

No. 25
STATE OF MICHIGAN
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House of Representatives
90th Legislature
REGULAR SESSION OF 1999

House Chamber, Lansing, Thursday, March 18, 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—e/d/s	Garcia—present	Kukuk—present	Rivet—present
Basham—present	Garza—present	LaForge—present	Rocca—present
Birkholz—excused	Geiger—present	LaSata—present	Sanborn—present
Bisbee—present	Gielegghem—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—excused	Scranton—present
Bradstreet—present	Green—present	Martinez—present	Shackleton—present
Brater—present	Hager—present	Mead—present	Sheltrown—present
Brewer—present	Hale—present	Middaugh—present	Shulman—present
Brown, Bob—present	Hanley—present	Minore—present	Spade—present
Brown, Cameron—present	Hansen—present	Mortimer—present	Stallworth—present
Byl—present	Hardman—present	Neumann—present	Stamas—present
Callahan—present	Hart—present	O’Neil—present	Switalski—present
Cassis—present	Howell—present	Pappageorge—present	Tabor—present
Caul—present	Jacobs—present	Patterson—present	Tesanovich—present
Cherry—present	Jamnick—present	Perricone—present	Thomas—present
Clark—present	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—present	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—excused	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

Reverend Don Harkey, Pastor of the Cambria Baptist Church in Hillsdale, offered the following invocation:

“Our Heavenly Father, we beseech You today to come to this assembly and bless it with Your might and power. God, we are in such need of guidance, help us in our thinking that it may even go beyond the emotions of this hour. Give us healing and direction. Father, help us to give back to You our praise and our honor for Your direct power. Father, we thank You so much for these men of vision and energy. We pray, Lord, that as they give attention to the affairs of our state that You will bless it mightily with Your great power. For we pray in Jesus’ precious name. Amen.”

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

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

The Speaker assumed the Chair.

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 31.

A resolution to express to the International Joint Commission Michigan’s opposition to any diversion or bulk removal of Great Lakes water.

(For text of resolution, see House Journal No. 19, p. 272.)

(The resolution was reported by the Committee on Great Lakes and Tourism on March 11, with substitute (H-1), consideration of which was postponed until March 16 under the rules.)

(For substitute, see House Journal No. 22, p. 318.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

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

The question being on the adoption of the resolution,

Rep. Rivet moved to amend the resolution as follows:

1. Amend the resolution, following the second Whereas clause, by inserting:

“Whereas the Michigan Office of Great Lakes is on record supporting a 1998 diversion of water from the Great Lakes; and”.

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

Rep. Rivet demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 147

Yeas—47

Basham
Bogardus
Bovin
Brater
Brewer
Brown, B.
Callahan
Cherry

Frank
Garza
Gielegthem
Hale
Hanley
Hansen
Hardman
Jacobs

Lemmons
Lockwood
Martinez
Minore
Neumann
O’Neil
Pestka
Price

Rivet
Schauer
Schermesser
Scott
Spade
Switalski
Tesanovich
Thomas

Clark	Jamnick	Prusi	Vaughn
Clarke	Kelly	Quarles	Wojno
Daniels	Kilpatrick	Reeves	Woodward
Dennis	LaForge	Rison	

Nays—57

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

In The Chair: Perricone

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Bishop, Bogardus, Bob Brown, Cameron Brown, Byl, Clark, Daniels, Dennis, DeWeese, Faunce, Frank, Garcia, Garza, Hansen, Hardman, Hart, Howell, Jacobs, Jamnick, Ruth Johnson, Kelly, Kilpatrick, Law, Lemmons, Lockwood, Mead, Minore, O'Neil, Perricone, Pestka, Pumford, Reeves, Rivet, Rocca, Schauer, Shulman, Spade, Switalski, Tabor, Vander Roest and Woodward were named co-sponsors of the resolution.

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

House Bill No. 4301, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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

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

Favorable Roll Call**HB 4301 To Report Out:**

Yeas: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Clarke, Frank, Kelly, Martinez, Pestka, Prusi, Stallworth, Tesanovich,

Nays: None.

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

House Concurrent Resolution No. 16.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Lake Superior State University relative to the Lake Superior State University Crawford Hall Addition and Remodeling.

(For text of resolution, see House Journal No. 21, p. 299.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 16 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Stallworth, Tesanovich,

Nays: None.

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

House Concurrent Resolution No. 17.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Montcalm Community College relative to the Montcalm Community College Vocational/Technical Facility.

(For text of resolution, see House Journal No. 21, p. 300.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 17 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Stallworth, Tesanovich,

Nays: None.

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

House Concurrent Resolution No. 18.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Education Michigan School for the Deaf and Blind Residential Facilities.

(For text of resolution, see House Journal No. 21, p. 301.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 18 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Stallworth, Tesanovich,

Nays: None.

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

House Concurrent Resolution No. 19.

A concurrent resolution to change the scope of the Department of Corrections Secure Level I Correctional Facility at St. Louis, the nine 240 Open Bay Level I and II housing units at existing facilities, and the three 120 Closed Cell Level IV housing units at existing facilities projects.

(For text of resolution, see House Journal No. 21, p. 302.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 19 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Clarke, Frank, Kelly, Pestka, Prusi, Tesanovich,
Nays: Reps. Martinez, Stallworth.

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

House Concurrent Resolution No. 21.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Michigan Technological University relative to the Michigan Technological University Performing Arts and Education Center.

(For text of resolution, see House Journal No. 21, p. 303.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 21 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Stallworth, Tesanovich,
Nays: None.

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

House Concurrent Resolution No. 22.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Kirtland Community College relative to the Kirtland Community College Academic Building, Art/Maintenance Building, and Administration Building Remodeling and Additions.

(For text of resolution, see House Journal No. 21, p. 304.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 22 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Stallworth, Tesanovich,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Geiger, Chair of the Committee on Appropriations, was received and read:
Meeting held on: Wednesday, March 17, 1999, at 12:30 p.m.,

Present: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Clarke, Frank, Kelly, Martinez, Pestka, Prusi, Stallworth, Tesanovich.

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

House Bill No. 4206, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 1996 PA 320.

With the recommendation that the substitute (H-4) 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 4206 To Report Out:

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

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: Wednesday, March 17, 1999, at 3:00 p.m.,

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

Absent: Reps. Kilpatrick, Brewer, Schermesser,

Excused: Reps. Kilpatrick, Brewer, Schermesser.

The Committee on Conservation and Outdoor Recreation, by Rep. DeVuyst, Chair, reported

Senate Bill No. 125, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 320a and 732 (MCL 257.320a and 257.732), section 320a as amended by 1998 PA 350 and section 732 as amended by 1998 PA 348.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 125 To Report Out:

Yeas: Reps. DeVuyst, Tabor, Green, Ruth Johnson, Kowall, Middaugh, Sanborn, Basham, Gielegghem, Sheltroun,

Nays: Reps. DeRossett, Callahan.

The Committee on Conservation and Outdoor Recreation, by Rep. DeVuyst, Chair, reported

Senate Bill No. 126, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81134, 81135, 82128, 82129, and 82141 (MCL 324.81134, 324.81135, 324.82128, 324.82129, and 324.82141), section 81134 as amended by 1998 PA 355 and sections 81135, 82128, 82129, and 82141 as added by 1995 PA 58.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 126 To Report Out:

Yeas: Reps. DeVuyst, Tabor, Green, Ruth Johnson, Kowall, Middaugh, Sanborn, Basham, Gielegghem, Sheltroun,

Nays: Reps. DeRossett, Callahan.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. DeVuyst, Chair of the Committee on Conservation and Outdoor Recreation, was received and read:

Meeting held on: Thursday, March 18, 1999, at 8:00 a.m.,

Present: Reps. DeVuyst, Tabor, DeRossett, Green, Ruth Johnson, Kowall, Middaugh, Patterson, Sanborn, Callahan, Basham, Brater, Gielegghem, Sheltroun,

Absent: Rep. Mans,

Excused: Rep. Mans.

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

House Bill No. 4300, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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 4300 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Clarke, Frank, Kelly, Pestka, Prusi, Stallworth, Tesanovich,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Geiger, Chair of the Committee on Appropriations, was received and read:
Meeting held on: Thursday, March 18, 1999, at 9:00 a.m.,

Present: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Clarke, Frank, Kelly, Martinez, Pestka, Prusi, Stallworth, Tesanovich.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Geiger, Chair of the Committee on Appropriations, was received and read:
Meeting held on: Tuesday, March 16, 1999, at 12:00 Noon,

Present: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Price, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,
Absent: Reps. Toy, Clarke, Stallworth,

Excused: Reps. Toy, Clarke, Stallworth.

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, March 18, 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. Richardville, Chair of the Committee on Veterans Affairs, was received and read:

Meeting held on: Thursday, March 18, 1999, at 9:00 a.m.,

Present: Reps. Richardville, Ehardt, Allen, Garcia, Schermesser, Bovin,

Absent: Rep. Mans,

Excused: Rep. Mans.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. DeWeese, Vice-Chair of the Committee on Health Policy, was received and read:

Meeting held on: Thursday, March 18, 1999, at 10:30 a.m.,

Present: Reps. DeWeese, DeRossett, Ehardt, Gosselin, Green, Ruth Johnson, Rocca, Vear, Schauer, Dennis, Jacobs, Neumann, Reeves, Woodward,

Absent: Reps. Law, Raczkowski, Baird,

Excused: Reps. Law, Raczkowski, Baird.

Messages from the Senate

House Bill No. 4059, entitled

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

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. 102, entitled

A bill to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes thereon, and for the collection of taxes levied; making such taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection therewith; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal certain acts and parts of acts in anywise contravening any of the provisions of this act," by amending section 9f (MCL 211.9f), as added by 1998 PA 328.

The Senate has amended the House amendments as follows:

1. Amend House Amendment No. 3, page 4, line 2, after "(J)" by inserting a comma and "IF THOSE BUILDINGS OR THAT PERSONAL PROPERTY WAS NOT PREVIOUSLY EXEMPT FROM THE COLLECTION OF TAXES UNDER THIS ACT PURSUANT TO A RESOLUTION ADOPTED UNDER SUBSECTION (1) PRIOR TO JANUARY 1, 2000".

The Senate has concurred in the House amendments as amended, ordered that the bill be given immediate effect and agreed to the full title.

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Thursday, March 11:

Senate Bill Nos.	408	410	415	416	417	418	419	420	421	422	423	424
Senate Joint Resolution		J										

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, March 15:

Senate Bill Nos.	425	426	427	428	429	430	431	432	433	434	435	436
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The Clerk announced that the following bill had been printed and placed upon the files of the members, Tuesday, March 16:

Senate Bill No.	442
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The Clerk announced that the following Senate bill had been received on Wednesday, March 17:
Senate Bill No. 335

The Clerk announced that the following Senate bills had been received on Thursday, March 18:
Senate Bill Nos. 49 260 261 262 303 319 320 395 414

Communications from State Officers

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

Notices of Filing Administrative Rules

March 5, 1999

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 12:25 P.M. this date, administrative rule (99-03-1) for the Department of Natural Resources, Wildlife and Fisheries Division, entitled "*Endangered and Threatened Species*", effective 15 days hereafter.

March 8, 1999

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:10 P.M. this date, administrative rule (99-03-2) for the Department of Community Health, Health Legislation and Policy Development, entitled "*Enforcement for Long Term Care Facilities*", effective 15 days hereafter.

March 8, 1999

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:12 P.M. this date, administrative rule (99-03-3) for the Department of Consumer and Industry Services, Carnival/Amusement Safety Board, entitled "*Carnival and Amusement Rides*", effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Helen Kruger, Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

The following communication from the Department of Consumer and Industry Services was received and read:

February 26, 1999

Attached is a copy of the final report on the state of competition in the commercial liability insurance market and my certification as to the presence of workable competition in the market during 1997. This report was prepared in accordance with the requirements of Section 2409(c) of the Insurance Code, MCLA 500.2409(c).

Sincerely,
Frank M. Fitzgerald
Commissioner of Insurance

The communication was referred to the Clerk.

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

March 15, 1999

Enclosed is a copy of the annual financial statements, together with the Auditor's Report, for the Bureau of State Lottery for the period ended September 30, 1998.

If you have questions regarding this report, please call me; Michael J. Mayhew, C.P.A., Director of Audit Operations; or Michael R. Becker, C.P.A., Audit Division Administrator for audits of the Bureau of State Lottery.

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

The communication was referred to the Clerk.

Introduction of Bills

Reps. Ruth Johnson, Patterson, Howell, Julian, Tabor, DeRossett, Toy, Ehardt, Vear, DeHart, Scranton, Rick Johnson, Bradstreet, Caul, Scott, Bisbee and Jansen introduced

House Bill No. 4414, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2552 (MCL 600.2552), as amended by 1994 PA 154.

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

Reps. Baird, Schauer, LaForge, Wojno, Martinez, Brater, Bogardus, Jacobs, Kilpatrick, Cherry, Dennis and Byl introduced

House Bill No. 4415, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by amending the title, as amended by 1988 PA 100, and by adding chapter 8A.

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

Reps. Basham, Rison, Bob Brown, Brewer, Hale, Minore and Jamnick introduced

House Bill No. 4416, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 1 of chapter VII (MCL 67.1), as amended by 1994 PA 314.

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

Reps. Minore, Jamnick, Bogardus, Brewer, Hale, Basham, Neumann, Rison and Quarles introduced

House Bill No. 4417, entitled

A bill to amend 1895 PA 215, entitled "The fourth class city act," by amending section 1 of chapter XI (MCL 91.1), as amended by 1994 PA 19.

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

Rep. Gilbert introduced

House Bill No. 4418, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending section 316 (MCL 484.2316), as amended by 1997 PA 183.

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

Reps. Jamnick, Hansen and Hale introduced

House Bill No. 4419, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of

deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 12 (MCL 247.662), as amended by 1997 PA 79, and by adding section 20b.

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

Reps. Law, Richner, Rocca, Cassis, Faunce, Woronchak, Green, Mortimer, Koetje, Toy, DeVuyst, Kelly, LaForge, Jelinek, Howell, DeHart, Van Woerkom, Vear and Hager introduced

House Bill No. 4420, entitled

A bill to amend 1963 PA 17, entitled "An act to relieve certain persons from civil liability when rendering emergency care, when rendering care to persons involved in competitive sports under certain circumstances, or when participating in a mass immunization program approved by the department of public health," by amending section 4 (MCL 691.1504), as added by 1986 PA 21.

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

Reps. Brewer, Basham, Kelly, Hale and Minore introduced

House Bill No. 4421, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 303a (MCL 339.303a), as amended by 1995 PA 183, and by adding article 28; and to repeal acts and parts of acts.

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

Reps. Brewer, Basham, Kelly, Hale and Minore introduced

House Bill No. 4422, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," (MCL 338.2201 to 338.2277) by adding section 28.

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

Reps. Ehardt, Mortimer, Mead, Vear, Julian, Sheltroun, Sanborn and Garcia introduced

House Bill No. 4423, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts," by amending section 6a (MCL 41.806a), as added by 1990 PA 102.

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

Rep. Kukuk introduced

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.

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

Rep. Jacobs introduced

House Bill No. 4425, entitled

A bill to amend 1972 PA 382, entitled "Traxler-McCauley-Law-Bowman bingo act," (MCL 432.101 to 432.120) by adding section 5a.

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

Reps. DeRossett, Ehardt, Rick Johnson, Patterson, Hager, Hart, Hansen, Jellema, Jamnick, Kowall, Gilbert, DeHart, Tabor, Richardville, Jansen, Byl, Birkholz and Scranton introduced

House Bill No. 4426, entitled

A bill to amend 1993 PA 330, entitled "State real estate transfer tax act," by amending section 6 (MCL 207.526), as amended by 1994 PA 255.

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

Reps. Kuipers, Cassis, Gosselin, Sanborn, Voorhees, Kukuk, Julian, Toy, Bisbee, Bishop, Jelinek, Shackleton, Kowall, Gilbert, DeRossett, Hart, Van Woerkom, Bradstreet, Faunce, Garcia, Hager, Pumford, Vear, Vander Roest, Richardville, Birkholz, Howell, Ruth Johnson, Law, DeWeese, Rick Johnson, Richner, Middaugh, LaSata, Jansen, Shulman, Geiger, Mead, Green, DeVuyst, Mortimer, Allen, Ehardt, Caul, Tabor and Raczkowski introduced

House Joint Resolution G, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 26 of article IV, to provide for concurrence of 3/5 of the members of each house to impose certain taxes or to make certain modifications to certain taxes.

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

By unanimous consent the House returned to the order of

Second Reading of Bills

House Bill No. 4298, entitled

A bill to make appropriations for community colleges for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

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

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

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 22, following line 4, by inserting:

"Sec. 408. There is appropriated in section 102 sufficient funds for each community college to do all of the following:

(a) Undertake active measures to promote equal opportunities, eliminate discrimination, and foster a diverse student body and administration among all people including but not limited to women, minorities, seniors, veterans, and people with disabilities.

(b) Review, analyze, and eradicate activities that may tend to discriminate."

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

Rep. DeWeese moved that Rep. Scranton be excused temporarily from today's session.

The motion prevailed.

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 21, line 22, after "certified." by inserting "The department of education shall report by November 1 of each year to the senate and house appropriations subcommittees on community colleges and the senate and house fiscal agencies the names of the community colleges awarded grant funds under this section, the amount of the grants awarded, and the percentage awarded to certified programs."

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

Rep. Frank moved to amend the bill as follows:

1. Amend page 18, line 8, after “(1)” by striking out the balance of the line through “year.” on line 11.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

After debate,

Rep. Bob Brown demanded the previous question.

The demand was supported.

The question being, “Shall the main question now be put?”

The previous question was ordered.

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

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

Roll Call No. 148

Yeas—49

Basham	Garcia	Lockwood	Rivet
Bogardus	Garza	Martinez	Schauer
Bovin	Gielegthem	Minore	Schermesser
Brater	Hale	Neumann	Scott
Brewer	Hansen	O’Neil	Sheltrown
Brown, B.	Hardman	Pestka	Spade
Callahan	Jacobs	Price	Stallworth
Cherry	Jamnick	Prusi	Switalski
Clark	Kelly	Quarles	Tesanovich
Clarke	Kilpatrick	Rackowski	Thomas
Daniels	LaForge	Reeves	Wojno
Dennis	Lemmons	Rison	Woodward
Frank			

Nays—53

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

In The Chair: Perricone

Rep. Cherry moved to amend the bill as follows:

1. Amend page 19, line 16, by striking out all of subsection (2) and renumbering the remaining subsection.

The question being on the adoption of the amendment offered by Rep. Cherry,
Rep. Cherry demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Cherry,
After debate,

Rep. Raczkowski demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

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

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

Roll Call No. 149

Yeas—50

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

Nays—55

Allen	Geiger	Koetje	Richner
Bisbee	Gilbert	Kuipers	Rocca
Bishop	Godchaux	Kukuk	Sanborn
Bradstreet	Gosselin	LaSata	Shackleton
Brown, C.	Green	Law	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	Perricone	Vear
Ehardt	Johnson, Rick	Pumford	Voorhees
Faunce	Johnson, Ruth	Raczkowski	Woronchak
Garcia	Julian	Richardville	

In The Chair: Perricone

Rep. Scott moved to amend the bill as follows:

1. Amend page 2, following line 20, by inserting:

"Highland Park Community College6,545,650"

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 22, following line 4, by inserting:

“Sec. 501. (1) The appropriation for Highland Park Community College operations shall not be expended unless Highland Park Community College does all of the following:

(a) Corrects all current state and local health and safety code violations by not later than September 1, 2000.

(b) Adopts clear rules and procedures that separate the finances of the college from those of the Highland Park school district, follows those rules and procedures, and expeditiously takes all steps necessary and appropriate to have restrictions on the college’s financial aid programs removed.

(c) To rehabilitate the college’s instructional and administrative facilities, adopts a plan by January 15, 2000 and implements the plan according to schedule.

(d) Adopts a plan that will obtain a positive year-end balance in each of the college’s operating funds by June 30, 2000 and implements the plan according to schedule. Until the date when each of the college’s operating funds has a positive year-end balance, the college shall freeze the salary of all college employees, expend no funds for out-of-state travel for college employees or board members, and reduce administrative costs. Upon the conclusion of each quarter of the college’s fiscal year, the college shall submit to the department of management and budget and the house and senate fiscal agencies a report on compliance with all of the requirements in this section.

(2) If the department of management and budget and the house and senate fiscal agencies agree that the college is not in substantial compliance with any of the requirements of this section, they shall report this finding to the legislature and may recommend that funding for the college be terminated. Administrative costs shall be cut.”.

The question being on the adoption of the amendments offered by Rep. Scott,

Rep. Scott demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Scott,

After debate,

Rep. Raczkowski demanded the previous question.

The demand was supported.

The question being, “Shall the main question now be put?”

The previous question was ordered.

The question being on the adoption of the amendments offered by Rep. Scott,

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

Roll Call No. 150

Yeas—38

Basham	Dennis	Lemmons	Schauer
Bogardus	Garza	Lockwood	Schermesser
Bovin	Hale	Martinez	Scott
Brater	Hanley	Minore	Stallworth
Brewer	Hansen	Price	Switalski
Brown, B.	Hardman	Prusi	Tesanovich
Cherry	Jacobs	Quarles	Thomas
Clark	Jamnack	Rison	Vaughn
Clarke	Kelly	Rivet	Woodward
Daniels	LaForge		

Nays—61

Allen	Godchaux	Kukuk	Richner
Bisbee	Gosselin	LaSata	Rocca
Bishop	Green	Law	Sanborn
Bradstreet	Hager	Mead	Shackleton
Brown, C.	Hart	Middaugh	Sheltrown
Byl	Howell	Mortimer	Shulman
Cassis	Jansen	Neumann	Spade
Caul	Jelinek	O’Neil	Stamas
DeRossett	Jellema	Pappageorge	Tabor

DeVuyst	Johnson, Rick	Patterson	Toy
DeWeese	Johnson, Ruth	Perricone	Van Woerkom
Ehardt	Julian	Pestka	Vander Roest
Faunce	Koetje	Pumford	Vear
Garcia	Kowall	Rackowski	Voorhees
Geiger	Kuipers	Richardville	Woronchak
Gilbert			

In The Chair: Perricone

Rep. Caul moved to amend the bill as follows:

1. Amend page 18, line 8, after “(1)” by striking out the balance of the line through line 11 and inserting “The”.

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

After debate,

Rep. Middaugh demanded the previous question.

The demand was supported.

The question being, “Shall the main question now be put?”

The previous question was ordered.

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

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

Rep. Cherry moved to amend the bill as follows:

1. Amend page 19, line 17, after “made” by striking out “if” and inserting “whether or not”.

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

Rep. Cherry demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 151

Yeas—48

Basham	Garza	Lockwood	Schauer
Bogardus	Gielegem	Martinez	Schermesser
Bovin	Hale	Minore	Scott
Brater	Hanley	Neumann	Sheltrown
Brewer	Hansen	O’Neil	Spade
Callahan	Hardman	Pestka	Stallworth
Cherry	Jacobs	Price	Switalski
Clark	Jamnick	Prusi	Tesanovich
Clarke	Kelly	Quarles	Thomas
Daniels	Kilpatrick	Reeves	Vaughn
Dennis	LaForge	Rison	Wojno
Frank	Lemmons	Rivet	Woodward

Nays—57

Allen	Geiger	Koetje	Richner
Bisbee	Gilbert	Kowall	Rocca
Bishop	Godchaux	Kuipers	Sanborn
Bradstreet	Gosselin	Kukuk	Scranton
Brown, B.	Green	LaSata	Shackleton
Brown, C.	Hager	Mead	Shulman

Byl	Hart	Middaugh	Stamas
Cassis	Howell	Mortimer	Tabor
Caul	Jansen	Pappageorge	Toy
DeRossett	Jelinek	Patterson	Van Woerkom
DeVuyst	Jellema	Perricone	Vander Roest
DeWeese	Johnson, Rick	Pumford	Vear
Ehardt	Johnson, Ruth	Rackowski	Voorhees
Faunce	Julian	Richardville	Woronchak
Garcia			

In The Chair: Perricone

Reps. Kowall, Hager, Faunce, Shackleton, Van Woerkom, Richardville and Middaugh having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no against this amendment because it removes the language in the bill that provides an incentive to community colleges to keep tuition affordable.”

Rep. Bob Brown, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted against the Cherry Amendment on HB 4298 due to the following reason. It would have allowed community colleges to lift restrictions on tuition increases. Colleges receive their full funding without it as long as they do due diligence on restricting tuition increases.”

Rep. Stamas 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.

Rep. Baird entered the House Chambers.

Rep. Scranton, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 148-150. Had I been present, I would have voted ‘No’ on Roll Call Nos. 148 and 149 and ‘Yes’ on Roll Call No. 150.”

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4298, entitled

A bill to make appropriations for community colleges for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

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

Roll Call No. 152

Yeas—99

Allen	Garcia	Kuipers	Rivet
Baird	Garza	Kukuk	Rocca

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

Nays—7

Bradstreet	Gosselin	Lemmons	Vaughn
Daniels	Kilpatrick	Scott	

In The Chair: Perricone

The House agreed to the title of the bill.

Rep. Gosselin, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted ‘no’ on this budget because I was elected on a promise to shrink government, not grow it. The increase in the general purpose/general fund portion of this budget, the portion of the budget which comes from state taxes, exceeds the rate of inflation for the past year. For this reason, I must vote ‘no’ on this budget.”

Rep. Vaughn, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I cannot in good conscience support HB 4298 because it does nothing for the poor students who once attended Highland Park Community College or the students of the future who would have attended HPCC. How can my colleagues claim they care so much about Detroit students when they continue to cut the legs off those students trying to pull themselves up by their bootstraps. This is disingenuous and the wrong course to take if we are to have a first class school district that allows opportunity for its graduates.

To continue to shut down HPCC is a sin against those who are poor but are struggling to make it in the world of education and work. You continue to blame the victims when you should be helping them. We must fund HPCC or stop being hypocritical on your claim that you wish to help the school children of Detroit.”

Rep. Scott, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 4298 the Community College Budget. Because my Highland Park Community College was not funded in this budget, and has not been funded for the last four years. Many of our citizens of this great state were educated in Highland Park Community College. The building remains as a learning institution for pre-schoolers and high school students. The closure has had a devastating effect on our present educational system. We also have a greater business tax base to support our college.”

Rep. Bradstreet, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Community Colleges perform a very important function in our state’s higher education system. Unfortunately, House Bill 4298 does not allocate funding based on any reasonable formula. For example, Kirtland Community College’s increase in funding is substantially smaller than that of other community colleges. Is lobbying clout eclipsing fairness? Further, section 407 of the bill encourages community colleges to provide health insurance coverage to employees for contraceptives. The state should not be requiring or encouraging the purchase of contraceptives for college personnel. This type of social engineering does not belong in HB 4298. This is why I voted ‘no’ on HB 4298.”

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

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

Rep. Kilpatrick demanded the yeas and nays.

The demand was supported.

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

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 153

Yeas—57

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

Nays—47

Baird	Dennis	Lemmons	Schauer
Basham	Garza	Lockwood	Schermesser
Bogardus	Gielegghem	Martinez	Scott
Bovin	Hale	Minore	Spade
Brater	Hanley	Neumann	Stallworth
Brewer	Hansen	O’Neil	Switalski
Brown, B.	Hardman	Price	Tesanovich
Callahan	Jacobs	Prusi	Thomas
Cherry	Jamnick	Quarles	Vaughn

Clark
Clarke
Daniels

Kelly
Kilpatrick
LaForge

Reeves
Rison
Rivet

Wojno
Woodward

In The Chair: Perricone

Rep. DeWeese moved that Rep. Scranton be excused temporarily from today's session.
The motion prevailed.

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

The Speaker laid before the House

House Bill No. 4090, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57I.

(The bill was received from the Senate on March 4, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until March 9, see House Journal No. 19, p. 275.)

The question being on concurring in the adoption of the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 154

Yeas—19

Bradstreet
Brown, B.
DeRossett
DeWeese
Ehardt

Gosselin
Green
Hager
Hart
Jansen

Kukuk
Neumann
Perricone
Pestka
Rackowski

Sanborn
Shulman
Spade
Wojno

Nays—86

Allen
Baird
Basham
Bisbee
Bishop
Bogardus
Bovin
Brater
Brewer
Brown, C.
Byl
Callahan
Cassis
Caul
Cherry
Clark
Clarke

Garcia
Garza
Geiger
Gielegghem
Gilbert
Godchaux
Hale
Hanley
Hansen
Hardman
Howell
Jacobs
Jamnick
Jelinek
Jellema
Johnson, Rick
Johnson, Ruth

Kuipers
LaForge
LaSata
Lemmons
Lockwood
Martinez
Mead
Middaugh
Minore
Mortimer
O'Neil
Pappageorge
Patterson
Price
Prusi
Pumford
Quarles

Rivet
Rocca
Schauer
Schermesser
Scott
Shackleton
Sheltrown
Stallworth
Stamas
Switalski
Tabor
Tesanovich
Thomas
Toy
Van Woerkom
Vander Roest
Vaughn

Daniels
Dennis
DeVuyst
Faunce
Frank

Julian
Kelly
Kilpatrick
Koetje
Kowall

Reeves
Richardville
Richner
Rison

Vear
Voorhees
Woodward
Woronchak

In The Chair: Perricone

Rep. Raczkowski moved that when the House adjourns today it stand adjourned until Tuesday, March 23, at 12:00 Noon.

The motion prevailed.

Rep. Raczkowski moved that the House adjourn.

The motion prevailed, the time being 6:55 p.m.

The Speaker declared the House adjourned until Tuesday, March 23, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.

