

**No. 39**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**90th Legislature**  
**REGULAR SESSION OF 1999**

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House Chamber, Lansing, Wednesday, May 5, 1999.

2:00 p.m.

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

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

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

Reverend Brian Cuddie, of the Calvary Bible Fellowship in Cass City, offered the following invocation:

“Heavenly Father, as we come together this afternoon, we thank You for the opportunity to be here, especially the guests, who get to watch everything in motion today. We thank You for Your grace, for Your mercy, and for Your active part in our daily lives. Lord, my prayer for the House of Representatives this day is that they would recognize that they are not here by accident. It says in Your word that You remove some from office, and You have put others there. And Lord, should You tarry, there will be seats vacated by some of these men and women, and others will come and take their place. But Lord, this is their day, and who knows if they are called into this office at this time in their life, for a certain purpose, to serve us. And we pray, Father, that You would help them this day to know how to discern between good and evil, to know what is right, to never take the stand in a wrong cause. And Father, we ask Your blessings upon them. Many of us are negligent, and we forget to pray for these people daily. But we ask that You would watch over them, guide them, and direct them in the decisions they make. We ask this in Christ’s name. Amen.”

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

### Second Reading of Bills

#### House Bill No. 4358, entitled

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

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. Law 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.

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Rep. Raczkowski moved that Reps. Cassis and Perricone be excused temporarily from today’s session.  
The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4358, entitled

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

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

#### Roll Call No. 290

#### Yeas—106

|          |            |         |         |
|----------|------------|---------|---------|
| Allen    | Frank      | Kuipers | Rison   |
| Baird    | Garcia     | Kukuk   | Rivet   |
| Basham   | Geiger     | LaForge | Rocca   |
| Birkholz | Gielegghem | LaSata  | Sanborn |
| Bisbee   | Gilbert    | Law     | Schauer |
| Bishop   | Godchaux   | Lemmons | Scott   |

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

### Nays—0

In The Chair: Scranton

The House agreed to the title of the bill.

Rep. Cassis, 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 No. 290. Had I been present, I would have voted ‘yes’.”

### Second Reading of Bills

#### House Bill No. 4464, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 717 (MCL 257.717), as amended by 1992 PA 257.

The bill was read a second time.

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

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

#### House Bill No. 4472, entitled

A bill to amend 1972 PA 382, entitled “Traxler-McCauley-Law-Bowman bingo act,” by amending the title and sections 2, 4, 5, 6, 7a, 9, 10, 10a, 11, 12, 13, 14, 15, 16, and 18 (MCL 432.102, 432.104, 432.105, 432.106, 432.107a, 432.109, 432.110, 432.110a, 432.111, 432.112, 432.113, 432.114, 432.115, 432.116, and 432.118), sections 2, 4, 5, 9, 10, 10a, 11, 12, 13, 14, 15, and 18 as amended by 1981 PA 229 and section 7a as amended by 1994 PA 118, and by adding sections 3a, 4a, 5a, 5b, 5c, 5d, 7b, 7c, 7d, 10b, 11a, 11b, and 11c; 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-1) previously recommended by the Committee on Gaming and Casino Oversight,

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

Rep. Koetje moved to amend the bill as follows:

1. Amend page 19, line 21, after “The” by striking out the balance of the line through “for” on line 22 and inserting “QUALIFIED ORGANIZATION SHALL RETAIN 60% AND THE BUREAU SHALL RETAIN 40% OF THE MONEY OBTAINED FROM”.

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

Rep. Callahan moved to amend the bill as follows:

1. Amend page 32, line 25, after “record” by striking out the balance of the line through “TRANSFERRED” on line 27.

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

Rep. Koetje demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 291

### Yeas—49

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

### Nays—59

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

In The Chair: Scranton

Rep. Callahan moved to amend the bill as follows:

1. Amend page 4, line 10, after “MEANS” by inserting “EACH OCCASION OF”.

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

Rep. Brewer moved to amend the bill as follows:

1. Amend page 19, line 21, after the first "RETAIN" by striking out "60%" and inserting "80%".

2. Amend page 19, line 21, after the second "RETAIN" by striking out "40%" and inserting "20%".

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

Rep. Brewer demanded the yeas and nays.

The demand was supported.

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

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

#### Roll Call No. 292

#### Yeas—50

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

#### Nays—57

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

In The Chair: Scranton

Rep. Rackowski moved that consideration of the bill be postponed temporarily.

The motion prevailed.

#### House Bill No. 4025, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 10204 (MCL 333.10204), as amended by 1988 PA 63.

(The bill was read a second time, substitute (H-3) adopted, amendment offered and bill postponed for the day on May 5, see House Journal No. 38, p. 723.)

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

Rep. Callahan withdrew the amendment.

Reps. Richner and Callahan moved to amend the bill as follows:

1. Amend page 3, following line 6, by inserting:

“(vii) ANY OTHER HUMAN ORGAN SPECIFIED BY RULE PROMULGATED BY THE DEPARTMENT.”.

2. Amend page 3, line 24, after “subsection” by inserting “(3)(D)(i) TO (vi) OR”.

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

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

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

Rep. Raczkowski moved that the bill be placed on its immediate passage.

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

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Rep. Raczkowski moved that Reps. Byl and Geiger 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. 4025, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 10204 (MCL 333.10204), as amended by 1988 PA 63.

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

#### **Roll Call No. 293**

#### **Yeas—106**

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

#### **Nays—0**

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

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

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 10204 and 16215 (MCL 333.10204 and 333.16215), section 10204 as amended by 1988 PA 63 and section 16215 as amended by 1990 PA 279.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Allen, Baird, Basham, Birkholz, Bisbee, Bradstreet, Cameron Brown, Callahan, Caul, Clarke, Daniels, DeHart, DeVuyt, Green, Hardman, Jansen, Jelinek, Rick Johnson, Kowall, Kuipers, LaSata, Lemmons, Mead, Middaugh, Pappageorge, Pumford, Raczkowski, Rocca, Sanborn, Scranton, Shulman, Thomas, Toy, Van Woerkom, Vander Roest, Vaughn, Voorhees, Wojno and Woronchak were named co-sponsors of the bill.

### **Senate Bill No. 381, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 10205.

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

### **Roll Call No. 294**

### **Yeas—106**

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

### **Nays—0**

In The Chair: Scranton

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

"An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils,

committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

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.

### **House Bill No. 4466, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13 of chapter XVII (MCL 777.13), 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. 295**

### **Yeas—106**

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

### **Nays—0**

In The Chair: Scranton

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. 4470, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3118 (MCL 324.3118), as amended by 1995 PA 169.

The bill was read a second time.

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

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

**House Bill No. 4471, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3104, 30101, 30104, 30105, 30109, 32312, 32501, and 32513 (MCL 324.3104, 324.30101, 324.30104, 324.30105, 324.30109, 324.32312, 324.32501, and 324.32513), section 3104 as amended by 1995 PA 169, sections 30101 and 32501 as added by 1995 PA 59, section 30104 as amended by 1996 PA 97, sections 30105 and 30109 as amended by 1995 PA 171, section 32312 as amended by 1995 PA 168, and section 32513 as amended by 1995 PA 170.

The bill was read a second time.

Rep. DeVuyst moved to amend the bill as follows:

1. Amend page 4, following line 15, by inserting:

"Sec. 3109a. (1) Notwithstanding any other provision of this part, or rules promulgated under this part, the department shall allow for a mixing zone for discharges of venting groundwater in the same manner as the department provides for a mixing zone for point source discharges. Mixing zones for discharges of venting groundwater shall not be less protective of public health or the environment than the level of protection provided for mixing zones from point source discharges.

(2) Notwithstanding any other provision of this part, if a discharge of venting groundwater is in compliance with the water quality standards provided for in this part and the rules promulgated under this part, and the discharge is provided for in a remedial action plan that is approved by the department ~~pursuant to~~ UNDER part 201 OR A CORRECTIVE ACTION PLAN HAS BEEN SUBMITTED TO THE DEPARTMENT UNDER PART 213, a permit under this part is not required for that discharge.

(3) As used in this section:

(a) "Mixing zone" means that portion of a water body where a point source discharge or venting groundwater is mixed with receiving water.

(b) "Venting groundwater" means groundwater that is entering a surface water of the state from a facility, as defined in section 20101.

Sec. 3119. (1) The storm water fund is created within the state treasury.

(2) The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(4) The department shall expend money from the fund, upon appropriation, only for 1 or more of the following purposes:

(a) Review of storm water permit applications.

(b) Storm water permit development, issuance, reissuance, ~~and~~ modification, AND TERMINATION.

(c) Surface water monitoring to support the storm water permitting process.

(d) Assessment of compliance with storm water permit conditions.

(e) Enforcement against storm water permit violations.

(f) Classification of storm water control facilities.

(g) ~~Certification~~ TRAINING FOR CERTIFICATION of storm water operators.

(H) EDUCATIONAL MATERIAL TO ASSIST PERSONS REGULATED UNDER THIS PART.

(5) Money in the fund shall not be used to support the direct costs of litigation undertaken to enforce this part.

(6) Upon the expenditure or appropriation of money raised in section 3118 for any other purpose than those specifically listed in this section, authorization to collect fees under section 3118 shall be suspended until such time as the money expended or appropriated for purposes other than those listed in this section is returned to the fund."

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

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

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

**Senate Bill No. 420, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20129a (MCL 324.20129a), as amended by 1997 PA 61.

The bill was read a second time.

Rep. Brater moved to amend the bill as follows:

1. Amend page 2, line 2, after "subsection" by striking out "(4)" and inserting "(5)".
2. Amend page 2, following line 27, by inserting:

"(4) IF THE PERSON PETITIONING THE DEPARTMENT UNDER THIS SECTION INTENDS TO USE OR DOES USE HAZARDOUS SUBSTANCES THAT HAVE BEEN IDENTIFIED IN THE BASELINE ENVIRONMENTAL ASSESSMENT FOR THE FACILITY, THE DEPARTMENT SHALL CONDITION ITS AFFIRMATIVE DETERMINATION UNDER SUBSECTION (2)(A) ON THE IMPLEMENTATION OF POLLUTION PREVENTION MEASURES FOR THOSE HAZARDOUS SUBSTANCES. AS USED IN THIS SUBSECTION, "POLLUTION PREVENTION" MEANS THAT TERM AS IT IS DEFINED IN SECTION 14501." and renumbering the remaining subsections.

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 296

### Yeas—49

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

### Nays—55

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

In The Chair: Scranton

Rep. Bob Brown moved that Rep. Thomas be excused temporarily from today's session.  
The motion prevailed.

Rep. Brater moved to amend the bill as follows:

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

“(6) THE DEPARTMENT SHALL ANNUALLY CONDUCT ON-SITE INSPECTIONS FOR A MINIMUM OF 5% OF THE FACILITIES FOR WHICH PETITIONS ARE SUBMITTED UNDER SUBSECTION (1) TO CONFIRM THE ACCURACY OF THE INFORMATION SUBMITTED.”.

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

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

#### Roll Call No. 297

#### Yeas—49

|           |            |          |            |
|-----------|------------|----------|------------|
| Baird     | Dennis     | Lemmons  | Rison      |
| Basham    | Frank      | Lockwood | Rivet      |
| Bogardus  | Gielegthem | Mans     | Schauer    |
| Bovin     | Hale       | Martinez | Scott      |
| Brater    | Hanley     | Minore   | Spade      |
| Brewer    | Hansen     | Neumann  | Stallworth |
| Brown, B. | Hardman    | O’Neil   | Switalski  |
| Callahan  | Jacobs     | Pestka   | Tesanovich |
| Cherry    | Jamnack    | Price    | Vaughn     |
| Clark     | Kelly      | Prusi    | Wojno      |
| Clarke    | Kilpatrick | Quarles  | Woodward   |
| Daniels   | LaForge    | Reeves   | Woronchak  |
| DeHart    |            |          |            |

#### Nays—56

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

In The Chair: Scranton

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

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

The House returned to the consideration of

#### House Bill No. 4472, entitled

A bill to amend 1972 PA 382, entitled “Traxler-McCauley-Law-Bowman bingo act,” by amending the title and sections 2, 4, 5, 6, 7a, 9, 10, 10a, 11, 12, 13, 14, 15, 16, and 18 (MCL 432.102, 432.104, 432.105, 432.106, 432.107a, 432.109, 432.110, 432.110a, 432.111, 432.112, 432.113, 432.114, 432.115, 432.116, and 432.118), sections 2, 4, 5, 9, 10, 10a, 11, 12, 13, 14, 15, and 18 as amended by 1981 PA 229 and section 7a as amended by 1994 PA 118, and by adding sections 3a, 4a, 5a, 5b, 5c, 5d, 7b, 7c, 7d, 10b, 11a, 11b, and 11c; and to repeal acts and parts of acts.

(The bill was considered earlier today, see today’s journal, p. 739.)

Rep. Raczkowski moved to reconsider the vote by which the House did not adopt the amendment offered previously by Rep. Callahan.

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

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

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

Rep. Koetje 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. 4472, entitled**

A bill to amend 1972 PA 382, entitled "Traxler-McCauley-Law-Bowman bingo act," by amending the title and sections 2, 4, 5, 6, 7a, 9, 10, 10a, 11, 12, 13, 14, 15, 16, and 18 (MCL 432.102, 432.104, 432.105, 432.106, 432.107a, 432.109, 432.110, 432.110a, 432.111, 432.112, 432.113, 432.114, 432.115, 432.116, and 432.118), sections 2, 4, 5, 9, 10, 10a, 11, 12, 13, 14, 15, and 18 as amended by 1981 PA 229 and section 7a as amended by 1994 PA 118, and by adding sections 3a, 4a, 5a, 5b, 5c, 5d, 7b, 7c, 7d, 10b, 11a, 11b, and 11c; 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. 298**

#### **Yeas—84**

|           |               |              |              |
|-----------|---------------|--------------|--------------|
| Allen     | Frank         | Mans         | Rocca        |
| Baird     | Gielegghem    | Martinez     | Schauer      |
| Basham    | Godchaux      | Mead         | Scott        |
| Bisbee    | Green         | Middaugh     | Scranton     |
| Bogardus  | Hager         | Minore       | Shackleton   |
| Bovin     | Hale          | Mortimer     | Sheltrown    |
| Brater    | Hanley        | Neumann      | Shulman      |
| Brown, B. | Hansen        | O'Neil       | Spade        |
| Callahan  | Hardman       | Pappageorge  | Stallworth   |
| Cassis    | Howell        | Patterson    | Switalski    |
| Caul      | Jacobs        | Perricone    | Tabor        |
| Cherry    | Jamnick       | Pestka       | Tesanovich   |
| Clark     | Johnson, Rick | Price        | Thomas       |
| Clarke    | Johnson, Ruth | Prusi        | Toy          |
| Daniels   | Julian        | Pumford      | Van Woerkom  |
| DeHart    | Koetje        | Quarles      | Vander Roest |
| Dennis    | Kowall        | Raczkowski   | Vaughn       |
| DeRossett | LaSata        | Richardville | Vear         |
| DeVuyst   | Law           | Richner      | Wojno        |
| Ehardt    | Lemmons       | Rison        | Woodward     |
| Faunce    | Lockwood      | Rivet        | Woronchak    |

#### **Nays—21**

|            |          |            |          |
|------------|----------|------------|----------|
| Birkholz   | Garcia   | Jelinek    | LaForge  |
| Bishop     | Gilbert  | Jellema    | Reeves   |
| Bradstreet | Gosselin | Kilpatrick | Sanborn  |
| Brown, C.  | Hart     | Kuipers    | Stamas   |
| Byl        | Jansen   | Kukuk      | Voorhees |
| DeWeese    |          |            |          |

The House agreed to the title of the bill.

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

The question being on the motion by Rep. Raczkowski,

Rep. Kilpatrick demanded the yeas and nays.

The demand was supported.

The question being on the motion 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. 299****Yeas—27**

|           |             |              |              |
|-----------|-------------|--------------|--------------|
| Bisbee    | Howell      | Perricone    | Shulman      |
| Cassis    | Koetje      | Pumford      | Tabor        |
| DeRossett | Kowall      | Raczkowski   | Toy          |
| DeVuyst   | LaSata      | Richardville | Vander Roest |
| Ehardt    | Mortimer    | Richner      | Vear         |
| Faunce    | Pappageorge | Scranton     | Woronchak    |
| Godchaux  | Patterson   | Shackleton   |              |

**Nays—77**

|            |               |            |             |
|------------|---------------|------------|-------------|
| Allen      | Dennis        | Julian     | Reeves      |
| Baird      | Frank         | Kelly      | Rison       |
| Basham     | Garcia        | Kilpatrick | Rivet       |
| Birkholz   | Gielegthem    | Kuipers    | Rocca       |
| Bishop     | Gilbert       | Kukuk      | Sanborn     |
| Bogardus   | Gosselin      | LaForge    | Schauer     |
| Bovin      | Green         | Lemmons    | Scott       |
| Bradstreet | Hager         | Lockwood   | Sheltrown   |
| Brater     | Hale          | Mans       | Spade       |
| Brewer     | Hanley        | Martinez   | Stallworth  |
| Brown, B.  | Hansen        | Mead       | Stamas      |
| Brown, C.  | Hardman       | Middaugh   | Switalski   |
| Byl        | Hart          | Minore     | Tesanovich  |
| Callahan   | Jacobs        | Neumann    | Thomas      |
| Caul       | Jansen        | O'Neil     | Van Woerkom |
| Cherry     | Jelinek       | Pestka     | Vaughn      |
| Clark      | Jellema       | Price      | Voorhees    |
| Clarke     | Johnson, Rick | Prusi      | Wojno       |
| Daniels    | Johnson, Ruth | Quarles    | Woodward    |
| DeHart     |               |            |             |

In The Chair: Scranton

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

The Speaker laid before the House

**House Resolution No. 56.**

A resolution to urge the United States Department of Energy and the Nuclear Regulatory Commission to fulfill their obligation to establish a permanent repository for high-level nuclear waste.

(For text of resolution, see House Journal No. 29, p. 546.)

(The resolution was reported by the Committee on Energy and Technology on April 28, with amendment, consideration of which was postponed until April 29 under the rules.)

(For amendment, see House Journal No. 36, p. 679.)

The question being on the adoption of the proposed amendment recommended by the Committee,

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

The question being on the adoption of the resolution,

Rep. Middaugh demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

The resolution was adopted, a majority of the members serving voting therefor, by yeas and nays, and follows:

### Roll Call No. 300

### Yeas—103

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

### Nays—0

In The Chair: Scranton

Reps. Allen, Callahan, Ehardt, Garcia, Gilbert, Hager, Hale, Howell, Jellema, Rick Johnson, Ruth Johnson, Julian, Kilpatrick, Koetje, Kuipers, Lemmons, Mortimer, Patterson, Richardville, Schauer, Scott, Switalski, Thomas and Vaughn were named co-sponsors of the resolution.

The Speaker laid before the House

### House Concurrent Resolution No. 29.

A concurrent resolution to urge the United States Department of Energy and the Nuclear Regulatory Commission to fulfill their obligation to establish a permanent repository for high-level nuclear waste.

(For text of resolution, see House Journal No. 29, p. 551.)

(The concurrent resolution was reported by the Committee on Energy and Technology on April 28, with amendment, consideration of which was postponed until April 29 under the rules.)

(For amendment, see House Journal No. 36, p. 679.)

The question being on the adoption of the proposed amendment recommended by the Committee,

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

The question being on the adoption of the concurrent resolution,

Rep. Middaugh demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, by yeas and nays, and follows:

### Roll Call No. 301

### Yeas—106

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

### Nays—0

In The Chair: Scranton

Reps. Allen, Callahan, Ehardt, Garcia, Gilbert, Hager, Hale, Howell, Jellema, Rick Johnson, Ruth Johnson, Julian, Kilpatrick, Kuipers, LaSata, Lemmons, Mortimer, Patterson, Prusi, Richardville, Schauer, Scott, Switalski, Thomas and Vaughn were named co-sponsors of the concurrent resolution.

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Rep. Rackowski 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. Cameron Brown, DeHart, Gosselin, Voorhees, Kowall, Hansen, Kelly, Daniels, Woronchak, Toy, Patterson, Julian, DeRossett, Shulman, LaSata, DeVuyst, Bovin, Baird, Jelinek, Howell, Richner, Jamnick, Ehardt, Vear, Rivet, Middaugh, Kukuk, Birkholz, Mead, Vander Roest, Garcia, Faunce, Van Woerkom, Hager, Raczkowski, LaForge, Bishop, Vaughn, Brater, Caul, Cassis, Bradstreet, Cherry, Schauer, Rick Johnson, Scranton, Jacobs, Rison, Lockwood and Koetje offered the following resolution:

**House Resolution No. 85.**

A resolution honoring Abbott Laboratories Ross Products Division upon the occasion of the 50th anniversary of the founding of this business in Sturgis, Michigan.

Whereas, It is with deep appreciation of the significance of this milestone that we commend the management and staff of Abbott Laboratories Ross Products Division as they mark the 50th anniversary of the founding of this exemplary business. We are proud to recognize the important role that this enterprise has played in contributing to the economic well-being of the Sturgis community and to the lives of countless area citizens; and

Whereas, Since its founding in Sturgis, Abbott Laboratories Ross Products Division has become a vital element in helping Michigan grow and adapt to needs in commerce and all aspects of life in Sturgis. This success in maintaining competitiveness during an era of many challenges is the direct result of the commitment of the people of this company and their ability to work together to offer the best in products and services over the years. Even as our cyclical Michigan economy has presented obstacles to growth and stability, Abbott Laboratories Ross Products Division has sustained itself through dedication and innovation; and

Whereas, In looking back over 50 years of Abbott Laboratories Ross Products Division's history, it is clear that this business has set its course with a continuing look to the future. While the changes of the marketplace dictate many of the decisions for any good company, Abbott Laboratories Ross Products Division has also demonstrated the importance of looking beyond the balance sheet alone to include the ideas of its people and the role of the company in community life when making choices. We are grateful for all that Abbott Laboratories Ross Products Division has contributed to Sturgis and all of Michigan; now, therefore, be it

Resolved by the House of Representatives, That this resolution be dedicated to commemorate the 50th anniversary of Abbott Laboratories Ross Products Division. We salute them on this happy occasion and wish them well in the years to come; and be it further

Resolved, That a copy of this resolution be transmitted to Abbott Laboratories Ross Products Division as a token of our esteem.

Pending the reference of the resolution to a committee,

Rep. Raczkowski moved that Rule 77 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Jamnick, DeHart, Spade, Gosselin, Voorhees, Kowall, Hansen, Kelly, Daniels, Rocca, Woronchak, Toy, Patterson, Julian, Tabor, DeRossett, Shulman, LaSata, DeVuyst, Gielegheem, Woodward, Bovin, Baird, Jelinek, Howell, Richner, Thomas, Ehardt, Vear, Rivet, Sheltrown, Middaugh, Sanborn, Kukuk, Birkholz, Mead, Vander Roest, Garcia, Faunce, Van Woerkom, Hager, LaForge, Jellema, Hanley, Bishop, Vaughn, Brater, Wojno, Bogardus, Caul, Cassis, Hale, Kilpatrick, Pappageorge, Hardman, Reeves, Prusi, Cherry, Shackleton, Minore, Schauer, Rick Johnson, Scranton, Jacobs, Rison and Lockwood offered the following resolution:

**House Resolution No. 86.**

A resolution expressing our condolences to the citizens of Littleton, Colorado.

Whereas, It is with deepest sympathy that we send our condolences, prayers and thoughts to the families of Littleton, Colorado. On Tuesday, April 20, the students, staff and families of Columbine High School in Littleton experienced an unspeakable tragedy that has become all too common in schools across our country. Two gunmen—both students at Columbine High School—entered the school during the lunch period and killed 12 of their fellow students and an educator and injured more than 20 students before taking their own lives; and

Whereas, In the days that followed this tragedy, remarkable stories of courage have also surfaced: stories of a fatally-wounded teacher directing students into a classroom and out of harm's way; stories of wounded students helping others escape the rampage; stories of rescue workers risking their lives to help save children before bombs planted in the school building could explode; and

Whereas, School violence has become a national heartache. These senseless, brutal murders have shaken our country to its core. We must unite to help children before they fall into the deep pit of despair which leads to violence, and we must make schools safe places for our children again. In the words of Vice President Al Gore at the memorial service

on April 25, adults should be driven by this incident to devote more of their lives to children. "If you are a parent, your children need attention," he said. "If you are a grandparent, they need your time. If you do not have children, there are kids who need your example and your presence."; and

Whereas, While we may never know the whole story behind why these two gunmen did this terrible act, we pray that the people of Littleton, Colorado may once again find peace in their community, in their hearts and in the halls of Columbine High School; now, therefore, be it

Resolved by the House of Representatives, That we send our prayers, condolences and thoughts to the people of Littleton, Colorado; and be it further

Resolved, That copies of this resolution be sent to the Mayor of Littleton and to the Jefferson County Board of Education.

Pending the reference of the resolution to a committee,

Rep. Raczkowski moved that Rule 77 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Sanborn, Bishop, Voorhees, Kowall, Hager, Richardville, Julian, Tabor, Vear, Toy, Pumford, Jelinek, Richner, DeHart, Prusi, Howell, Ehardt, Mortimer, Kuipers, Kilpatrick, Garcia, Geiger, Jansen, Shulman, Raczkowski and Birkholz offered the following resolution:

**House Resolution No. 87.**

A resolution honoring Nicole Johnson, Miss America 1999.

Whereas, The members of the Michigan House of Representatives offer this resolution to extend our most gracious welcome to Miss America 1999, Nicole Johnson, on her visit to the State of Michigan and the Michigan House of Representatives; and

Whereas, Nicole Johnson, a native of Virginia Beach, Virginia, earned a Bachelor of Arts degree in English from the University of South Florida, a Master's degree in journalism from Regent University, and will pursue a doctorate in journalism. She plans on a career in professional journalism; and

Whereas, Miss Johnson was crowned Miss America 1999 and has adopted as her platform the issue of diabetes awareness—a very personal issue as she is diabetic; and

Whereas, Nicole Johnson has served as a national celebrity spokesperson and advocate for the Juvenile Diabetes Foundation International, the American Diabetes Association, where she is also on the Board of Directors, and has lobbied the U.S. Congress for increased funding for diabetes research. Additionally, she has worked on the successful passage of diabetes-related legislation in her home state of Virginia; and

Whereas, As an advocate for diabetes issues, Nicole Johnson has traveled to other states in support of their initiatives to increase education, funding, and support for diabetes and to inform audiences about the critical need to make early detection screening, prevention, and the search for a cure, national priorities; and

Whereas, We thank Miss America 1999, Nicole Johnson, for her activism on this important health concern and for her service to help inform and educate others about diabetes; now, therefore, be it

Resolved by the House of Representatives, That a unanimous accolade of tribute be hereby accorded to Nicole Johnson, welcoming her to Michigan and the House of Representatives on her visit as Miss America 1999 and to lend our support to her efforts on behalf of diabetes; and be it further

Resolved, That a copy of this resolution be transmitted to Nicole Johnson as an expression of our high esteem for her work and service, especially in the area of diabetes advocacy, as Miss America 1999. May her work inspire others to take up this worthy and vital cause.

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.

### **Reports of Standing Committees**

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

**House Bill No. 4177, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 24f (MCL 211.24f), as amended by 1994 PA 189.

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 4177** To Report Out:

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

Nays: None.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 4, 1999, at 12:00 Noon,

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

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

**House Bill No. 4605, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 676a (MCL 257.676a), as amended by 1998 PA 224.

With the recommendation that the bill pass.

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

## Favorable Roll Call

**HB 4605** To Report Out:

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

Nays: None.

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

**House Bill No. 4606, entitled**

A bill to amend 1941 PA 205, entitled "An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the receipt and expenditure of funds generated from the facilities," by amending section 2 (MCL 252.52), as amended by 1998 PA 223.

With the recommendation that the bill pass.

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

## Favorable Roll Call

**HB 4606** To Report Out:

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

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 4, 1999, at 4:28 p.m.,

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

Absent: Reps. Brewer, Schermesser,

Excused: Reps. Brewer, Schermesser.

The Committee on Energy and Technology, by Rep. Middaugh, Chair, reported

**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.

With the recommendation that the bill pass.

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

Favorable Roll Call

**HB 4418** To Report Out:

Yeas: Reps. Middaugh, Bradstreet, Birkholz, Bisbee, Cassis, Garcia, Gosselin, Howell, Kowall, Kuipers, Richardville, Shulman, Thomas, Bob Brown, Daniels, Hansen, Neumann, Quarles, Schauer, Woodward,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Middaugh, Chair of the Committee on Energy and Technology, was received and read:

Meeting held on: Wednesday, May 5, 1999, at 10:30 a.m.,

Present: Reps. Middaugh, Bradstreet, Birkholz, Bisbee, Cassis, Garcia, Gosselin, Howell, Kowall, Kuipers, Richardville, Shulman, Thomas, Bob Brown, Daniels, Hansen, Neumann, Quarles, Schauer, Woodward,

Absent: Rep. Lemmons,

Excused: Rep. Lemmons.

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 5, 1999, at 9:00 a.m.,

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

Absent: Rep. Kuipers,

Excused: Rep. Kuipers.

**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, Friday, April 30:

**Senate Bill Nos. 539 540 541 542 543 544 547 548 549 550**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, May 3:

**Senate Bill Nos. 545 552 553 554 555 556 557 558 559 560 561**

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

**House Bill No. 4609**

The Clerk announced that the following Senate bills had been received on Wednesday, May 5:

**Senate Bill Nos. 198 484 537**

By unanimous consent the House returned to the order of

**Messages from the Senate**

**Senate Bill No. 198, entitled**

A bill to prohibit governmental entities from requiring individuals to reside within certain geographic areas or specified distances or travel times from their place of employment as a condition of employment or promotion.

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. 484, entitled**

A bill to amend 1961 PA 120, entitled "An act to authorize the development or redevelopment of principal shopping districts of certain cities; to permit the creation of certain boards; and to authorize the collection of revenue and the bonding of certain cities for the development or redevelopment projects," by amending the title and sections 1, 2, 3, 4, and 5 (MCL 125.981, 125.982, 125.983, 125.984, and 125.985), as amended by 1992 PA 146.

The Senate has passed the bill.

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

**Senate Bill No. 537, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 22229 (MCL 333.22229), as amended by 1993 PA 88.

The Senate has passed the bill.

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

**Introduction of Bills**

Rep. Shulman introduced

**House Bill No. 4638, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 1996 PA 582.

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

Rep. Jelinek introduced

**House Bill No. 4639, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1284 (MCL 380.1284), as amended by 1997 PA 53.

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

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Rep. Quarles moved that the House adjourn.

The motion prevailed, the time being 4:35 p.m.

Associate Speaker Pro Tempore Scranton declared the House adjourned until Thursday, May 6, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives.