inserting:

“Sec. 4. This act does not take effect unless House Bill No. 4469 and House Bill No. 4588 of the 90th Legislature are enacted into law.”

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

Rep. Birkholz 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

House Bill No. 4587, entitled

A bill to protect against interest, fines, penalties, and other fees and finance charges by political subdivisions for billing errors caused by computer date failures.

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

Roll Call No. 903

Yeas—107

Allen
Baird

Frank
Garcia

Kowall
Kuipers

Rivet
Rocca

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

Nays—0

In The Chair: Scranton

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

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

A bill to protect against interest, fines, penalties, and other fees and finance charges by political subdivisions for billing errors caused by computer date failures; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 4588, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," by amending sections 1, 7, and 13 (MCL 691.1401, 691.1407, and 691.1413), sections 1 and 13 as amended by 1986 PA 175 and section 7 as amended by 1996 PA 143, and by adding section 7a.

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. 63, p. 1848),

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

Rep. Switalski moved to substitute (H-3) the bill.

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

Reps. DeHart and Birkholz moved to amend the bill as follows:

1. Amend page 9, line 5, after "4469" by inserting "and House Bill No. 4587".

2. Amend page 9, line 5, after "Legislature" by striking out "is" and inserting "are".

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

Rep. Shulman 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.

Rep. Perricone entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4588, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," by amending sections 1, 7, and 13 (MCL 691.1401, 691.1407, and 691.1413), sections 1 and 13 as amended by 1986 PA 175 and section 7 as amended by 1996 PA 143, and by adding section 7a.

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

Roll Call No. 904

Yeas—106

Allen	Frank	Kuipers	Rivet
Baird	Garcia	Kukuk	Rocca
Basham	Garza	LaForge	Sanborn
Birkholz	Geiger	LaSata	Schauer
Bisbee	Gielegem	Law	Schermesser
Bishop	Gilbert	Lemmons	Scott
Bogardus	Godchaux	Lockwood	Scranton
Bovin	Gosselin	Mans	Shackleton
Bradstreet	Green	Martinez	Sheltrown
Brater	Hager	Mead	Shulman
Brewer	Hale	Middaugh	Spade
Brown, B.	Hanley	Mortimer	Stallworth
Brown, C.	Hansen	Neumann	Stamas
Byl	Hardman	O'Neil	Switalski
Cassis	Hart	Pappageorge	Tabor
Caul	Howell	Patterson	Tesanovich
Cherry	Jacobs	Pestka	Thomas
Clark, I.	Jamnack	Price	Toy
Clarke, H.	Jansen	Prusi	Van Woerkom
Daniels	Jelinek	Pumford	Vander Roest

DeHart	Jellema	Quarles	Vaughn
Dennis	Johnson, Rick	Rackowski	Vear
DeRossett	Johnson, Ruth	Reeves	Voorhees
DeVuyst	Julian	Richardville	Wojno
DeWeese	Kelly	Richner	Woodward
Ehardt	Koetje	Rison	Woronchak
Faunce	Kowall		

Nays—0

In The Chair: Scranton

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

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

A bill to amend 1964 PA 170, entitled “An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts,” by amending section 7 (MCL 691.1407), as amended by 1996 PA 143, and by adding section 7a; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 4469, entitled

A bill to amend 1964 PA 170, entitled “An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts,” by amending section 1 (MCL 691.1401), as amended by 1986 PA 175, and by adding section 7a.

The bill was read a second time.

Rep. Switalski moved to substitute (H-3) the bill.

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

Reps. DeHart and Birkholz moved to amend the bill as follows:

1. Amend page 5, line 5, after “unless” by inserting “House Bill No. 4587 and”.
2. Amend page 5, line 5, after “Legislature” by striking out “is” and inserting “are”.

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

Rep. DeHart 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. Rackowski 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. 4469, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," by amending section 1 (MCL 691.1401), as amended by 1986 PA 175, and by adding section 7a.

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

Roll Call No. 905

Yeas—107

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

Nays—0

In The Chair: Scranton

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

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

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of

certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts,” by adding section 7b; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 4424, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9948) by adding section 2969.

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

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

Rep. Kukuk 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.



Rep. Raczkowski moved that Rep. Perricone be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4424, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9948) by adding section 2969.

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

Roll Call No. 906

Yeas—106

Allen	Frank	Kuipers	Rivet
Baird	Garcia	Kukuk	Rocca
Basham	Garza	LaForge	Sanborn
Birkholz	Gielegem	LaSata	Schauer
Bisbee	Gilbert	Law	Schermesser
Bishop	Godchaux	Lemmons	Scott
Bogardus	Gosselin	Lockwood	Scranton
Bovin	Green	Mans	Shackleton
Bradstreet	Hager	Martinez	Sheltrown
Brater	Hale	Mead	Shulman
Brewer	Hanley	Middaugh	Spade
Brown, B.	Hansen	Mortimer	Stallworth

Brown, C.	Hardman	Neumann	Stamas
Byl	Hart	O'Neil	Switalski
Cassis	Howell	Pappageorge	Tabor
Caul	Jacobs	Patterson	Tesanovich
Cherry	Jamnick	Pestka	Thomas
Clark, I.	Jansen	Price	Toy
Clarke, H.	Jelinek	Prusi	Van Woerkom
Daniels	Jellema	Pumford	Vander Roest
DeHart	Johnson, Rick	Quarles	Vaughn
Dennis	Johnson, Ruth	Raczkowski	Vear
DeRossett	Julian	Reeves	Voorhees
DeVuyst	Kelly	Richardville	Wojno
DeWeese	Kilpatrick	Richner	Woodward
Ehardt	Koetje	Rison	Woronchak
Faunce	Kowall		

Nays—0

In The Chair: Scranton

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

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

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2970; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 4737, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2969.

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

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

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

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

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

House Bill No. 4737, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2969.

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

Roll Call No. 907

Yeas—103

Allen	Frank	Kowall	Rison
Baird	Garcia	Kuipers	Rivet

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

Nays—4

Brewer Lemmons Scott Vaughn

In The Chair: Scranton

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

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

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by amending the title and by adding section 2969; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Gosselin, Mans, Cassis, Julian, Raczkowski, Pappageorge and Vander Roest offered the following resolution:
House Resolution No. 207.

A resolution in support of the term limits adopted by the people of Michigan in 1992.

Whereas, Term limits were approved by the people of Michigan in a landslide 59-41 percent 1992 vote; and

Whereas, In recent polls, voters have confirmed their 1992 decision, opposing by a 56-40 percent margin proposals to lengthen the maximum time in office to twelve years for legislative and executive offices; and

Whereas, Potent opposition to term limits still remains among establishment politicians and special interest lobbies, which outspent supporters by a wide margin in 1992 and then unsuccessfully sought to defy the will of the people in federal and state courts; and

Whereas, Claims that term limits empower special interest lobbyists are belied by the almost universal opposition from those same lobbyists; and

Whereas, Term limits contribute to other forms of political reform, as illustrated by a recent study of candidates for state legislatures, which showed 67 percent of challengers who won their election support political reform, opposed to just 47 percent of returning incumbents; and

Whereas, Term limits will save the taxpayers money, since term-limited legislators will receive a lower level of pension benefit for each year served; and

Whereas, Despite the earlier claims of opponents, term limits have worked well in the Michigan House of Representatives with its 64 new members. The first set of appropriations bills were passed in the same amount of time as in previous, non-term limited legislatures; and

Whereas, Appropriations bills first passed by the Michigan House of Representatives contained very small additions to the recommended executive budget, while those passed in earlier years contained much greater increases in government spending, indicating that new House members are representing the true constituents in their districts, rather than artificial constituencies in state departments; and

Whereas, Freshmen members of the Michigan House have demonstrated in many other ways that they are up to the job and are, in fact, able to take on difficult legislative challenges that would have been stifled without term limits; now, therefore, be it

Resolved by the House of Representatives, That we support the term limits passed by the people in 1992, in the form in which they were passed, and will oppose any effort to extend the length of terms, the number of terms, or in any other way violate the will of the people as expressed in the 1992 term limits initiative vote.

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

Reports of Standing Committees

The Committee on Local Government and Urban Policy, by Rep. Birkholz, Chair, reported

House Bill No. 4380, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 31 (MCL 42.31).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4380 To Report Out:

Yeas: Reps. Birkholz, Hager, Bishop, DeWeese, Julian, Tabor, Vander Roest, Jamnick, Minore,

Nays: None.

The Committee on Local Government and Urban Policy, by Rep. Birkholz, Chair, reported

House Bill No. 5008, entitled

A bill to amend 1945 PA 246, entitled "An act to authorize township boards to adopt ordinances and regulations to secure the public health, safety and general welfare; to provide for the establishment of a township police department; to provide for policing of townships by certain law enforcement officers and agencies; to provide for the publication of ordinances; to prescribe powers and duties of township boards and certain local and state officers and agencies; to provide sanctions; and to repeal all acts and parts of acts in conflict with the act," by amending sections 1, 4, and 5 (MCL 41.181, 41.184, and 41.185), section 1 as amended by 1994 PA 315, section 4 as amended by 1994 PA 14, and section 5 as added by 1989 PA 78.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5008 To Report Out:

Yeas: Reps. Birkholz, Hager, DeWeese, Julian, Tabor, Vander Roest, Lockwood, Jamnick, Minore, Reeves,

Nays: None.

The Committee on Local Government and Urban Policy, by Rep. Birkholz, Chair, reported

House Bill No. 5009, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 23 (MCL 78.23), as amended by 1982 PA 373.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5009 To Report Out:

Yeas: Reps. Birkholz, Hager, DeWeese, Julian, Tabor, Vander Roest, Lockwood, Jamnick, Minore, Reeves,
Nays: None.

The Committee on Local Government and Urban Policy, by Rep. Birkholz, Chair, reported

House Bill No. 5010, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 4 of chapter VI (MCL 66.4), as amended by 1998 PA 255.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5010 To Report Out:

Yeas: Reps. Birkholz, Hager, DeWeese, Julian, Tabor, Vander Roest, Lockwood, Jamnick, Minore, Reeves,
Nays: None.

The Committee on Local Government and Urban Policy, by Rep. Birkholz, Chair, reported

House Bill No. 5016, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 3 (MCL 117.3), as amended by 1993 PA 207.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5016 To Report Out:

Yeas: Reps. Birkholz, Hager, DeWeese, Julian, Tabor, Vander Roest, Lockwood, Jamnick, Minore, Reeves,
Nays: None.

The Committee on Local Government and Urban Policy, by Rep. Birkholz, Chair, reported

Senate Bill No. 454, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 508 (MCL 206.508), as amended by 1990 PA 283.

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

Favorable Roll Call

SB 454 To Report Out:

Yeas: Reps. Birkholz, Hager, Bishop, DeWeese, Julian, Tabor, Vander Roest, Lockwood, Jamnick, Minore,
Nays: None.

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, October 21, 1999, at 9:00 a.m.,

Present: Reps. Birkholz, Hager, Bishop, DeWeese, Julian, Tabor, Vander Roest, Lockwood, Jamnick, Minore, Reeves.

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: Wednesday, October 20, 1999, at 4:55 p.m.,

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

Absent: Rep. Rick Johnson,

Excused: Rep. Rick Johnson.

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, Thursday, October 21:

House Bill Nos. 5005 5006 5007 5011 5012 5013 5014 5015 5017

The Clerk announced that the following Senate bills had been received on Thursday, October 21:

Senate Bill Nos. 55 614 631 706 726 735 736 754 757 762 809

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4132, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 115p.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 4310, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2000; and to provide for the expenditure of the appropriations.

The Senate has passed the bill and ordered that it be given immediate effect.

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

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 Senate has passed the bill and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

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 Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 4479, entitled

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

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 4480, entitled

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

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 4481, entitled

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

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 4482, entitled

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

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 4483, entitled

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

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 4484, entitled

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

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 4485, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 402c.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 4486, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21052b.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 4487, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2212b.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Senate Bill No. 55, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 16277 and 20190.

The Senate has passed the bill.

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

Senate Bill No. 614, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1178 (MCL 380.1178), as amended by 1995 PA 289.

The Senate has passed the bill.

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

Senate Bill No. 631, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1179.

The Senate has passed the bill.

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

Senate Bill No. 706, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1317.

The Senate has passed the bill.

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

Senate Bill No. 726, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding section 3a.

The Senate has passed the bill.

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

Senate Bill No. 735, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411r.

The Senate has passed the bill.

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

Senate Bill No. 736, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 754, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 701.1 to 712A.32) by adding section 18l to chapter XIA.

The Senate has passed the bill.

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

Senate Bill No. 757, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 31 and 32 (MCL 552.631 and 552.632), as amended by 1996 PA 301.

The Senate has passed the bill.

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

Senate Bill No. 762, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending sections 836 and 837 (MCL 418.836 and 418.837), as amended by 1994 PA 271.

The Senate has passed the bill.

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

Senate Bill No. 809, entitled

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; and to declare the effect of this act," by amending the title and section 14 (MCL 205.14), the title as amended and section 14 as added by 1998 PA 368.

The Senate has passed the bill.

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

Communications from State Officers

The following communication from the Northeast Michigan Consortium Workforce Development Board was received and read:

October 20, 1999

The Workforce Development Board of Northeast Michigan Consortium has prepared the final Work First Welfare to Work Plan for Program Year 1998.

A copy of the Plan is available at Northeast Michigan Consortium, P. O. Box 711, Onaway, Michigan 49765 for public review. Please address questions or comments to Terry L. Basel, Program Coordinator.

The communication was referred to the Clerk.

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

October 20, 1999

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

Performance Audit
of the
Bureau of Human Resource Services
Department of Civil Service
October 1999

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

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

Introduction of Bills

Rep. Stallworth introduced

House Bill No. 5023, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 10102a (MCL 333.10102a), as added by 1986 PA 186.

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

Reps. Basham, Martinez, Neumann, DeHart, Hale, Quarles, Daniels and Schermesser introduced

House Bill No. 5024, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30301, 30307, and 30309 (MCL 324.30301, 324.30307, and 324.30309), sections 30301 and 30309 as added by 1995 PA 59 and section 30307 as amended by 1998 PA 228, and by adding sections 30301a and 30324.

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

Rep. Jellema moved that the House adjourn.

The motion prevailed, the time being 2:15 p.m.

Associate Speaker Pro Tempore Scranton declared the House adjourned until Tuesday, October 26, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.