

No. 70
STATE OF MICHIGAN
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House of Representatives
90th Legislature
REGULAR SESSION OF 1999

House Chamber, Lansing, Tuesday, October 19, 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—present
Baird—present	Garcia—excused	Kukuk—present	Rivet—present
Basham—present	Garza—present	LaForge—present	Rocca—present
Birkholz—present	Geiger—present	LaSata—present	Sanborn—present
Bisbee—present	Gielegem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—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—excused
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		

e/d/s = entered during session

Rep. Larry DeVuyst, from the 93rd District, offered the following invocation:

“Father, we come before You to give thanks and to invoke Your presence into our proceedings. We also give You thanks for Your love and for the life that You gave to us. We give You thanks for this beautiful day in this beautiful state and for America. We would pray that You guide our leaders—not just in Michigan, but in Washington and throughout the world that we may find peaceful solutions to the problems that confront us daily. We would pray for those throughout the world who are ill, hungry, homeless, and pray for solutions. We ask for Your wisdom and Your guidance and we pray that the things we do will benefit our children and their future. Father, these things we ask in the name of Your son and Our Savior, Jesus Christ. Amen.”

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

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

Messages from the Senate

The Speaker laid before the House

House Bill No. 4426, entitled

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

(The bill was received from the Senate on October 13, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 14, see House Journal No. 68, p. 1955.)

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

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 885

Yeas—105

Allen	Faunce	Kowall	Richardville
Baird	Frank	Kuipers	Richner
Basham	Garza	Kukuk	Rison
Birkholz	Gielegem	LaForge	Rivet
Bisbee	Gilbert	LaSata	Rocca
Bishop	Godchaux	Law	Sanborn
Bogardus	Gosselin	Lemmons	Schauer
Bovin	Green	Lockwood	Scott
Bradstreet	Hager	Mans	Shackleton
Brater	Hale	Martinez	Sheltrown
Brewer	Hanley	Mead	Shulman
Brown, B.	Hansen	Middaugh	Spade
Brown, C.	Hardman	Minore	Stallworth
Byl	Hart	Mortimer	Stamas
Callahan	Howell	Neumann	Switalski
Cassis	Jacobs	O’Neil	Tabor
Caul	Jamnack	Pappageorge	Thomas
Cherry	Jansen	Patterson	Toy
Clark, I.	Jelinek	Perricone	Van Woerkom
Clarke, H.	Jellema	Pestka	Vander Roest

Daniels	Johnson, Rick	Price	Vaughn
DeHart	Johnson, Ruth	Prusi	Vear
Dennis	Julian	Pumford	Voorhees
DeRossett	Kelly	Quarles	Wojno
DeVuyst	Kilpatrick	Raczkowski	Woodward
DeWeese	Koetje	Reeves	Woronchak
Ehardt			

Nays—0

In The Chair: Birkholz

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 4816, entitled

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 bill was received from the Senate on October 14, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 69, p. 1979.)

The question being on concurring in the adoption of the amendments made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 886**Yeas—104**

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

Nays—3

Cherry

Green

Sheltrown

In The Chair: Birkholz

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 4598, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 219f. (The bill was received from the Senate on October 14, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 69, p. 1979.)

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

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 887**Yeas—104**

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

Nays—0

In The Chair: Birkholz

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 4670, entitled

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

(The bill was received from the Senate on October 14, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 69, p. 1979.)

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

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 888

Yeas—104

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

Nays—0

In The Chair: Birkholz

The House agreed to the full title of the bill.

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

Rep. Mead moved that Rep. Vander Roest be excused temporarily from today's session.
The motion prevailed.

The Speaker laid before the House

House Bill No. 4413, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 219e. (The bill was received from the Senate on October 14, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 69, p. 1979.)

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

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 889

Yeas—103

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

Nays—0

In The Chair: Birkholz

The House agreed to the full title of the bill.

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

Second Reading of Bills

Senate Bill No. 513, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2601, 2603, 2605, 2607, 2609, 2611, 2613, 2615, 2617, 2619, 2621, 2623, 2625, 2627, 2629, 2633, 2635, and 2637 (MCL 339.2601, 339.2603, 339.2605, 339.2607, 339.2609, 339.2611, 339.2613, 339.2615, 339.2617, 339.2619, 339.2621, 339.2623, 339.2625,

339.2627, 339.2629, 339.2633, 339.2635, and 339.2637), section 2601 as amended by 1994 PA 125 and sections 2603, 2605, 2607, 2609, 2611, 2613, 2615, 2617, 2619, 2621, 2623, 2625, 2627, 2629, 2633, 2635, and 2637 as added by 1990 PA 269, and by adding sections 2614 and 2636.

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

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

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

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

Senate Bill No. 514, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending sections 2, 6, and 38 (MCL 338.2202, 338.2206, and 338.2238), sections 2 and 6 as added by 1988 PA 461 and section 38 as added by 1990 PA 268.

The bill was read a second time.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 514, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending sections 2, 6, and 38 (MCL 338.2202, 338.2206, and 338.2238), sections 2 and 6 as added by 1988 PA 461 and section 38 as added by 1990 PA 268.

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

Roll Call No. 890

Yeas—105

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

Nays—0

In The Chair: Birkholz

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

“An act to provide for the establishment and collection of fees for the regulation of certain occupations and professions, and for certain agencies and businesses; to create certain funds; and to prescribe certain powers and duties of certain state agencies and departments.”.

The House agreed to the full title.

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

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

Rep. Raczkowski moved that **Senate Bill No. 513** be placed on its immediate passage.

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

Senate Bill No. 513, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 2601, 2603, 2605, 2607, 2609, 2611, 2613, 2615, 2617, 2619, 2621, 2623, 2625, 2627, 2629, 2633, 2635, and 2637 (MCL 339.2601, 339.2603, 339.2605, 339.2607, 339.2609, 339.2611, 339.2613, 339.2615, 339.2617, 339.2619, 339.2621, 339.2623, 339.2625, 339.2627, 339.2629, 339.2633, 339.2635, and 339.2637), section 2601 as amended by 1994 PA 125 and sections 2603, 2605, 2607, 2609, 2611, 2613, 2615, 2617, 2619, 2621, 2623, 2625, 2627, 2629, 2633, 2635, and 2637 as added by 1990 PA 269, and by adding sections 2614 and 2636.

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

Roll Call No. 891**Yeas—105**

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

Nays—0

In The Chair: Birkholz

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

“An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts.”.

The House agreed to the full title.

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

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

Rep. Raczkowski moved that House Committees be given leave to meet during the balance of today's session.
The motion prevailed.

Rep. Vander Roest, 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. 889. Had I been present, I would have voted ‘yes’.”

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

House Bill No. 4205, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 115 (MCL 750.115).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4205 To Report Out:

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

Nays: None.

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

House Bill No. 4876, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 506b.

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 4876 To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman,

Nays: None.

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

House Bill No. 4880, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 506b.

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 4880 To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 19, 1999, at 10:30 a.m.,

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Green, Chair of the Committee on Agriculture and Resource Management, was received and read:

Meeting held on: Wednesday, October 13, 1999, at 4:00 p.m.,

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

Absent: Reps. Rick Johnson, LaForge,

Excused: Reps. Rick Johnson, LaForge.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Julian, Vice-Chair of the Committee on Agriculture and Resource Management, was received and read:

Meeting held on: Tuesday, October 19, 1999, at 8:00 a.m.,

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

Absent: Reps. Koetje, LaForge,

Excused: Reps. Koetje, LaForge.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 19, 1999, at 10:30 a.m.,

Present: Reps. Allen, Ruth Johnson, Bradstreet, DeWeese, Hager, Hart, Rick Johnson, Kuipers, Van Woerkom, Voorhees, Bogardus, Clark, Gielegem, Hansen, Scott, Spade,

Absent: Rep. Daniels,

Excused: Rep. Daniels.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Howell, Vice-Chair of the Committee on House Oversight and Operations, was received and read:

Meeting held on: Tuesday, October 19, 1999, at 12:00 Noon,

Present: Reps. Raczkowski, Howell, Richardville, Shackleton, Rivet,

Absent: Reps. Brewer, DeHart,

Excused: Reps. Brewer, DeHart.

Messages from the Senate

House Concurrent Resolution No. 44.

A concurrent resolution to change the scope of the Professional Studies and Classroom Building project at the University of Michigan-Flint.

(For text of resolution, see House Journal No. 59, p. 1785.)

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Clerk for record.

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.

(For text of resolution, see House Journal No. 62, p. 1824.)

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Clerk for record.

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.

(For text of resolution, see House Journal No. 62, p. 1825.)

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Clerk for record.

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Health Policy from further consideration of **House Bill No. 4127**.

Rep. Baird

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Friday, October 15:

**House Bill Nos. 4974 4975 4976 4977 4978 4979 4980 4981 4982 4983 4984 4985 4986 4987
4988 4989 4990**

House Joint Resolution L

The Clerk announced the enrollment printing and presentation to the Governor on Monday, October 18, for his approval of the following bill:

Enrolled House Bill No. 4696 at 11:46 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, October 18:

House Bill Nos. 4991 4992 4993 4994 4995 4996 4997 4998 4999 5000 5001 5002 5003 5004

Messages from the Governor

The following messages from the Governor, approving and signing the following bills at the times designated below, were received and read:

Date: October 18, 1999
Time: 11:00 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4844 (Public Act No. 140, I.E.), being

An act to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending sections 2, 4, 9, and 21 (MCL 207.552, 207.554, 207.559, and 207.571), section 2 as amended by 1986 PA 66, section 4 as amended by 1995 PA 218, and section 9 as amended by 1996 PA 513.

(Filed with the Secretary of State October 18, 1999, at 4:06 p.m.)

Date: October 18, 1999
Time: 1:30 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4099 (Public Act No. 141), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” (MCL 380.1 to 380.1852) by adding section 1284b.

(Filed with the Secretary of State October 18, 1999, at 4:08 p.m.)

Communications from State Officers

The following communications from the Auditor General were received and read:

October 14, 1999

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

Performance Audit
of the
D. J. Jacobetti Home for Veterans
Department of Military and Veterans Affairs
October 1999

October 18, 1999

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

Performance Audit
of the
Detroit College of Law (DCL) - Michigan State
University (MSU) Law Alliance
October 1999

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

The communications were referred to the Clerk and the accompanying reports referred to the Committee on House Oversight and Operations.

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

Notices of Filing
Administrative Rules

August 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 1:00 P.M. this date, administrative rule (99-08-06) for the Department of Consumer and Industry Services, Director's Office, entitled "*Methylene Chloride*", effective 15 days hereafter.

October 1, 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 10:50 A.M. this date, administrative rule (99-10-01) for the Department of Consumer and Industry Services, Director's Office, entitled "*Asbestos Standards for Construction*", effective 15 days hereafter.

October 1, 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 10:52 A.M. this date, administrative rule (99-10-02) for the Department of Consumer and Industry Services, Director's Office, entitled "*1,3 Butadiene*", effective 15 days hereafter.

October 1, 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 10:54 A.M. this date, administrative rule (99-10-03) for the Department of Consumer and Industry Services, Director's Office, entitled "*Methylenedianiline*", effective 15 days hereafter.

October 1, 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 10:56 A.M. this date, administrative rule (99-10-04) for the Department of Consumer and Industry Services, Director's Office, entitled "*Formaldehyde*", effective 15 days hereafter.

October 1, 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 10:58 A.M. this date, administrative rule (99-10-05) for the Department of Consumer and Industry Services, Director's Office, entitled "*Coke Oven Emissions*", effective 15 days hereafter.

October 1, 1999

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:10 P.M. this date, administrative rule (99-10-07) for the Department of Consumer and Industry Services, Director's Office, entitled "*General Rules: Part 9. Hearings, Appeals, and Declaratory Rulings*", effective 15 days hereafter.

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

The communications were referred to the Clerk.

Introduction of Bills

Reps. Sheltroun, Bovin, Mans, Wojno, Bob Brown, Gielegem, Rivet, Woodward, Rick Johnson, Lemmons, Callahan, Clark, Prusi, Hager, Minore and Quarles introduced

House Bill No. 5005, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81133 (MCL 324.81133), as amended by 1998 PA 86.

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

Reps. Pappageorge, Ruth Johnson, Rocca, Allen, Godchaux, Green, Law, Kowall, DeVuyst, Geiger, Jansen, Hart, Gosselin, Voorhees, Kukuk, Hager, Faunce, Rick Johnson, Scranton, Vander Roest, Birkholz, Mortimer, Garcia, Shulman, Tabor, Pumford, Shackleton and Raczkowski introduced

House Bill No. 5006, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending sections 9 and 73 (MCL 208.9 and 208.73), section 9 as amended by 1998 PA 539 and section 73 as amended by 1995 PA 80.

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

Rep. Kukuk introduced

House Bill No. 5007, entitled

A bill to amend 1963 PA 17, entitled "An act to relieve certain persons from civil liability when rendering emergency care, when rendering care to persons involved in competitive sports under certain circumstances, or when participating in a mass immunization program approved by the department of public health," (MCL 691.1501 to 691.1507) by amending the title, as amended by 1987 PA 30, and by adding section 3.

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

Reps. Julian, Koetje, Bishop, Gilbert, Tabor, Toy, DeRossett, Bradstreet, Mortimer, Lockwood, Jamnick, DeWeese and Birkholz introduced

House Bill No. 5008, entitled

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

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

Reps. Jamnick, Julian, Lockwood, Minore, Reeves, Tabor, Gilbert, Hager, DeWeese, Vander Roest and Bishop introduced

House Bill No. 5009, entitled

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

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

Reps. Tabor, Bishop, Julian, Gilbert, Hager, Kowall, Jamnick, Reeves, Lockwood, Minore and Birkholz introduced

House Bill No. 5010, entitled

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

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

Rep. Frank introduced

House Bill No. 5011, entitled

A bill to regulate service warranty contracts; to provide for certain consumer rights; to require certain notices; to provide for remedies; and to prescribe penalties.

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

Rep. Frank introduced

House Bill No. 5012, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1233c.

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

Reps. Frank, Baird, DeHart, Martinez, Prusi, Cherry and Brewer introduced

House Bill No. 5013, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," (MCL 38.1 to 38.69) by adding section 18a.

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

Reps. Middaugh, Cassis, Bisbee, Cameron Brown, Ruth Johnson, Jellema, Pestka, Spade, DeRossett, Frank, Jelinek, Mead, Sheltroun, LaSata, Kukuk, Neumann, Rivet, Tabor, Toy, Bishop, DeWeese, Allen, Gosselin, Mortimer, Hager, Richardville, Vander Roest, Kowall, Ehardt, Rocca, Kuipers, Sanborn, Hale, Van Woerkom, Faunce, Jansen, Stamas, Kilpatrick, Birkholz and Raczkowski introduced

House Bill No. 5014, entitled

A bill to amend 1993 PA 92, entitled "Seller disclosure act," by amending section 7 (MCL 565.957), as amended by 1996 PA 92.

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

Reps. Stallworth, Daniels, Neumann and Richner introduced

House Bill No. 5015, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 10102, 10102a, and 10103 (MCL 333.10102, 333.10102a, and 333.10103), section 10102a as added by 1986 PA 186.

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

Reps. Bishop, Julian, Gilbert, Tabor, Koetje, Vander Roest, Woronchak, Birkholz and Jamnick introduced

House Bill No. 5016, entitled

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

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

Reps. Stamas, Rick Johnson, Kuipers, Scranton, Jellema, Switalski, Birkholz, Gosselin, Richner and Lemmons introduced

House Bill No. 5017, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 154 (MCL 211.154), as amended by 1996 PA 476.

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

Rep. Rick Johnson moved that the House adjourn.

The motion prevailed, the time being 3:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, October 20, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.

