

No. 62
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
90th Legislature
REGULAR SESSION OF 1999

House Chamber, Lansing, Wednesday, September 29, 1999.

2:00 p.m.

The House was called to order by the Speaker Pro Tempore.

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—excused
Baird—present	Garcia—present	Kukuk—present	Rivet—present
Basham—present	Garza—present	LaForge—present	Rocca—present
Birkholz—present	Geiger—present	Kukuk—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—excused	Jamnack—present	Perricone—e/d/s	Thomas—present
Clark—present	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—present	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—present	Quarles—present	Vear—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—present	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Rep. Charles LaSata, from the 79th District, offered the following invocation:

“God, grant me the serenity to accept the things I cannot change, the courage to change the things I can, and the wisdom to know the difference. Amen.”

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

Rep. Jamnick asked and obtained a temporary excuse from today’s session.

Second Reading of Bills

House Bill No. 4818, entitled

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” by amending sections 2, 9, 11a, 32, and 37 (MCL 552.602, 552.609, 552.611a, 552.632, and 552.637), sections 2, 9, and 11a as amended by 1998 PA 334 and section 32 as amended by 1996 PA 301.

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

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

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

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

Rep. 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. 4818, entitled

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” by amending sections 2, 9, 11a, 32, and 37 (MCL 552.602, 552.609, 552.611a, 552.632, and 552.637), sections 2, 9, and 11a as amended by 1998 PA 334 and section 32 as amended by 1996 PA 301.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Raczkowski moved that consideration of the bill be postponed for the day.

The motion prevailed.

Second Reading of Bills

House Bill No. 4819, entitled

A bill to amend 1846 RS 84, entitled “Of divorce,” by amending section 23 (MCL 552.23), as amended by 1983 PA 193.

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

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

Rep. Pumford 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. 4820, entitled

A bill to amend 1966 PA 138, entitled “The family support act,” by amending sections 2, 4, 7, and 9 (MCL 552.452, 552.454, 552.457, and 552.459), section 2 as amended by 1996 PA 5, section 4 as amended by 1990 PA 292, and section 7 as amended by 1983 PA 195.

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

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

Rep. Voorhees 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. 4821, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 1, 8, and 19 (MCL 722.711, 722.718, and 722.729), section 1 as amended by 1998 PA 113 and section 19 as amended by 1983 PA 194.

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

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.

House Bill No. 4822, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 2 and 7 (MCL 722.22 and 722.27), as amended by 1998 PA 482.

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

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

Rep. Toy 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. 4823, entitled

A bill to amend 1952 PA 8, entitled "Revised uniform reciprocal enforcement of support act," by amending sections 3b, 14, 18, 23, and 31a (MCL 780.153b, 780.164, 780.168, 780.173, and 780.181a), section 3b as added and section 18 as amended by 1985 PA 172, section 14 as amended and section 31a as added by 1990 PA 241, and section 23 as amended by 1983 PA 192.

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

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

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

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

House Bill No. 4824, entitled

A bill to amend 1985 PA 216, entitled "Interstate income withholding act," by amending sections 3, 5, and 10 (MCL 552.673, 552.675, and 552.680), section 3 as amended by 1996 PA 11 and section 5 as amended by 1990 PA 354.

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

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

Rep. Jansen 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. 4825, entitled

A bill to amend 1913 PA 379, entitled "An act to facilitate the collection of alimony and support and maintenance for minor children or for children who are 18 years of age or older ordered to be paid in suits for divorce or separate maintenance," by amending section 2 (MCL 552.152).

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

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

Rep. Hart 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. 4826, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 165 (MCL 750.165).

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

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

Rep. Hart 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. 4827, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2538 (MCL 600.2538), as added by 1993 PA 189.

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

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

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

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

House Bill No. 4816, entitled

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending sections 1, 3, and 3a (MCL 400.231, 400.233, and 400.233a), as amended by 1998 PA 112, and by adding sections 6 and 7.

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

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

Reps. Hardman and DeRossett moved to amend the bill as follows:

1. Amend page 6, following line 7, by inserting:

"(4) EXCEPT FOR DISCLOSURE IN A MANNER AUTHORIZED BY LAW, RULE, OR REGULATION, A PERSON SHALL NOT DISCLOSE INFORMATION REGARDING A PAYER OR RECIPIENT OF SUPPORT THAT IS PROVIDED TO THE SDU FOR THE PURPOSE OF RECEIPT OR DISBURSEMENT OF SUPPORT OR FEES. A PERSON THAT VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR A FINE OF NOT MORE THAN \$500.00, OR BOTH.

(5) A CONTRACTOR, OFFICER, OR EMPLOYEE OF A CONTRACTOR, THAT OPERATES THE SDU WHO NEGLIGENTLY DISCLOSES INFORMATION REGARDING A PAYER OR RECIPIENT OF SUPPORT IS LIABLE FOR ACTUAL DAMAGES OR \$1,000.00, WHICHEVER IS GREATER, PLUS COSTS AND ATTORNEY FEES. A CONTRACTOR, OFFICER, OR EMPLOYEE OF A CONTRACTOR, THAT OPERATES THE SDU WHO INTENTIONALLY DISCLOSES INFORMATION REGARDING A PAYER OR RECIPIENT OF SUPPORT IS LIABLE FOR 3 TIMES ACTUAL DAMAGES OR \$3,000.00, WHICHEVER IS GREATER, PLUS COSTS AND ATTORNEY FEES. EACH NEGLIGENT OR INTENTIONAL DISCLOSURE THAT GIVES RISE TO LIABILITY UNDER THIS SECTION IS A SEPARATE CAUSE OF ACTION FOR WHICH SEPARATE DAMAGES MAY BE AWARDED."

The question being on the adoption of the amendment offered by Reps. Hardman and DeRossett,

Rep. Hardman demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Hardman and DeRossett,

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

Roll Call No. 820**Yeas—106**

Allen	Frank	Kowall	Richner
Baird	Garcia	Kuipers	Rivet
Basham	Garza	Kukuk	Rocca
Birkholz	Geiger	LaForge	Sanborn
Bisbee	Gielegghem	LaSata	Schauer
Bishop	Gilbert	Law	Scott

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

Nays—0

In The Chair: Birkholz

Rep. Perricone entered the House Chambers.

Rep. DeRossett 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. Rackowski moved that Rep. Perricone be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4816, entitled**

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending sections 1, 3, and 3a (MCL 400.231, 400.233, and 400.233a), as amended by 1998 PA 112, and by adding sections 6 and 7.

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

Roll Call No. 821**Yeas—101**

Allen	Frank	Kilpatrick	Richardville
Baird	Garcia	Koetje	Richner
Basham	Garza	Kowall	Rivet

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

Nays—3

Clarke, H. Sheltroun Vaughn

In The Chair: Birkholz

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

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

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending section 1 (MCL 400.231), as amended by 1998 PA 112, and by adding sections 6, 7, 8, and 9.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Basham, Birkholz, Bisbee, Bishop, Bovin, Cameron Brown, Callahan, Caul, DeHart, Dennis, DeVuyst, DeWeese, Ehardt, Faunce, Gilbert, Hager, Hansen, Howell, Jacobs, Jamnick, Jelinek, Rick Johnson, Julian, Kelly, Kowall, Kuipers, Kukuk, LaForge, LaSata, Law, Lemmons, Lockwood, Mans, Mead, Middaugh, O'Neil, Pappageorge, Patterson, Pumford, Richardville, Richner, Rocca, Shackleton, Shulman, Tabor, Toy, Van Woerkom, Vander Roest, Vear, Voorhees, Woodward and Woronchak were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4817, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending sections 2a and 9 (MCL 552.502a and 552.509), section 2a as added by 1996 PA 366 and section 9 as amended by 1998 PA 63.

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

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

Rep. Mead 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. 4817, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending sections 2a and 9 (MCL 552.502a and 552.509), section 2a as added by 1996 PA 366 and section 9 as amended by 1998 PA 63.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Raczkowski moved that consideration of the bill be postponed for the day.

The motion prevailed.

By unanimous consent the House returned to the order of
Motions and Resolutions

Reps. Jamnick, LaForge, Brater, Thomas, Hale, Scott, Hager, Julian, Garcia, Lemmons, Raczkowski, Birkholz, DeHart, Howell, Ehardt, Spade, Vaughn, Clarke, Kelly, Hansen, Martinez, Quarles, Dennis, Woodward, Wojno, Bovin, Rivet, Schauer, Baird, DeRossett and DeWeese offered the following resolution:

House Resolution No. 185.

A resolution offered as a memorial for Theodore M. "Ted" Rusesky.

Whereas, With the passing of Ted Rusesky, the Michigan Legislature has lost the services of a talented and knowledgeable staff member. We extend our condolences to his family and hope that they are comforted by the realization that their loss is shared by many people, including many who knew him only as an ever-cheerful, ever-helpful voice on the telephone; and

Whereas, A proud son of the east side of Detroit, Ted Rusesky joined the staff of the Legislative Service Bureau's Research Division in January 1979. He was a graduate of Western Michigan University who earned his master's degree at Wayne State University. Over the years, he became an anchor at the LSB and the first resource for dozens of legislative offices when they needed help. With a love for history and a strong personal belief in self-government, he provided vital and timely information to members of both parties and both houses. Over the years, he answered countless research requests, drafted hundreds of resolutions, and authored thousands of memos, helping lawmakers serve constituents and develop legislation. His numerous reports included the Citizen's Guide to State Government, an award-winning history of the Michigan Legislature, and several insightful issue pieces; and

Whereas, Blessed with a remarkable memory and quick grasp of issues, Ted personified the ideal of nonpartisan service. This trait was an extension of the way he treated all people—with dignity and warmth. Difficult questions or the pressures of the legislative arena never rattled him. He always maintained a perspective that all public servants should emulate. Ted never lost sight of the fact that it is the people working in classrooms, factories, diners, and gas stations who are the source of and reason for government; and

Whereas, While his loss is felt most keenly by his friends and family, especially the wife and sons who were the center of his life, his absence has taken from the institution of the legislature a man of character, intellect, and warmth; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of respect for the memory of Ted Rusesky of the Legislative Service Bureau; and be it further

Resolved, That a copy of this resolution be transmitted to Ted's family as evidence of our condolences.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Hager, LaForge, Brater, Thomas, Hale, Bishop, Kukuk, Voorhees, Scott, Gosselin, Van Woerkom, Bisbee, Jamnick, Faunce, Kowall, Julian, Garcia, Lemmons, Raczkowski, Allen, Pappageorge, Birkholz, Vander Roest, DeHart, Howell, Ehardt, Spade, Vaughn, Shackleton, Price, Clarke, Kelly, Hansen, Patterson, Martinez, Rick Johnson, Dennis, Woodward, Wojno, Geiger, Cassis, Woronchak, Jansen, Bovin, Garza, Toy, Caul, Gielegheem, Sanborn, Tabor, Green, Baird, Middaugh, DeRossett, Koetje, DeWeese, Scranton, Godchaux and Vear offered the following resolution:

House Resolution No. 186.

A resolution recognizing Tiger Stadium.

Whereas, On September 27, 1999, time ran out for Tiger Stadium. The 87-year-old stadium is home to some of the greatest names in baseball and has entertained and enlivened generations young and old over countless afternoons and evenings; and

Whereas, We are proud to salute the players, former and current, for their dedication and love of the game. These names will forever live in history and in the hearts of the many fans who have relived their childhoods watching these players grow as athletes and men; and

Whereas, It is with bittersweet memories that we say good-bye to this icon in baseball history. Many of the great names of baseball have walked through these hallowed hallways that lead to every player's heaven — the sea of green on which every child hopes to walk, but few have the chance to experience; and

Whereas, Not only has the architecture defined Tiger Stadium, but also the voices of youth that have echoed throughout the stadium. The smell of hotdogs, taste of peanuts, and the infamous seventh-inning stretch are all traditions that have come to define the greatest game on earth. Although these traditions will continue to live on in Comerica Park, for many who fell in love with the game at Tiger Stadium, the experience will never be the same; and

Whereas, On its final night, 43,356 devoted fans came to honor the names that have defined Tiger baseball. In its 8-2 win over the Kansas City Royals, many young players' names became forever embedded in Tiger history. The stadium's long history of exciting finishes and heroic moments were completely embodied in the 8th inning grand slam that put the finishing touch on an unforgettable era; now, therefore, be it

Resolved by the House of Representatives, That special tribute be given to the players, managers, and coaches of the Detroit Tigers who will forever live on in our memories and to the fans who witnessed some of the greatest moments in baseball in Tiger Stadium; and be it further

Resolved, That copies of this resolution be transmitted to Mr. and Mrs. Michael Ilitch, the owners of the Detroit Tigers baseball club, as we bid farewell to Tiger Stadium.

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.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 51.

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 Central Michigan University relative to the Central Michigan University Park Library Addition and Remodeling.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Central Michigan University (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Central Michigan University Park Library Addition and Remodeling (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Central Michigan University Park Library Addition and Remodeling shall not exceed \$50,000,000 (the Authority share is \$37,499,900, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$12,500,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$37,499,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$3,859,000 and \$6,693,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Central Michigan University, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 52.

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 Bay de Noc Community College relative to the Bay de Noc Community College General Campus Renovations and Additions.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Bay de Noc Community College (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the General Campus Renovations and Additions (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Bay de Noc Community College General Campus Renovations and Additions shall not exceed \$3,715,000 (the Authority share is \$1,857,400, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$1,857,500), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$1,857,400, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$171,000 and \$281,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Bay de Noc Community College, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

Reports of Standing Committees

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

House Bill No. 4751, entitled

A bill to prohibit the payment of money or other consideration as a condition of awarding a prize under certain circumstances; to prescribe the disclosure of certain information to certain persons; to prescribe the powers and duties of certain state and local officials relating to the regulation of certain prizes and sweepstakes; and to prescribe penalties and provide remedies.

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

1. Amend page 2, line 25, after the second "notice" by striking out "given" and inserting "delivered by mail".

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

Favorable Roll Call

HB 4751 To Report Out:

Yeas: Reps. Rocca, Faunce, Kuipers, Woronchak, Scott, Vaughn, Wojno,

Nays: None.

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported on

Senate Bill No. 463, entitled

A bill to amend 1972 PA 230, entitled "State construction code act of 1972," by amending the title and sections 2, 4, 7, 8, 10, and 22 (MCL 125.1502, 125.1504, 125.1507, 125.1508, 125.1510, and 125.1522), the title and section 4 as amended by 1995 PA 270, section 2 as amended by 1998 PA 42, section 8 as amended by 1994 PA 128, section 10 as amended by 1989 PA 135, and section 22 as amended by 1980 PA 371, and by adding sections 2a, 3a, 8a, 8b, 9b, and 13d; and to repeal acts and parts of acts.

Adverse Roll Call

SB 463 To Report Out:

Yeas: Reps. Rocca, Faunce, Kuipers,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rocca, Chair of the Committee on Regulatory Reform, was received and read:

Meeting held on: Wednesday, September 28, 1999, at 3:21 p.m.,

Present: Reps. Rocca, Faunce, Kuipers, Woronchak, Scott, Vaughn, Wojno, Hale,

Absent: Rep. Vear,

Excused: Rep. Vear.

The Committee on Transportation, by Rep. Gilbert, Vice-Chair, reported

House Bill No. 4597, entitled

A bill to designate the part of M-53 located between 18 Mile road and 27 Mile road in Macomb county as the "Doug Carl Memorial Freeway"; and to prescribe the duties of the state transportation department.

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

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

Favorable Roll Call

HB 4597 To Report Out:

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

Nays: None.

The Committee on Transportation, Rep. Gilbert, Vice-Chair, reported

House Bill No. 4769, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 1998 PA 384.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4769 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 28, 1999, at 3:21 p.m.,

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

Absent: Reps. Kilpatrick, Schermesser,

Excused: Reps. Kilpatrick, Schermesser.

The Committee on Insurance and Financial Services, by Rep. Bisbee, Vice-Chair, reported

House Bill No. 4764, entitled

A bill to amend 1996 PA 386, entitled "An act to regulate the sale and purchase of viatical settlement contracts; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties," (MCL 550.521 to 550.528) by adding section 4a.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4764 To Report Out:

Yeas: Reps. Sanborn, Bisbee, Bishop, DeVuyst, Hager, Julian, Law, Richner, Shackleton, Van Woerkom, Wojno, Basham, Bob Brown, Clark, Hale, O'Neil, Thomas,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bisbee, Vice-Chair of the Committee on Insurance and Financial Services, was received and read:

Meeting held on: Wednesday, September 29, 1999, at 9:00 a.m.,

Present: Reps. Sanborn, Bisbee, Bishop, DeVuyst, Hager, Julian, Law, Richner, Shackleton, Van Woerkom, Wojno, Basham, Bob Brown, Clark, Hale, O'Neil, Thomas,

Absent: Reps. Ehardt, Rick Johnson, Daniels, Scott,

Excused: Reps. Ehardt, Rick Johnson, Daniels, Scott.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 29, 1999, at 10:30 a.m.,

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

Absent: Rep. Birkholz,

Excused: Rep. Birkholz.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Geiger, Chair of the Committee on Appropriations, was received and read:

Meeting held on: Wednesday, September 29, 1999, at 11:00 a.m.,

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

Absent: Rep. Cherry,

Excused: Rep. Cherry.

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, Monday, September 27:

Senate Bill Nos.	681	682	683	684	685	686	687	688	689	690	691
	692	693	694	695	696	697	698	699	700	701	702
	703	704	705	706	707	708	709	710	711	712	713
	714	715	716	717	718	719	720	721	722	723	724
	725	726	727	728	729	730	731	732	733	734	735
	736	737	738	739	740						

The Clerk announced that the following Senate bills had been received on Wednesday, September 29:

Senate Bill Nos. 633 634 635

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 633, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411a (MCL 750.411a), as amended by 1996 PA 303.

The Senate has passed the bill.

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

Senate Bill No. 634, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 635, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1f of chapter IX (MCL 769.1f), as added by 1998 PA 345.

The Senate has passed the bill.

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

Notices**Public Hearing**

Committee on Family and Children Services

Date: Tuesday, October 5, 1999

Time: 9:00 a.m.

Place: Rooms 425, 426 and 427, Capitol Building

Rep. Hart,
Chair

Agenda: Foster care
and any/or all business properly before this committee.

Communications from State Officers

The following communication from the Secretary of State was received and read:

Notice of Filing
Administrative Rules

September 16, 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 3:35 P.M. this date, administrative rule (99-09-04) for the Department of State, Bureau of Automotive Regulation, entitled "*Breath Alcohol Ignition Interlock Devices*", effective 15 days hereafter.

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

The communication was referred to the Clerk.

Introduction of Bills

Reps. Geiger, Shackleton, Middaugh, Hager, Rick Johnson, Allen, Garcia, Birkholz, DeVuyt, Jelinek, Green, LaSata, Pumford, Julian, Mortimer, Howell, DeRossett, Kowall, Ehardt, Caul, Cameron Brown, Mead and Jellema introduced

House Bill No. 4904, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 1999 PA 119, and by adding section 20I.

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

Rep. Bisbee introduced

House Bill No. 4905, entitled

A bill to amend 1919 PA 232, entitled "An act to supplement the laws of the state relating to the powers and duties of the attorney general and the institution and prosecution of actions thereby on behalf of the state, to authorize intervention in pending litigation on behalf of the people in certain cases, and to permit the bringing of any suit at law in which the state is a party plaintiff in the circuit court of Ingham county," by amending section 1 (MCL 14.101).

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

Rep. Bisbee introduced

House Bill No. 4906, entitled

A bill to amend 1846 RS 12, entitled "Of certain state officers," by amending section 29 (MCL 14.29).

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

Rep. Stallworth introduced

House Bill No. 4907, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 17 (MCL 205.67), as amended by 1995 PA 254.

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

Rep. Stallworth introduced

House Bill No. 4908, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 545.

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

Rep. Stallworth introduced

House Bill No. 4909, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 1998 PA 547.

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

Rep. Stallworth introduced

House Bill No. 4910, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1278a.

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

Rep. Stallworth introduced

House Bill No. 4911, entitled

A bill to amend 1927 PA 150, entitled "An act to prescribe a privilege tax for the use of the public highways by owners and drivers of motor vehicles by imposing a specific tax upon the sale or use, within the state of Michigan, of motor fuel; to prescribe the manner and the time of paying this tax and the duties of officials and others respecting the payment and collection of this tax; to provide for the licensing of wholesale distributors, certain retail dealers, exporters, and suppliers as defined in this act; to fix a time when this tax and interest and penalties thereon become a lien upon the property of persons, firms, partnerships, associations, or corporations, subject to the payment of this tax; to provide for the enforcement of this lien; to permit the inspection and testing of petroleum products; to provide for certain exemptions and refunds and for the disposition of the proceeds of this tax; and to prescribe penalties for the violation of this act," by amending section 2 (MCL 207.102), as amended by 1997 PA 83.

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

Rep. Stallworth introduced

House Bill No. 4912, entitled

A bill to make appropriations for the Michigan strategic fund for the fiscal year ending September 30, 2000; to provide for the expenditure of the appropriation; and to prescribe certain conditions for the appropriation.

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

Rep. Stallworth introduced

House Bill No. 4913, entitled

A bill to make appropriations for the department of consumer and industry services for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriation; and to prescribe certain conditions for the appropriation.

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

Rep. Stallworth introduced

House Bill No. 4914, entitled

A bill to amend 1978 PA 328, entitled "Food processing act of 1977," by amending section 5 (MCL 289.805).

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

Rep. Stallworth introduced

House Bill No. 4915, entitled

A bill to amend 1952 PA 228, entitled “Michigan comminuted meat law,” by amending section 8 (MCL 289.588), as amended by 1992 PA 231.

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

Rep. Stallworth introduced

House Bill No. 4916, entitled

A bill to establish an educational loan program for eligible resident students enrolled in certain teacher education programs; to prescribe conditions for repayment and forgiveness of interest on the loans; to establish a future teachers education loan fund and to provide for its administration; and to prescribe certain powers and duties of certain state officers, agencies, and departments.

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

Rep. Stallworth introduced

House Bill No. 4917, entitled

A bill to make appropriations to the future teachers education loan fund.

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

Reps. Jacobs, Thomas, Baird, LaForge, Lockwood, Schauer, Brater, Martinez, Dennis, Brewer, Minore, Hanley, Price, Garza, Clark, Hardman, Stallworth, Quarles and Lemmons introduced

House Bill No. 4918, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license; to provide for the forfeiture of firearms possessed in violation of this act; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending sections 2 and 6 (MCL 28.422 and 28.426), as amended by 1994 PA 338.

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

Reps. Baird, Martinez, Jacobs, Lockwood, LaForge, Schauer, Brater, Dennis, Brewer, Minore, Hanley, Price, Garza, Clark, Hardman, Stallworth, Quarles, Thomas and Lemmons introduced

House Bill No. 4919, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9948) by adding sections 2969 and 2970; and to repeal acts and parts of acts.

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

Rep. LaSata moved that the House adjourn.

The motion prevailed, the time being 4:10 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, September 29, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.

