

No. 42
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
90th Legislature
REGULAR SESSION OF 2000

House Chamber, Lansing, Wednesday, May 10, 2000.

2:00 p.m.

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—excused	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—excused	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—excused	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—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	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. John Koski, from Assembly of God in Dearborn, offered the following invocation:

“I Can Pray - Children’s Book:

My mother showed me how to use the fingers on my hand to help me pray. She said my thumb is closest to my heart. It can remind me to pray for everyone I love most—like Mommy and Daddy, relatives, and friends. My preacher and my teachers sometimes use their index fingers to point out lessons in the Bible or my schoolwork. That reminds me to pray for my preacher and teachers in my church and my school. My middle finger stands high above all the other fingers on my hand. It reminds me to pray for our president and other leaders in our government. My ring finger is the weakest finger on my hand. It reminds me to pray for people who are sick or unhappy. The last finger on my hand is the smallest. It reminds me to pray for myself. By praying for myself last, I learn to think of what other people need as well as what I need.

Dear Heavenly Father, we ask You now to help us in this day to pray and intercede. Lord, as we look at our thumb, we are reminded to pray for those closest to us. We pray for our mothers and fathers, our relatives, and friends. Our index finger reminds us, Lord, to pray for the preachers, the teachers, our churches, and our schools. The middle finger helps us to pray, Lord, for those in authority. We pray for the President of the United States, the Governor of this state, and for all the Senators and Legislators as they make decisions today. Our ring finger reminds us to pray for those that are sick in the hospital, for the unhappy and for the unborn children. Lord, protect them. And last of all, our little finger reminds us, Lord, to pray for our needs. Lord, we have needs—physical, mental, spiritual and emotional. We pray that You meet our needs as we seek You, Your kingdom, and Your righteousness. Lord, we pray that You would meet our needs. In Jesus’ name, Amen.”

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

Rep. DeWeese moved that Rep. Law be excused from today’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 5507, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 109 (MCL 400.109), as amended by 1997 PA 173.

The bill was read a second time.

Rep. Geiger 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. 5507, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 109 (MCL 400.109), as amended by 1997 PA 173.

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

Roll Call No. 359

Yeas—106

Allen
Baird

Faunce
Garcia

Kuipers
Kukuk

Rivet
Rocca

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

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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

Senate Bill No. 1013, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 226 (MCL 330.1226), as amended by 1998 PA 417.

The bill was read a second time.

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. 1013, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 226 (MCL 330.1226), as amended by 1998 PA 417.

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

Roll Call No. 360**Yeas—105**

Allen	Faunce	Kowall	Rivet
Baird	Garcia	Kuipers	Rocca
Basham	Garza	Kukuk	Sanborn
Birkholz	Geiger	LaForge	Schauer
Bisbee	Gielegem	LaSata	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.	Hansen	Mortimer	Stallworth
Brown, C.	Hardman	Neumann	Stamas
Byl	Hart	O'Neil	Switalski
Callahan	Howell	Pappageorge	Tabor
Cassis	Jacobs	Patterson	Tesanovich
Caul	Jamnick	Pestka	Thomas
Cherry	Jansen	Price	Toy
Clark, I.	Jelinek	Prusi	Van Woerkom
Clarke, H.	Jellema	Pumford	Vander Roest
Daniels	Johnson, Rick	Quarles	Vaughn
DeHart	Johnson, Ruth	Raczkowski	Vear
Dennis	Julian	Reeves	Voorhees
DeRossett	Kelly	Richardville	Wojno
DeVuyst	Kilpatrick	Richner	Woodward
DeWeese	Koetje	Rison	Woronchak
Ehardt			

Nays—0

In The Chair: Patterson

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

“An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disabilities; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal 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. Perricone entered the House Chambers.

Second Reading of Bills**House Bill No. 5534, entitled**

A bill to establish career and technical preparation enrollment options for certain students enrolled in Michigan schools; to prescribe certain duties of public schools and certain postsecondary institutions; to prescribe certain powers and duties of certain state departments, officials, and agencies; and to repeal acts and parts of acts.

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

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Hager 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.

Rep. Spade moved to amend the bill as follows:

1. Amend page 6, line 15, by striking out all of subsection (8) and inserting:

“(8) If an eligible student enrolled in an eligible course under this act does not complete the eligible course, and if the school district has paid money for the course on behalf of the student, all of the following apply:

(a) The career and technical preparation program shall forward to the school district any funds that are refundable due to noncompletion of the course. If applicable, the school district shall then forward to the student any refunded money in excess of the amount paid by the school district for the course on behalf of the student.

(b) The student shall repay to the school district any funds that were expended by the school district for the course that are not refunded to the school district by the career and technical preparation program. If the student does not repay, or enter into an agreement with the school district for the repayment of, this money before the student’s graduation, the school district may withhold the student’s diploma or transcripts, or both, until repayment is made or agreed upon. This subdivision does not apply to a student who does not complete the course due to a family or medical emergency, as determined by the career and technical preparation program.”.

2. Amend page 11, line 8, after “act” by inserting “and may be responsible for repayment to the school district if he or she enrolls in but does not complete a career and technical preparation course under this act”.

3. Amend page 12, line 15, after “course” by inserting a comma and “and shall file with the school district a signed form provided by the school district agreeing that, if the student enrolls in but does not complete an eligible course, he or she will repay the school district as required under section 4(8)(b)”.

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

Rep. Hager 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. 5534, entitled

A bill to establish career and technical preparation enrollment options for certain students enrolled in Michigan schools; to prescribe certain duties of public schools and certain postsecondary institutions; to prescribe certain powers and duties of certain state departments, officials, and agencies; 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. 361

Yeas—107

Allen	Faunce	Kuipers	Rivet
Baird	Garcia	Kukuk	Rocca
Basham	Garza	LaForge	Sanborn
Birkholz	Geiger	LaSata	Schauer
Bisbee	Gielegem	Lemmons	Schermesser
Bishop	Gilbert	Lockwood	Scott
Bogardus	Godchaux	Mans	Scranton
Bovin	Gosselin	Martinez	Shackleton
Bradstreet	Green	Mead	Sheltrown
Brater	Hager	Middaugh	Shulman
Brewer	Hale	Minore	Spade
Brown, B.	Hansen	Mortimer	Stallworth
Brown, C.	Hardman	Neumann	Stamas
Byl	Hart	O’Neil	Switalski

Callahan	Howell	Pappageorge	Tabor
Cassis	Jacobs	Patterson	Tesanovich
Caul	Jamnack	Perricone	Thomas
Cherry	Jansen	Pestka	Toy
Clark, I.	Jelinek	Price	Van Woerkom
Clarke, H.	Jellema	Prusi	Vander Roest
Daniels	Johnson, Rick	Pumford	Vaughn
DeHart	Johnson, Ruth	Quarles	Vear
Dennis	Julian	Raczkowski	Voorhees
DeRossett	Kelly	Reeves	Wojno
DeVuyst	Kilpatrick	Richardville	Woodward
DeWeese	Koetje	Richner	Woronchak
Ehardt	Kowall	Rison	

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

Reps. Callahan, Hardman, Jelinek, Lemmons, Pappageorge, Scranton, Vander Roest and Vaughn were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5670, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 48726 (MCL 324.48726), as added by 1995 PA 57.

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

The substitute (H-1) 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.

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. 5670, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 48726 (MCL 324.48726), as added by 1995 PA 57.

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

Roll Call No. 362

Yeas—104

Allen	Faunce	Kuipers	Rivet
Basham	Garcia	Kukuk	Rocca
Birkholz	Garza	LaForge	Sanborn
Bisbee	Geiger	LaSata	Schauer
Bishop	Gielegem	Lemmons	Schermesser

Bogardus	Gilbert	Lockwood	Scott
Bovin	Godchaux	Mans	Scranton
Bradstreet	Gosselin	Martinez	Shackleton
Brater	Green	Mead	Sheltrown
Brewer	Hager	Middaugh	Shulman
Brown, B.	Hale	Minore	Spade
Brown, C.	Hansen	Mortimer	Stallworth
Byl	Hardman	Neumann	Stamas
Callahan	Hart	O'Neil	Switalski
Cassis	Howell	Pappageorge	Tabor
Caul	Jacobs	Patterson	Tesanovich
Cherry	Jamnack	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	Koetje	Richner	Woodward
Ehardt	Kowall	Rison	Woronchak

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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

Senate Bill No. 838, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 227g.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Criminal Law and Corrections (for amendment, see House Journal No. 38, p. 827),

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

Rep. Julian moved to amend the bill as follows:

1. Amend page 3, following line 10, by inserting:

"(8) A LAW ENFORCEMENT AGENCY MAY ISSUE BODY ARMOR TO A PERSON WHO IS IN CUSTODY OR WHO IS A WITNESS TO A CRIME FOR HIS OR HER OWN PROTECTION WITHOUT A PETITION BEING PREVIOUSLY FILED UNDER SUBSECTION (2). IF THE LAW ENFORCEMENT AGENCY ISSUES BODY ARMOR TO THE PERSON UNDER THIS SUBSECTION, THE LAW ENFORCEMENT AGENCY SHALL DOCUMENT THE REASONS FOR ISSUING BODY ARMOR AND RETAIN A COPY OF THAT DOCUMENT AS AN OFFICIAL RECORD. THE LAW ENFORCEMENT AGENCY SHALL ALSO ISSUE WRITTEN PERMISSION TO THE PERSON TO POSSESS AND USE BODY ARMOR UNDER THIS SECTION" and renumbering the remaining subsections.

The motion prevailed and the amendment was 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. 838, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 227g. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 363

Yeas—103

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

Nays—1

Bradstreet

In The Chair: Patterson

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

"An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,".

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.

Second Reading of Bills

Senate Bill No. 839, entitled

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

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Criminal Law and Corrections (for amendment, see House Journal No. 38, p. 827),

The amendment was 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. 839, entitled

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

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

Roll Call No. 364

Yeas—105

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

Nays—0

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

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.

Second Reading of Bills

House Bill No. 5311, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 227f (MCL 750.227f), as amended by 1996 PA 163.

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

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

Rep. Julian 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. 5311, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 227f (MCL 750.227f), as amended by 1996 PA 163.

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

Roll Call No. 365

Yeas—105

Allen	Faunce	Kuipers	Rivet
Baird	Garcia	Kukuk	Rocca
Basham	Garza	LaForge	Sanborn
Birkholz	Geiger	LaSata	Schauer
Bisbee	Gielegem	Lemmons	Schermesser
Bishop	Gilbert	Lockwood	Scott
Bogardus	Godchaux	Mans	Scranton
Bovin	Gosselin	Martinez	Shackleton
Bradstreet	Green	Mead	Sheltrown
Brater	Hager	Middaugh	Shulman

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

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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. 5468, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 5 (MCL 38.1305), as amended by 1998 PA 123.

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

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

Rep. Middaugh moved to amend the bill as follows:

1. Amend page 3, following line 15, by inserting:

"(N) A PERSON, NOT REGULARLY EMPLOYED BY A REPORTING UNIT, WHO IS EMPLOYED BY A REPORTING UNIT IN A TEMPORARY, INTERMITTENT, OR IRREGULAR POSITION FOR NOT MORE THAN 10 DAYS IN A SCHOOL YEAR."

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

Rep. DeHart moved to amend the bill as follows:

1. Amend page 3, following line 25, by inserting:

"Sec. 41. (1) The annual level percentage of payroll contribution rate to finance benefits being provided and to be provided by the retirement system shall be determined by actuarial valuation pursuant to subsection (2) upon the basis of the risk assumptions that the retirement board and the department adopt after consultation with the state treasurer and an actuary. An annual actuarial valuation shall be made of the retirement system in order to determine the actuarial condition of the retirement system and the required contribution to the retirement system. An annual actuarial gain-loss experience study of the retirement system shall be made in order to determine the financial effect of variations of actual retirement system experience from projected experience.

(2) The contribution rate for benefits payable in the event of the death of a member before retirement or the disability of a member shall be computed using a terminal funding method of valuation. ~~Except as otherwise provided in this~~

~~subsection, the~~ THE contribution rate for other benefits, INCLUDING HEALTH BENEFITS, shall be computed using an individual projected benefit entry age normal cost method of valuation. ~~For the 1995-96 state fiscal year and for each subsequent fiscal year, the contribution rate for health benefits provided under section 91 shall be computed using a cash disbursement method.~~ The contribution rate for service likely to be rendered in the current year, the normal cost contribution rate, shall be equal to the aggregate amount of individual projected benefit entry age normal costs divided by 1% of the aggregate amount of active members' valuation compensation. The contribution rate for unfunded service rendered before the valuation date, the unfunded actuarial accrued liability contribution rate, shall be the aggregate amount of unfunded actuarial accrued liabilities divided by 1% of the actuarial present value over a period not to exceed 50 years of projected valuation compensation, where unfunded actuarial accrued liabilities are equal to the actuarial present value of benefits, reduced by the actuarial present value of future normal cost contributions and the actuarial value of assets on the valuation date.

(3) Before November 1 of each year, the executive secretary of the retirement board shall certify to the director of the department the aggregate compensation estimated to be paid public school employees for the current state fiscal year.

(4) On the basis of the estimate under subsection (3), the annual actuarial valuation, and any adjustment required under subsection (6), the director of the department shall compute the sum due and payable to the retirement system and shall certify this amount to the reporting units.

(5) The reporting units shall make payment of the amount certified under subsection (4) to the director of the department in 12 equal monthly installments.

(6) Not later than 90 days after termination of each state fiscal year, the executive secretary of the retirement board shall certify to the director of the department and each reporting unit the actual aggregate compensation paid to public school employees during the preceding state fiscal year. Upon receipt of that certification, the director of the department shall compute any adjustment required to the amount due to a difference between the estimated and the actual aggregate compensation and the estimated and the actual actuarial employer contribution rate. The difference, if any, shall be paid as provided in subsection (9).

(7) The director of the department may require evidence of correctness and may conduct an audit of the aggregate compensation that the director of the department considers necessary to establish its correctness.

(8) A reporting unit shall forward employee and employer social security contributions and reports as required by the federal old-age, survivors, disability, and hospital insurance provisions of title II of the social security act, chapter 531, 49 Stat. 620, 42 U.S.C. 401 to 405, 406 to 418, 420 to 423, 424a to 426-1, and 427 to 433.

(9) For an employer of an employee of a local public school district or an intermediate school district, for differences occurring in fiscal years beginning on or after October 1, 1993, a minimum of 20% of the difference between the estimated and the actual aggregate compensation and the estimated and the actual actuarial employer contribution rate described in subsection (6), if any, shall be paid by that employer in the next succeeding state fiscal year and a minimum of 25% of the remaining difference shall be paid by that employer in each of the following 4 state fiscal years, or until 100% of the remaining difference is submitted, whichever first occurs. For an employer of other public school employees, for differences occurring in fiscal years beginning on or after October 1, 1991, a minimum of 20% of the difference between the estimated and the actual aggregate compensation and the estimated and the actual actuarial employer contribution rate described in subsection (6), if any, shall be paid by that employer in the next succeeding state fiscal year and a minimum of 25% of the remaining difference shall be paid by that employer in each of the following 4 state fiscal years, or until 100% of the remaining difference is submitted, whichever first occurs. In addition, interest shall be included for each year that a portion of the remaining difference is carried forward. The interest rate shall equal the actuarially assumed rate of investment return for the state fiscal year in which payment is made.

(10) Beginning on the designated date, all assets held by the retirement system shall be reassigned their fair market value, as determined by the state treasurer, as of the designated date, and in calculating any unfunded actuarial accrued liabilities, any market gains or losses incurred before the designated date shall not be considered by the retirement system's actuaries.

(11) Beginning on the designated date, the actuary used by the retirement board shall assume a rate of return on investments of 8.00% per annum, as of the designated date, which rate may only be changed with the approval of the retirement board and the director of the department.

(12) Beginning on the designated date, the value of assets used shall be based on a method that spreads over a 5-year period the difference between actual and expected return occurring in each year after the designated date and such methodology may only be changed with the approval of the retirement board and the director of the department.

(13) Beginning on the designated date, the actuary used by the retirement board shall use a salary increase assumption that projects annual salary increases of 4%. In addition to the 4%, the retirement board shall use an additional percentage based upon an age-related scale to reflect merit, longevity, and promotional salary increase. The actuary shall use this assumption until a change in the assumption is approved in writing by the retirement board and the director of the department."

The question being on the adoption of the amendment offered by Rep. DeHart, Rep. DeHart demanded the yeas and nays.
The demand was supported.
The question being on the adoption of the amendment offered by Rep. DeHart,

Point of Order

Rep. Raczkowski requested a ruling from the Chair regarding the germaneness of the amendment offered by Rep. DeHart.

The Chair ruled that the amendment is not germane pursuant to House Rule 64. The amendment introduces a new proposition which is not germane to the subject matter of the bill as it was originally introduced and as it is currently before the House.

Rep. Jacobs appealed the decision of the Chair.

The question being, "Shall the judgment of the Chair stand as the judgment of the House?"

The judgment of the Chair stood as the judgment of the House, a majority of the members present and voting, voting therefor, by yeas and nays, as follows:

Roll Call No. 366

Yeas—56

Allen	Garcia	Julian	Richner
Birkholz	Geiger	Koetje	Rocca
Bisbee	Gilbert	Kowall	Sanborn
Bishop	Godchaux	Kuipers	Scranton
Bradstreet	Gosselin	Kukuk	Shackleton
Brown, C.	Green	LaSata	Shulman
Byl	Hager	Mead	Stamas
Cassis	Hart	Middaugh	Tabor
Caul	Howell	Mortimer	Toy
DeRossett	Jansen	Pappageorge	Van Woerkom
DeVuyst	Jelinek	Patterson	Vander Roest
DeWeese	Jellema	Pumford	Vear
Ehardt	Johnson, Rick	Raczkowski	Voorhees
Faunce	Johnson, Ruth	Richardville	Woronchak

Nays—49

Baird	Dennis	Lockwood	Rivet
Basham	Garza	Mans	Schauer
Bogardus	Gielegem	Martinez	Schermesser
Bovin	Hale	Minore	Scott
Brater	Hansen	Neumann	Sheltrown
Brewer	Hardman	O'Neil	Spade
Brown, B.	Jacobs	Pestka	Stallworth
Callahan	Jamnick	Price	Switalski
Cherry	Kelly	Prusi	Tesanovich
Clark, I.	Kilpatrick	Quarles	Vaughn
Clarke, H.	LaForge	Reeves	Wojno
Daniels	Lemmons	Rison	Woodward
DeHart			

In The Chair: Patterson

Rep. Vander Roest 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. 5468, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 5 (MCL 38.1305), as amended by 1998 PA 123.

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

Roll Call No. 367

Yeas—103

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

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.
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. 5626, entitled

A bill to repeal 1921 PA 341, entitled "An act to authorize and direct the state highway commissioner to lay out and establish a trunk line highway from Paw Paw to Gobleville to Allegan," (MCL 250.161).

The bill was read a second time.

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.

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. 5626, entitled

A bill to repeal 1921 PA 341, entitled "An act to authorize and direct the state highway commissioner to lay out and establish a trunk line highway from Paw Paw to Gobleville to Allegan," (MCL 250.161).

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

Roll Call No. 368

Yeas—107

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

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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. 5631, entitled

A bill to repeal 1959 PA 82, entitled "An act to authorize a bridge over the public navigable waters of Crooked lake in Emmet county," (MCL 254.111 to 254.112).

The bill was read a second time.

Rep. Shackleton 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. 5631, entitled

A bill to repeal 1959 PA 82, entitled "An act to authorize a bridge over the public navigable waters of Crooked lake in Emmet county," (MCL 254.111 to 254.112).

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

Roll Call No. 369

Yeas—105

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

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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. 5581, entitled

A bill to repeal 1899 PA 221, entitled “An act to compel parties engaged in securing ice to erect suitable danger signals and barricades, designating what officials it shall be the duty of to see that the provisions of this act are complied with, and to repeal Act No. 100 of the Public Acts of 1877, entitled “An act to compel parties engaged in securing ice to erect danger signals,” being sections 9119 and 9120 of Howell’s annotated statutes of the state of Michigan and sections 11525 and 11526 of the Compiled Laws of 1897,” (MCL 752.351 to 752.353).

The bill was read a second time.

Rep. Caul 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. 5581, entitled

A bill to repeal 1899 PA 221, entitled “An act to compel parties engaged in securing ice to erect suitable danger signals and barricades, designating what officials it shall be the duty of to see that the provisions of this act are complied with, and to repeal Act No. 100 of the Public Acts of 1877, entitled “An act to compel parties engaged in securing ice to erect danger signals,” being sections 9119 and 9120 of Howell’s annotated statutes of the state of Michigan and sections 11525 and 11526 of the Compiled Laws of 1897,” (MCL 752.351 to 752.353).

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

Roll Call No. 370

Yeas—82

Allen	DeWeese	Kelly	Richner
Baird	Ehardt	Kowall	Rocca
Basham	Faunce	Kuipers	Sanborn
Birkholz	Garcia	Kukuk	Schauer
Bisbee	Geiger	LaSata	Schermesser
Bishop	Gielegem	Lockwood	Scranton
Bovin	Gilbert	Martinez	Shackleton
Bradstreet	Godchaux	Mead	Shulman
Brater	Gosselin	Middaugh	Spade
Brewer	Green	Mortimer	Stallworth
Brown, B.	Hager	O’Neil	Stamas
Brown, C.	Hansen	Pappageorge	Tabor
Byl	Hart	Patterson	Tesanovich
Callahan	Howell	Perricone	Toy
Cassis	Jacobs	Pestka	Van Woerkom
Caul	Jansen	Price	Vander Roest
Cherry	Jelinek	Prusi	Vear
DeHart	Jellema	Pumford	Voorhees
Dennis	Johnson, Rick	Raczkowski	Wojno
DeRossett	Johnson, Ruth	Richardville	Woronchak
DeVuyst	Julian		

Nays—23

Bogardus	Hardman	Neumann	Sheltrown
Clark, I.	Jamnick	Quarles	Switalski

Clarke, H.
Daniels
Garza
Hale

LaForge
Lemmons
Mans
Minore

Reeves
Rison
Rivet
Scott

Thomas
Vaughn
Woodward

In The Chair: Patterson

The House agreed to the title of the bill.

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. 5598, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 709 (MCL 257.709), as amended by 1988 PA 470.

The bill was read a second time.

Rep. Rick Johnson 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. Toy moved that Rep. Koetje 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. 5598, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 709 (MCL 257.709), as amended by 1988 PA 470.

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

Roll Call No. 371

Yeas—104

Allen
Baird
Basham
Birkholz
Bisbee
Bishop
Bogardus
Bovin
Bradstreet
Brater
Brewer
Brown, B.
Brown, C.

Faunce
Garcia
Garza
Geiger
Gielegem
Gilbert
Godchaux
Gosselin
Green
Hager
Hale
Hansen
Hardman

Kuipers
Kukuk
LaForge
LaSata
Lemmons
Lockwood
Mans
Martinez
Mead
Middaugh
Minore
Mortimer
Neumann

Rison
Rivet
Rocca
Sanborn
Schauer
Schermesser
Scott
Scranton
Shackleton
Sheltrown
Shulman
Spade
Stallworth

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

Nays—1

Vaughn

In The Chair: Patterson

The House agreed to the title of the bill.

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. 5599, entitled

A bill to amend 1929 PA 269, entitled "An act to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems; to provide penalties for the violation thereof; and to repeal Act No. 255 of the Public Acts of 1909," by repealing section 3 (MCL 430.53).

The bill was read a second time.

Rep. Woronchak 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. Middaugh 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. 5599, entitled

A bill to amend 1929 PA 269, entitled "An act to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems; to provide penalties for the violation thereof; and to repeal Act No. 255 of the Public Acts of 1909," by repealing section 3 (MCL 430.53).

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

Roll Call No. 372

Yeas—106

Allen	Faunce	Kukuk	Rivet
Baird	Garcia	LaForge	Rocca
Basham	Garza	LaSata	Sanborn
Birkholz	Geiger	Lemmons	Schauer
Bisbee	Gielegem	Lockwood	Schermesser

Bishop	Gilbert	Mans	Scott
Bogardus	Godchaux	Martinez	Scranton
Bovin	Gosselin	Mead	Shackleton
Bradstreet	Green	Middaugh	Sheltrown
Brater	Hager	Minore	Shulman
Brewer	Hale	Mortimer	Spade
Brown, B.	Hansen	Neumann	Stallworth
Brown, C.	Hardman	O'Neil	Stamas
Byl	Hart	Pappageorge	Switalski
Callahan	Howell	Patterson	Tabor
Cassis	Jacobs	Perricone	Tesanovich
Caul	Jamnack	Pestka	Thomas
Cherry	Jansen	Price	Toy
Clark, I.	Jelinek	Prusi	Van Woerkom
Clarke, H.	Jellema	Pumford	Vander Roest
Daniels	Johnson, Rick	Quarles	Vaughn
DeHart	Johnson, Ruth	Raczkowski	Vear
Dennis	Julian	Reeves	Voorhees
DeRossett	Kelly	Richardville	Wojno
DeVuyst	Koetje	Richner	Woodward
DeWeese	Kowall	Rison	Woronchak
Ehardt	Kuipers		

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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. 5600, entitled

A bill to repeal 1921 PA 340, entitled "An act to provide for the laying out, establishing, construction, improvement and maintenance of a public wagon road from the city of Monroe in Monroe county to the boundary line between the states of Ohio and Michigan, to designate the character and general location of such road, to define the powers and duties of the state highway commissioner with reference thereto and to provide for the payment of the cost thereof," (MCL 250.181).

The bill was read a second time.

Rep. Richardville 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. 5600, entitled

A bill to repeal 1921 PA 340, entitled "An act to provide for the laying out, establishing, construction, improvement and maintenance of a public wagon road from the city of Monroe in Monroe county to the boundary line between the states of Ohio and Michigan, to designate the character and general location of such road, to define the powers and duties of the state highway commissioner with reference thereto and to provide for the payment of the cost thereof," (MCL 250.181).

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

Roll Call No. 373**Yeas—105**

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

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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. 5601, entitled**

A bill to repeal 1962 PA 57, entitled "An act to authorize a bridge over the public navigable waters of Missaukee lake in Missaukee county," (MCL 254.351 to 254.352).

The bill was read a second time.

Rep. Rick Johnson 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. 5601, entitled**

A bill to repeal 1962 PA 57, entitled "An act to authorize a bridge over the public navigable waters of Missaukee lake in Missaukee county," (MCL 254.351 to 254.352).

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

Roll Call No. 374**Yeas—105**

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

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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. Tabor, Spade, Vear, Baird, Patterson, DeRossett, Julian, Gosselin, DeVuyst, Faunce, Van Woerkom, Mead, Kelly, Jacobs, Neumann, Richardville, Vander Roest, Prusi, Brater, DeHart, Schermesser, Schauer, Vaughn, Raczkowski, Switalski, Kowall, Birkholz, Kukuk, Bishop, Koetje, Toy, LaSata, Shulman, Voorhees, Richner, LaForge, Jellema, Bogardus, Garcia, Martinez, Lemmons, Hardman, Hale, Cherry, Mans, Ehardt, Jamnick, Gielegghem, Scott, Pappageorge and Bovin offered the following resolution:

House Resolution No. 345.

A resolution designating May 11, 2000, as Oncology Nursing Day in Michigan.

Whereas, It is a pleasure to recognize and honor the 28,000 oncology nurses throughout the United States who have dedicated their lives to aiding those families and patients affected by cancer; and

Whereas, Oncology nurses are committed to providing quality oncology care, accurate information, and the best care that provides comfort to both patients and family members; and

Whereas, Throughout the Great Lakes State, oncology nurses have demonstrated excellence and have made great strides in patient care, educational opportunities, and research; and

Whereas, It is a goal of oncology nurses to educate the public in the prevention and treatment of cancer; now, therefore, be it

Resolved by the House of Representatives, That we commemorate May 11, 2000, as Oncology Nursing Day as evidence of support for their continued efforts; and be it further

Resolved, That a copy of this resolution be transmitted to the Greater Lansing Chapter of the Oncology Nursing Society as a token of our 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.

Rep. Gosselin offered the following resolution:

House Resolution No. 346.

A resolution against the misuse of Pittman-Robertson funds by the United States Fish and Wildlife Service and to memorialize the Congress of the United States to take actions to protect these funds.

Whereas, In 1938 the Federal Aid in Wildlife Restoration Act, often called the Pittman-Robertson Act, was enacted to restore, conserve, manage, and enhance the nation's wildlife resources and to provide for public use and benefits from these resources; and

Whereas, The United States Fish and Wildlife Service (USFWS), an agency of the Department of Interior, administers the program using funds derived from excise taxes paid by the nation's hunters and anglers whenever they purchase sporting goods. In fiscal year 1998, this amounted to some \$552 million; and

Whereas, The core mission of the Pittman-Robertson Act is to distribute these funds to states and other qualified recipients for the enhancement and restoration of wildlife and sport fish for the benefit of hunters and anglers; and

Whereas, Under the law, a maximum of eight percent of the wildlife funds and six percent of the sport fish funds may be used for program administration and implementation, which in FY 1998 totaled \$31 million; and

Whereas, On July 20, 1999, the Associate Director, Energy, Resources, and Science Issues, Resources, Community and Economic Development Division within the General Accounting Office testified before the United States House Resources Committee that administrative funds had been used by the USFWS for improper purposes, such as excessive employee travel and "special" grants. These practices have resulted in ineffective management oversight, inadequate internal controls, and inadequate policies and procedures for reviewing and approving administrative expenditures. The result has been to "create a culture of permissive spending"; and

Whereas, All told, approximately \$15 million of the \$30 million authorized to administer these programs was spent on unauthorized activities, "slush funds," unnecessary domestic and foreign travel, alcoholic beverages, and other wasteful activities; and

Whereas, The sportsmen and sportswomen of the nation did not intend for their excise fees to be spent on excessive travel, liquor, lavish meals, and limousine rentals. For example, to pay for the \$32,000 of conservation funds that the federal aid chief of the service spent on travel within 18 months, more than 40,000 miles of fishing line had to be purchased by anglers; and

Whereas, Excise taxes spent by hunters and anglers have also been given by the USFWS to extremist anti-hunting groups to fund the distribution of anti-hunting literature in public schools and other places, in direct violation of the purpose of the act; and

Whereas, More than \$30 million in excise taxes paid by hunters and anglers were wasted on the purchase of a tropical island south of Hawaii populated by a total of 10 ducks, now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to place strict controls on the misuse of Pittman-Robertson administrative funds by the United States Fish and Wildlife Service, and to end the misappropriation of excise taxes paid by hunters and anglers of the nation to frivolous land purchases and to groups that pursue an extremist anti-hunting and anti-fishing agenda; 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 Secretary of the United States Department of Interior, and the members of the Michigan congressional delegation.

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

Reports of Standing Committees

The Committee on Senior Health, Security and Retirement, by Rep. Vander Roest, Chair, reported

House Bill No. 5736, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21787.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5736 To Report Out:

Yeas: Reps. Vander Roest, Voorhees, Cassis, Faunce, Rocca, Tabor, Woronchak, DeHart, Bovin, Hardman, Spade,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Vander Roest, Chair of the Committee on Senior Health, Security and Retirement, was received and read:

Meeting held on: Wednesday, May 10, 2000, at 9:00 a.m.,

Present: Reps. Vander Roest, Voorhees, Cassis, Faunce, Rocca, Tabor, Woronchak, DeHart, Bovin, Hardman, Spade.

The Committee on Employment Relations, Training and Safety, by Rep. Gosselin, Chair, reported

Senate Bill No. 1164, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 75 (MCL 421.75), as amended by 1997 PA 90.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1164 To Report Out:

Yeas: Reps. Gosselin, Raczkowski, Dennis, LaForge, Switalski,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gosselin, Chair of the Committee on Employment Relations, Training and Safety, was received and read:

Meeting held on: Wednesday, May 10, 2000, at 9:00 a.m.,

Present: Reps. Gosselin, Raczkowski, Dennis, LaForge, Switalski,

Absent: Reps. Kuipers, DeWeese,

Excused: Reps. Kuipers, DeWeese.

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

House Bill No. 4862, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4x.

With the recommendation that the substitute (H-5) 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 4862 To Report Out:

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

Nays: None.

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

House Bill No. 5665, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4t.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 5665 To Report Out:

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

Nays: None.

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, May 9, 2000, at 9:00 a.m.,

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

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

House Bill No. 4779, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12 of chapter XVII (MCL 777.12), as added by 1998 PA 317.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 4779 To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman, Baird, Callahan, Jacobs, O'Neil,

Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

House Bill No. 4996, entitled

A bill to amend 1967 PA 119, entitled "An act regulating the use of chemical agents containing toxic chemicals or organic solvents or both, having the property of releasing toxic vapors; and providing for penalties," by amending the title and section 3 (MCL 752.273) and by adding section 2a; and to repeal acts and parts of acts.

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 4996 To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman, Baird, Callahan, Jacobs, O'Neil,

Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

House Bill No. 4997, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 17 of chapter XVII (MCL 777.17), as amended by 1999 PA 67.

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

1. Amend page 1, line 7, after "DEVICE" by inserting "--2 OR MORE PRIOR CONVICTIONS".

2. Amend page 3, following line 23, by inserting:

"Enacting section 1. This amendatory act takes effect January 1, 2001." and renumbering the remaining enacting section.

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

Favorable Roll Call

HB 4997 To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman, Baird, Callahan, Jacobs, O'Neil,
Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

House Bill No. 5556, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7401a, 7410, 7410a, and 7521 (MCL 333.7401a, 333.7410, 333.7410a, and 333.7521), section 7401a as added by 1998 PA 319, section 7410 as amended by 1999 PA 188, section 7410a as added by 1998 PA 261, and section 7521 as amended by 1990 PA 30, and by adding section 7401b.

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

1. Amend page 7, line 1, after "7401(2) (a) (iv)" by inserting a comma and "SECTION 7401B,".
2. Amend page 10, following line 6, by inserting:

"Enacting section 1. This amendatory act takes effect January 1, 2001."

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

Favorable Roll Call

HB 5556 To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman, Baird, Callahan, Jacobs, O'Neil,
Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

House Bill No. 5557, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 13 and 18 of chapter XVII (MCL 777.13 and 777.18), section 13 as amended by 1999 PA 61 and section 18 as added by 1998 PA 317.

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

1. Amend page 7, following line 21, by inserting:

"333.7410A CS G CONTROLLED SUBSTANCE OR
GAMMA-BUTYROLACTONE DELIVERY
OR DISTRIBUTION IN PUBLIC OR PRIVATE
PARK 2".

2. Amend page 8, line 26, by striking out all of lines 26 through 29.
3. Amend page 9, following line 3, by inserting:

"Enacting section 1. This amendatory act takes effect January 1, 2001." and renumbering the remaining enacting section.

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

Favorable Roll Call

HB 5557 To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman, Baird, Callahan, Jacobs, O'Neil,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Faunce, Chair of the Committee on Criminal Law and Corrections, was received and read:

Meeting held on: Tuesday, May 9, 2000, at 10:30 a.m.,

Present: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman, Baird, Callahan, Jacobs, O'Neil.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

House Bill No. 5549, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 653a. With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 5549 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor, Bovin, Brewer, Jannick, Lemmons, Schermesser,

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

Senate Bill No. 1083, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by repealing sections 712 and 713 (MCL 257.712 and 257.713).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1083 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Tabor, Bovin, Lemmons, Reeves, Schermesser,

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

Senate Bill No. 1084, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 502 (MCL 750.502).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1084 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Tabor, Bovin, Jannick, Lemmons, Reeves, Schermesser,

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

Senate Bill No. 1135, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 234 (MCL 257.234), as amended by 1987 PA 238.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1135 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Tabor, Bovin, Jannick, Lemmons, Reeves,

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

Senate Bill No. 1136, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by repealing section 304 (MCL 257.304).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1136 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Tabor, Bovin, Lemmons, Reeves,

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

Senate Bill No. 1137, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 314 (MCL 257.314), as amended by 1989 PA 299.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1137 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Tabor, Bovin, Jannick, Lemmons, Reeves, Schermesser,

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

Senate Bill No. 1141, entitled

A bill to repeal 1913 PA 334, entitled "An act to provide for the establishment, survey, improvement and maintenance of state reward trunk line highways, to provide for the payment of triple state reward thereon, to define the duties of state, county, good roads district and township officers in regard thereto, and to appropriate funds to carry out the provisions thereof," (MCL 250.2 to 250.9).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1141 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Tabor, Kilpatrick, Bovin, Jannick, Lemmons, Reeves, Schermesser,

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

Senate Bill No. 1142, entitled

A bill to repeal 1919 (Ex Sess) PA 19, entitled "An act to provide for the laying out and establishing of additional trunk line mileage, the same to be added to and connected with the state trunk line highways heretofore established, under the provisions of Act No. 334 of the Public Acts of 1913, as amended," (MCL 250.101).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1142 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Tabor, Kilpatrick, Bovin, Jannick, Lemmons, Reeves, Schermesser,

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

Senate Bill No. 1145, entitled

A bill to repeal 1929 PA 7, entitled "An act to provide for the laying out and establishing of additional trunk line mileage," (MCL 250.131).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1145 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Tabor, Kilpatrick, Bovin, Jamnick, Lemmons, Reeves, Schermesser,

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

Senate Bill No. 1146, entitled

A bill to repeal 1934 (1st Ex Sess) PA 27, entitled "An act to provide for the laying out and establishing of additional trunk line mileage," (MCL 250.142).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1146 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Tabor, Kilpatrick, Bovin, Jamnick, Lemmons, Reeves, Schermesser,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rick Johnson, Chair of the Committee on Transportation, was received and read:

Meeting held on: Tuesday, May 9, 2000, at 3:35 p.m.,

Present: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor, Kilpatrick, Bovin, Brewer, Jamnick, Lemmons, Reeves, Schermesser.

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, May 4:

Senate Bill Nos. 1237 1238 1239 1240 1241 1242

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, May 5:

Senate Bill Nos. 1243 1244 1245 1246 1247

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

Enrolled House Bill No. 4712 at 11:36 a.m.

Enrolled House Bill No. 5044 at 11:38 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, May 10:

House Bill Nos. 5748 5749 5750 5751 5752 5753 5754 5755 5756 5757 5758 5759 5760 5761

The Clerk announced that the following Senate bills had been received on Wednesday, May 10:

Senate Bill Nos. 308 1061 1173 1201 1216 1219

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

House Bill No. 4458, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 803q. 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. 308, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4h.

The Senate has passed the bill.

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

Senate Bill No. 1061, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 8d.

The Senate has passed the bill.

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

Senate Bill No. 1173, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 230 (MCL 418.230), 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. 1201, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112a (MCL 324.3112a), as amended by 1998 PA 3.

The Senate has passed the bill.

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

Senate Bill No. 1216, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 3112c.

The Senate has passed the bill.

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

Senate Bill No. 1219, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 1101, 1103, 1105, 1125, and 8132 (MCL 500.1101, 500.1103, 500.1105, 500.1125, and 500.8132), sections 1101, 1105, and 1125 as added by 1994 PA 226, section 1103 as amended by 1994 PA 443, and section 8132 as added by 1989 PA 302.

The Senate has passed the bill.

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Employment Relations, Training and Safety from further consideration of **House Bill Nos. 4338 and 4339.**

Rep. Martinez

Communications from State Officers

The following communication from the Department of Transportation was received and read:

May 1, 2000

Pursuant to Section 329 of Public Act 136 of 1999, enclosed is a report on the current status of the rail grade crossing improvement program and efforts to comply with annual rail crossing safety inspection orders.

Sincerely,
James R. DeSana
Director

The communication was referred to the Clerk.

Introduction of Bills

Reps. Basham, DeHart, Wojno, Martinez, Jacobs, Bogardus, Hale, O'Neil, Callahan and Vaughn introduced

House Bill No. 5762, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20164 and 21711 (MCL 333.20164 and 333.21711), section 20164 as amended by 1990 PA 179.

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

Reps. Richner, Bishop, Shulman, Hart, Baird and Koetje introduced

House Bill No. 5763, entitled

A bill to amend 1964 PA 265, entitled "Uniform securities act," by amending the title and sections 101, 102, 103, 201, 202, 203, 204, 301, 304a, 305, 401, 402, 403, 405, 406, 409, 410, 412, 413, 414, and 417 (MCL 451.501, 451.502, 451.503, 451.601, 451.602, 451.603, 451.604, 451.701, 451.704a, 451.705, 451.801, 451.802, 451.803, 451.805, 451.806, 451.809, 451.810, 451.812, 451.813, 451.814, and 451.817), section 201 as amended by 1996 PA 349, sections 202, 203, 402, and 410 as amended by 1990 PA 150, section 304a as added and section 305 as amended by 1996 PA 529, sections 401 and 409 as amended by 1988 PA 408, and section 413 as amended by 1992 PA 207, and by adding sections 202a and 308.

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

Rep. Callahan introduced

House Bill No. 5764, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 136c. 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. 5765, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 1999 PA 39.

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

Reps. Kukuk, Gosselin, Pappageorge, Green, Ruth Johnson, Garcia, Bisbee, Mortimer, LaSata, Cameron Brown, Jellema, Geiger, Caul, Shulman, Sanborn, Woronchak, Byl, Voorhees, DeVuyst, Jansen, Birkholz, Cassis and Kuipers introduced

House Bill No. 5766, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending sections 2, 4, 10, and 12 (MCL 125.2152, 125.2154, 125.2160, and 125.2162), section 2 as amended by 1998 PA 92 and sections 4, 10, and 12 as amended by 1993 PA 333, and by adding section 12a.

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

Reps. Kuipers, Rick Johnson, Allen, Jellema, Jelinek, Kukuk, Voorhees, Stamas, Godchaux, Geiger, Mortimer, Rocca, Green, DeVuyst and Jansen introduced

House Bill No. 5767, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 2 (MCL 207.552), as amended by 1999 PA 140.

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

Rep. Minore introduced

House Joint Resolution Q, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 54 of article IV and section 30 of article V, to modify term limits for certain state offices.

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

Rep. Hansen moved that the House adjourn.

The motion prevailed, the time being 4:40 p.m.

Associate Speaker Pro Tempore Patterson declared the House adjourned until Thursday, May 11, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.