

No. 73
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House of Representatives
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House Chamber, Lansing, Tuesday, October 26, 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	LaSata—present	Sanborn—present
Bisbee—present	Gielegthem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—present
Bogardus—excused	Godchaux—present	Lockwood—present	Scott—excused
Bovin—present	Gosselin—present	Mans—excused	Scranton—present
Bradstreet—present	Green—present	Martinez—present	Shackleton—present
Brater—present	Hager—present	Mead—present	Sheltrown—present
Brewer—present	Hale—present	Middaugh—present	Shulman—present
Brown, Bob—present	Hanley—present	Minore—present	Spade—present
Brown, Cameron—present	Hansen—present	Mortimer—present	Stallworth—present
Byl—present	Hardman—present	Neumann—present	Stamas—present
Callahan—present	Hart—present	O’Neil—present	Switalski—present
Cassis—present	Howell—present	Pappageorge—present	Tabor—present
Caul—present	Jacobs—present	Patterson—present	Tesanovich—present
Cherry—present	Jamnick—present	Perricone—present	Thomas—present
Clark—present	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—present	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—present	Quarles—e/d/s	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. Edward LaForge, from the 60th District, offered the following invocation:

“In this place it is a busy day, and there is always time just to take a few minutes and let our heads clear out and realize that we come in different sizes, different shapes, and different colors. We use different names to call our Creator—the unifying force in the world. As we go through our work today and as we go to our homes this evening, let us remember to treat each other with tolerance, love, attention, and respect. Amen.”

Rep. Kilpatrick moved that Reps. Bogardus, Mans, Rison and Scott be excused from today’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 4879, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 811d.
The bill was read a second time.

Rep. Rocca 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. 4879, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 811d.

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

Roll Call No. 908

Yeas—103

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

DeVuyst
DeWeese
Ehardt

Julian
Kelly
Koetje

Reeves
Richardville
Richner

Woodward
Woronchak

Nays—0

In The Chair: Birkholz

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.

Reps. Basham, Birkholz, Brater, Bob Brown, Cameron Brown, Callahan, Caul, DeVuyst, Hager, Hansen, Hardman, Hart, Jellema, Ruth Johnson, Julian, Kuipers, Mead, Neumann, O'Neil, Pappageorge, Patterson, Price, Prusi, Sanborn, Schauer, Schermesser, Shulman, Stallworth, Stamas, Tesanovich, Toy, Van Woerkom, Vander Roest, Vaughn and Woodward were named co-sponsors of the bill.

Rep. Quarles entered the House Chambers.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Scranton to the Chair.

Second Reading of Bills

House Bill No. 4814, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing section 5534 (MCL 324.5534).

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.

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. 4814, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing section 5534 (MCL 324.5534).

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

Roll Call No. 909

Yeas—106

Allen
Baird
Basham
Birkholz
Bisbee
Bishop
Bovin
Bradstreet
Brater

Frank
Garcia
Garza
Geiger
Gielegthem
Gilbert
Godchaux
Gosselin
Green

Kowall
Kuipers
Kukuk
LaForge
LaSata
Law
Lemmons
Lockwood
Martinez

Richner
Rivet
Rocca
Sanborn
Schauer
Schermesser
Scranton
Shackleton
Sheltrown

Brewer	Hager	Mead	Shulman
Brown, B.	Hale	Middaugh	Spade
Brown, C.	Hanley	Minore	Stallworth
Byl	Hansen	Mortimer	Stamas
Callahan	Hardman	Neumann	Switalski
Cassis	Hart	O'Neil	Tabor
Caul	Howell	Pappageorge	Tesanovich
Cherry	Jacobs	Patterson	Thomas
Clark, I.	Jamnick	Perricone	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: Scranton

The House agreed to the title of the bill.

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

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

Second Reading of Bills

Senate Bill No. 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.

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

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Reps. Woronchak and Wojno moved to amend the bill as follows:

1. Amend page 37, following line 13, by inserting:

"(8) A GOVERNMENTAL SUBDIVISION THAT ENFORCES THIS ACT AND THE CODE MAY APPROVE AMENDMENTS TO THE CODE BY ORDINANCE. THE AMENDMENTS SHALL BECOME EFFECTIVE 90 DAYS AFTER PASSAGE OF THE ORDINANCE AND 90 DAYS AFTER A CERTIFIED COPY OF THE ORDINANCE IS DELIVERED TO THE COMMISSION, UNLESS THE COMMISSION DETERMINES AFTER A PUBLIC HEARING THAT THE CODE, AS AMENDED, DOES NOT ADEQUATELY PROTECT THE HEALTH, SAFETY, OR WELFARE OF THE PEOPLE OF THE GOVERNMENTAL SUBDIVISION, OR THAT THE AMENDMENTS TEND TO UNNECESSARILY INCREASE CONSTRUCTION COSTS, RESTRICT THE USE OF NEW MATERIALS PRODUCTS OR METHODS OF CONSTRUCTION, OR OBSTRUCT THE SUBSTANTIVE UNIFORMITY OF BUILDING CODES WITHIN A REGION OR LOCALITY IN THE STATE." and renumbering the remaining subsections.

The question being on the adoption of the amendment offered by Reps. Woronchak and Wojno,

Rep. Woronchak demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Woronchak and Wojno,

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

Roll Call No. 910**Yeas—56**

Baird	DeHart	Kilpatrick	Richner
Basham	Dennis	LaSata	Sanborn
Birkholz	Garcia	Law	Schauer
Bishop	Garza	Lemmons	Schermesser
Bovin	Gieleghem	Lockwood	Spade
Brater	Godchaux	Martinez	Stallworth
Brown, B.	Hager	Middaugh	Switalski
Brown, C.	Hale	Neumann	Tesanovich
Byl	Hanley	O'Neil	Thomas
Callahan	Hansen	Patterson	Vander Roest
Cassis	Hardman	Price	Vaughn
Clark, I.	Jamnick	Prusi	Wojno
Clarke, H.	Jelinek	Quarles	Woodward
Daniels	Kelly	Reeves	Woronchak

Nays—38

Allen	Geiger	Kowall	Rivet
Bisbee	Gilbert	Kuipers	Rocca
Bradstreet	Gosselin	Kukuk	Scranton
Caul	Hart	Mead	Sheltrown
DeRossett	Howell	Mortimer	Shulman
DeVuyst	Jansen	Pappageorge	Stamas
DeWeese	Jellema	Pumford	Tabor
Ehardt	Johnson, Rick	Rackowski	Van Woerkom
Faunce	Johnson, Ruth	Richardville	Vear
Frank	Koetje		

In The Chair: Scranton

Rep. Rackowski moved to reconsider the vote by which the House adopted the amendment offered by Reps. Woronchak and Wojno.

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

The question being on the adoption of the amendment offered by Reps. Woronchak and Wojno,

Rep. Kilpatrick moved that consideration of the amendment be postponed temporarily.

The motion prevailed.

Rep. Kuipers moved to amend the bill as follows:

1. Amend page 50, line 15, after "codes" by striking out the balance of the line through "for" on line 17 and inserting "only upon the effective date of".
2. Amend page 50, line 17, after "update" by inserting "promulgated".
3. Amend page 51, line 8, after "repealed" by striking out the balance of the line through "state" on line 9 and inserting "on the effective date".

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

Rep. Martinez moved to reconsider the vote by which the House adopted the amendments offered by Rep. Kuipers.

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

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

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

Rep. Cherry moved to amend the bill as follows:

1. Amend page 27, line 12, by striking out all of subsection (9) and renumbering the remaining subsections.
2. Amend page 27, line 16, after "subsection" by striking out "(13)" and inserting "(12)".
3. Amend page 27, line 18, after "subsection" by striking out "(13)" and inserting "(12)".

4. Amend page 27, line 21, after "subsection" by striking out "(11)" and inserting "(10)".
5. Amend page 27, line 26, by striking out "(9)" and inserting "(8)".
6. Amend page 28, line 12, after "subsection" by striking out "(10)" and inserting "(9)".
7. Amend page 37, line 20, after "STATE" by striking out the balance of the line through "1963," on line 22.
8. Amend page 39, following line 13, by inserting:

"Sec. 9. (1) Except as otherwise provided in this section, the ~~executive~~ director is responsible for administration and enforcement of this act and the code. A governmental subdivision may by ordinance assume responsibility for administration and enforcement of this act within its political boundary.

A county ordinance adopted pursuant to this act shall be adopted by the county board of commissioners and shall be signed by the chairperson of the county board of commissioners and certified by the county clerk.

(2) A governmental subdivision that has assumed the responsibility for administering and enforcing this act and the code may through its chief legal officer issue a complaint and obtain a warrant for a violation of this act or the code and prosecute the violation with the same power and authority it possesses in prosecuting a local ordinance violation. If pursuant to section 23, a governmental subdivision has by ordinance designated a violation of the act or code as a municipal civil infraction, the governmental subdivision may issue a citation or municipal ordinance violation notice pursuant to chapter 87 of the revised judicature act of 1961, ~~Act No. 236 of the Public Acts of 1961, being sections 600.8701 to 600.8733 of the Michigan Compiled Laws 1961 PA 236, MCL 600.8701 TO 600.8735,~~ for a violation of the act or code. Unless otherwise provided by local law or ordinance, the legislative body of a governmental subdivision responsible for administration and enforcement of this act and the code shall designate an enforcing agency that shall discharge the responsibilities of the governmental subdivision under this act. Governmental subdivisions may provide by agreement for joint enforcement of this act.

(3) Subject to the other provisions of this act, an enforcing agency is any official or agent of a governmental subdivision qualified by experience or training to perform the duties associated with construction code administration and enforcement.

(4) Before January 10, 1981, the ~~executive~~ director shall provide each governmental subdivision administering and enforcing this act and the code with a notice of intent form. This form shall set forth the date return receipt is required, which date shall not be less than 60 days. The chief elected official of the governmental subdivision that receives this notice shall indicate on the form the intention of the governmental subdivision as to whether it shall continue to administer and enforce this act and the code and transmit this notice to the ~~executive~~ director within the prescribed period. If a governmental subdivision fails to submit a notice of intent to continue to administer and enforce this act and the code within the date set forth in the notice, the ~~executive~~ director shall send a notice by registered mail to the clerk of that governmental subdivision. This notice shall indicate that the governmental subdivision has 15 additional days in which to submit a notice of intent to continue to administer and enforce this act and the code. If the governmental subdivision does not respond by the end of the 15 additional days, it shall be conclusively presumed that the governmental subdivision does not intend to continue to administer and enforce this act and the code and the ~~executive~~ director shall assume the responsibility for administering and enforcing this act and the code in that governmental subdivision, unless the county within which the governmental subdivision is located submits a notice of intent to continue to administer and enforce this act and the code.

(5) A county that is administering and enforcing this act and the code on December 30, 1980 and that submits a notice of intent to continue to administer and enforce this act and the code pursuant to subsection (4) is responsible for the administration and enforcement of this act and the code for each governmental subdivision within the county that does not submit a notice of intent to continue to administer and enforce this act and the code or another nationally recognized model code within its jurisdiction. The ~~executive~~ director shall notify the county of those governmental subdivisions that do not submit a notice of intent.

(6) A governmental subdivision that, before December 30, 1980, did not administer and enforce either this act and the code or another nationally recognized model code may elect to assume the responsibility for the administration and enforcement of this act and the code pursuant to subsection (1) by the passage of an ordinance to that effect. A governmental subdivision that makes this election after December 30, 1980 shall submit, in addition to the ordinance, an application to the commission for approval to administer and enforce this act and the code within its jurisdiction. This application shall be made on the proper form to be provided by the commission. The standards for approval shall include, but not be limited to, the certification by the governmental subdivision that the enforcing agency is qualified by experience or training to administer and enforce this act and the code and all related acts and rules, that agency personnel are provided as necessary, that administrative services are provided, that plan review services are provided, and that timely field inspection services will be provided. The ~~executive~~ director shall seek additional information if the ~~executive~~ director considers it necessary. The commission shall render a decision on the application for approval to administer and enforce this act and the code and transmit its findings to the governmental subdivision within 90 days of receipt of the application. The commission shall document its reasons, if the commission disapproves an application. A governmental subdivision that receives a disapproval may resubmit its application for approval. Upon receipt of approval from the commission for the administration and enforcement of this act and the code, the governmental

subdivision shall administer and enforce this act and the code within its jurisdiction pursuant to the provisions of this act and the application.

(7) A governmental subdivision that elects to administer and enforce this act and the code within its jurisdiction by the adoption of an ordinance may rescind that ordinance and transfer the responsibility for the administration and enforcement of this act and the code to the ~~executive~~ director. The ~~executive~~ director shall assume the responsibility for administering and enforcing this act and the code in that governmental subdivision, unless the county within which that governmental subdivision is located has submitted a notice of intent to continue to administer and enforce the code. However, that action shall not take effect until 12 months after the passage of an ordinance to that effect. A structure commenced under an effective code shall be completed under that code.

(8) The ~~executive~~ director is responsible for administration and enforcement of this act and the code for buildings and structures that are not under the responsibility of an enforcing agency in those governmental subdivisions that elect to administer and enforce this act and the code or another nationally recognized model code. A building or structure owned by the state shall not be erected, remodeled, or reconstructed in the state after December 30, 1980, ~~except school buildings or facilities or institutions of higher education as described in section 4 of article VIII of the state constitution of 1963~~, until written approval of the plans and specifications has been obtained from the bureau of construction codes located within the department of ~~labor~~ CONSUMER AND INDUSTRY SERVICES indicating that the state owned facilities shall be designed and constructed in conformance with the ~~state construction~~ code. This subsection does not apply to any state owned facility for which construction commenced before December 30, 1980. The bureau of construction codes shall be the lead agency in the coordination and implementation of this subsection. The bureau of construction codes shall perform required plan reviews and inspections as required by the ~~state construction~~ code. Each department shall secure required plan approvals and permits from the bureau. Fees charged by the bureau for permits shall be in accordance with the commission's approved schedule of fees. State departments and institutions may allow local inspectors to inspect the construction of state owned facilities. However, an inspection conducted by a local inspector shall be of an advisory nature only.

(9) This section does not affect the responsibilities of the commission for administration and enforcement of this act pursuant to other sections of this act, or responsibilities pursuant to the fire prevention code, ~~Act No. 207 of the Public Acts of 1941, as amended, being sections 29.1 to 29.33 of the Michigan Compiled Laws, except sections 6 and 7 of Act No. 207 of the Public Acts of 1941, as amended, being sections 29.6 and 29.7 of the Michigan Compiled Laws; Act No. 306 of the Public Acts of 1937, as amended, being sections 388.851 to 388.855a of the Michigan Compiled Laws; the fire fighters training council act of 1966, Act No. 291 of the Public Acts of 1966, as amended, being sections 29.361 to 29.377 of the Michigan Compiled Laws; Act No. 9 of the Public Acts of the First Extra Session of 1942, as amended, being sections 419.201 to 419.205 of the Michigan Compiled Laws; parts 215 and 217 of the public health code, Act No. 368 of the Public Acts of 1978, as amended, being sections 333.21501 to 333.21799e of the Michigan Compiled Laws; and section 58 of the social welfare act, Act No. 280 of the Public Acts of 1939, as amended, being section 400.58 of the Michigan Compiled Laws~~ 1941 PA 207, MCL 29.1 TO 29.34, EXCEPT SECTIONS 6 AND 7 OF THE FIRE PREVENTION CODE, 1941 PA 207, MCL 29.6 AND 29.7; 1937 PA 306, MCL 388.851 TO 388.855A; THE FIRE FIGHTERS TRAINING COUNCIL ACT OF 1966, 1966 PA 291, MCL 29.361 TO 29.377; 1942 (1ST EX SESS) PA 9, MCL 419.201 TO 419.205; PARTS 215 AND 217 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.21501 TO 333.21799E; AND SECTION 58 OF THE SOCIAL WELFARE ACT, 1939 PA 280, MCL 400.58.

(10) Pursuant to parts 215 and 217 of ~~Act No. 368 of the Public Acts of 1978, as amended, the directors of the department of labor, public health, and state police, or their designees~~, THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.21501 TO 333.21799E, THE DIRECTOR shall develop consistent construction standards for hospitals and nursing homes. These standards shall ensure that consistent, uniform, and equitable construction requirements and state supervision of the requirements are achieved and that unnecessary duplication is avoided. ~~The commission shall delegate plan review and approval of health facility construction plans to the department of health.~~ This subsection does not preclude a state agency or a governmental subdivision from conducting plan reviews or inspections necessary to ensure compliance with approved construction plans.

(11) Except as otherwise provided in this act, this act does not limit or restrict existing powers or authority of governmental subdivisions, and this act shall be enforced by governmental subdivisions in the manner prescribed by local law or ordinance. To the extent not inconsistent with this act, local laws and ordinances relating to administration and enforcement of construction regulations enacted before the effective date of the code by or for a governmental subdivision are applicable to administration and enforcement of the code in that governmental subdivision.”.

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

Rep. Cherry demanded the yeas and nays.

The demand was supported.

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

Rep. Sheltroun moved that consideration of the amendments be postponed temporarily.

The motion prevailed.

The question being on the adoption of the amendment offered previously by Reps. Woronchak and Wojno, Rep. Kilpatrick demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered previously by Reps. Woronchak and Wojno,

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

The motion prevailed.

The Speaker Pro Tempore resumed the Chair.

Rep. Kelly moved that Rep. LaForge be excused from the balance of today's session.

The motion prevailed.

House Bill No. 4931, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 605 and 716 (MCL 257.605 and 257.716), section 605 as amended by 1999 PA 73 and section 716 as amended by 1998 PA 427.

The bill was read a second time.

Rep. Wojno moved to amend the bill as follows:

1. Amend page 2, line 11, after "STATE." by inserting "THIS SUBSECTION APPLIES TO A LOCAL LAW ADOPTED ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION."

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

Rep. Wojno demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 911

Yeas—35

Baird	Daniels	Jacobs	Schauer
Birkholz	DeHart	Jamnick	Schermesser
Bovin	Dennis	Kilpatrick	Switalski
Brater	Faunce	Lockwood	Tesanovich
Brown, B.	Garza	Martinez	Thomas
Callahan	Gielegghem	Minore	Vaughn
Cherry	Hale	O'Neil	Wojno
Clark, I.	Hanley	Price	Woodward
Clarke, H.	Hansen	Prusi	

Nays—67

Allen	Gilbert	Kukuk	Rivet
Basham	Gosselin	LaSata	Rocca
Bisbee	Green	Lemmons	Sanborn
Bishop	Hager	Mead	Scranton
Bradstreet	Hardman	Middaugh	Shackleton
Brewer	Hart	Mortimer	Sheltrown
Brown, C.	Howell	Neumann	Shulman
Byl	Jansen	Pappageorge	Spade
Cassis	Jelinek	Patterson	Stallworth
Caul	Jellema	Perricone	Stamas
DeRossett	Johnson, Rick	Pestka	Tabor

DeVuyst
DeWeese
Ehardt
Frank
Garcia
Geiger

Johnson, Ruth
Julian
Kelly
Koetje
Kowall
Kuipers

Pumford
Quarles
Raczkowski
Reeves
Richardville
Richner

Toy
Van Woerkom
Vander Roest
Vear
Voorhees

In The Chair: Birkholz

Rep. Rick Johnson moved to amend the bill as follows:

1. Amend page 2, line 8, after “AND” by striking out “APPLIED EXCLUSIVELY” and inserting “SHALL BE ALLOCATED AS FOLLOWS:
(A) SIXTY PERCENT”.

2. Amend page 2, following line 11, by inserting:

“(B) FORTY PERCENT TO THE COUNTY IN WHICH THE POLITICAL SUBDIVISION IS LOCATED. THE COURT SHALL NOT WAIVE THE IMPOSITION OF THE FINE AND SHALL IMPOSE AT LEAST THE MINIMUM FINE AS RECOMMENDED BY THE STATE COURT ADMINISTRATOR’S OFFICE RECOMMENDED GUIDELINES. COSTS IMPOSED SHALL NOT EXCEED THOSE COSTS AS RECOMMENDED IN THE STATE COURT ADMINISTRATOR’S OFFICE RECOMMENDED GUIDELINES.”.

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

Rep. Rick Johnson moved that consideration of the amendments be postponed temporarily.
The motion prevailed.

Rep. Jamnick moved to amend the bill as follows:

1. Amend page 2, line 8, after “APPLIED” by inserting “AS 30% TO THE LOCAL UNIT OF GOVERNMENT HAVING JURISDICTION, 30% TO THE LOCAL LAW ENFORCEMENT AGENCY WHICH ISSUED THE CITATION, AND 40%”.

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

Rep. Jamnick demanded the yeas and nays.

The demand was supported.

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

Rep. Raczkowski moved that consideration of the amendment be postponed temporarily.
The motion prevailed.

Rep. Richner moved to amend the bill as follows:

1. Amend page 2, line 5, after “(3)” by inserting “EXCEPT FOR CIVIL INFRACTION ACTIONS IN A MUNICIPAL COURT,”.

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

Rep. Raczkowski moved that consideration of the amendment be postponed temporarily.
The motion prevailed.

Rep. Cassis moved to amend the bill as follows:

1. Amend page 2, line 8, after “AND” by striking out “APPLIED EXCLUSIVELY” and inserting “SHALL BE ALLOCATED AS FOLLOWS:

(A) FORTY PERCENT TO THE COUNTY, CITY, OR VILLAGE FOR USE ON LOCAL ROADS.

(B) THIRTY PERCENT”.

2. Amend page 2, following line 11, by inserting:

“(C) THIRTY PERCENT TO THE COUNTY IN WHICH THE POLITICAL SUBDIVISION IS LOCATED.”.

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

Rep. Middaugh moved that consideration of the amendments be postponed temporarily.
The motion prevailed.

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

Senate Bill No. 554, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 248 (MCL 257.248), as amended by 1998 PA 384.

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

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.

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. 554, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 248 (MCL 257.248), as amended by 1998 PA 384.

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

Roll Call No. 912**Yeas—104**

Allen	Faunce	Koetje	Richner
Baird	Frank	Kowall	Rivet
Basham	Garcia	Kuipers	Rocca
Birkholz	Geiger	Kukuk	Sanborn
Bisbee	Gielegghem	LaSata	Schauer
Bishop	Gilbert	Law	Schermesser
Bovin	Godchaux	Lemmons	Scranton
Bradstreet	Gosselin	Lockwood	Shackleton
Brater	Green	Martinez	Sheltrown
Brewer	Hager	Mead	Shulman
Brown, B.	Hale	Middaugh	Spade
Brown, C.	Hanley	Minore	Stallworth
Byl	Hansen	Mortimer	Stamas
Callahan	Hardman	Neumann	Switalski
Cassis	Hart	O'Neil	Tabor
Caul	Howell	Pappageorge	Tesanovich
Cherry	Jacobs	Patterson	Thomas
Clark, I.	Jamnick	Perricone	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	Raczkowski	Wojno
DeWeese	Kelly	Reeves	Woodward
Ehardt	Kilpatrick	Richardville	Woronchak

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 registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control

of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”.

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.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 4352, 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 21 with substitute (S-2) and full title inserted, consideration of which, under the rules, was postponed until today, see House Journal No. 72, p. 2034.)

The question being on concurring in the adoption of the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 913

Yeas—101

Allen	Frank	Kowall	Richner
Baird	Garcia	Kuipers	Rivet
Basham	Garza	Kukuk	Rocca
Birkholz	Geiger	LaSata	Sanborn
Bisbee	Gielegghem	Law	Schauer
Bishop	Gilbert	Lemmons	Schermesser
Bovin	Gosselin	Lockwood	Shackleton
Bradstreet	Green	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
Cassis	Jacobs	Pappageorge	Tesanovich
Caul	Jamnick	Patterson	Thomas
Cherry	Jansen	Perricone	Toy
Clark, I.	Jelinek	Pestka	Van Woerkom
Clarke, H.	Jellema	Price	Vander Roest
Daniels	Johnson, Rick	Prusi	Vaughn
DeHart	Johnson, Ruth	Pumford	Vear
Dennis	Julian	Quarles	Voorhees
DeVuyst	Kelly	Raczkowski	Wojno
DeWeese	Kilpatrick	Reeves	Woodward
Ehardt	Koetje	Richardville	Woronchak
Faunce			

Nays—0

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

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

Reps. Kowall, Hansen, Birkholz, Hale, Kelly, DeHart, Brater, Woodward, Wojno, Minore, Bovin, Sheltroun, Schauer, Spade, Cassis, Perricone, Sanborn, Tabor, Koetje, Woronchak, Vear, Ehardt, LaSata, Lemmons, Gielegghem, Daniels, Schermesser, Hager, Shulman, Garcia, Jelinek, Green, Allen, Voorhees, Toy, Julian, Middaugh, Gosselin, Thomas, Mead, Vander Roest, Jamnick, Bishop and Kilpatrick offered the following resolution:

House Resolution No. 208.

A resolution to commemorate the Michigan Lyme Disease Association.

Whereas, Since the founding of The Michigan Lyme Disease Association in 1991 to promote awareness and prevention through education of the public and health care professionals about Lyme Disease and other tick borne illnesses, the MLDA has established and maintained eight statewide support groups that hold monthly meetings that allow members to obtain practical information and guidance; and

Whereas, With the assistance of donations and public fundraising, the MLDA has accomplished ambitious goals since its founding, including two fully accredited conferences on Lyme Disease and other tick-borne illnesses, the mailing of thousands of Lyme Disease educational packets from calls received from the toll free telephone number at an average rate of 500 calls per month, and maintaining a billboard promoting education. The MLDA has been invited and has given Lyme Disease education talks to numerous organizations across the state including the Michigan Horse Commission, hunting shows, Michigan Trail Riders, Michigan Bow Hunters, Oakland County Sportsman Club, GM Local 160, Oakland County Road Commission, Dow Chemical, and many schools and local organizations. They have set up displays at various trade shows and have completed a year-long research study tracking the distribution of Lyme Disease in dogs throughout Southeastern Michigan; and

Whereas, Current MLDA projects include testing deer for Lyme Disease and other tick-borne illnesses, updating a statewide survey tracking Lyme Disease cases, and fundraising efforts to pay for materials, research, and miscellaneous expenses; now, therefore, be it

Resolved by the House of Representatives, That we hereby commemorate the Michigan Lyme Disease Association for their work in awareness of Lyme Disease and other tick-borne illnesses in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Lyme Disease Association as evidence of our highest esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Woodward, Hansen, Birkholz, Hale, Kelly, LaForge, DeHart, Martinez, Brater, Wojno, Minore, Bovin, Garza, Schauer, Spade, Dennis, Woronchak, Vear, Ehardt, LaSata, Lemmons, Daniels, Prusi, Schermesser, Baird, Kowall, Hager, Hanley, Garcia, Green, Voorhees, Toy, Julian, Gosselin, Thomas, Jamnick, Quarles, Hardman, Bishop and Kilpatrick offered the following resolution:

House Resolution No. 209.

A resolution honoring Liz and Jack Falkenbury as they celebrate their 50th wedding anniversary.

Whereas, It is a distinct honor to join with the family and friends of Liz and Jack Falkenbury of Royal Oak, Michigan, as they celebrate their 50th wedding anniversary. As they gather to mark this milestone in their lives, it is most appropriate to commend them for their involvement in their community and the manner in which their strong relationship has enhanced our state and the lives of all fortunate enough to know these two fine people; and

Whereas, On November 5, 1999, the Falkenburys will recall the vows they spoke long ago. In the years that have followed they have been renewing these vows every day, not by words, but by the commitment they make in their deeds in coping with the challenges of life and the joys of this world. As the Falkenburys would quickly affirm, no marriage can reach the milestone of 50 years without this commitment and renewal; and

Whereas, Since they pledged their trust, respect, and affection in marriage, Liz and Jack Falkenbury have also witnessed changes in their own lives. Certainly the central point of their attention is their family, to whom they have given countless gifts. Among the most precious of these, given to friends, their 2 children, 4 grandchildren, and their entire family, is the example they have given of the rewards of a wonderful marriage. As they mark this day, may they also know that this example has enriched our entire state; now, therefore, be it

Resolved by the House of Representatives, That we offer our congratulations to Liz and Jack Falkenbury as they mark their 50th wedding anniversary. May they continue to grow closer to one another with each passing day; and be it further

Resolved, That a copy of this resolution be transmitted to Liz and Jack Falkenbury as evidence of our great respect for their 50 years of marriage.

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. Bob Brown, Hansen, Birkholz, Frank, Hale, Rocca, Kelly, LaForge, DeHart, Martinez, Brater, Woodward, Wojno, Minore, Bovin, Sheltrown, Schauer, Spade, Dennis, Cassis, Sanborn, Tabor, Koetje, Woronchak, Vear, Ehardt, LaSata, Lemmons, Gielegghem, Daniels, Prusi, Schermesser, Baird, Kowall, Hager, Hanley, Garcia, Jelinek, Green, Voorhees, Toy, Julian, Middaugh, Gosselin, Thomas, Mead, Vander Roest, Clark, Jamnick, Patterson, Hardman, Bishop and Kilpatrick offered the following resolution:

House Resolution No. 210.

A resolution recognizing October as National Lupus Awareness Month.

Whereas, The Lupus Foundation of America has declared the month of October as National Lupus Awareness Month; and

Whereas, The Lupus Foundation, a voluntary health organization, stands dedicated to improving the quality of life for Lupus patients through educating victims, families of victims, and the general public of the diseases ramifications, services available for patients, and of the need for research to find additional treatments and a cure; and

Whereas, Lupus is an often life-threatening, chronic disorder where the immune system forms antibodies that attack healthy tissues and organs, for which there is not a cure; and

Whereas, Lupus can be difficult to diagnose as the symptoms come and go and mimic many other illnesses; and

Whereas, Lupus is more prevalent than AIDS, sickle-cell anemia, cerebral palsy, multiple sclerosis, and cystic fibrosis combined; and

Whereas, Michigan is home to many citizens inflicted with this Lupus, including the second youngest child in the nation to be diagnosed; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body do hereby proclaim October as Michigan Lupus Awareness Month in conjunction with National Lupus Awareness Month; and be it further

Resolved, That a copy of this resolution be transmitted to the Lupus Foundation as evidence 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.

Reports of Standing Committees

The Committee on Veterans Affairs, by Rep. Richardville, Chair, reported

House Resolution No. 183.

A resolution to memorialize the Congress and the President of the United States to maintain our nation's commitment to military retirees to provide lifetime health care.

(For text of resolution, see House Journal No. 61, p. 1801.)

With the recommendation that the following substitute (H-1) be adopted and that the resolution then be adopted.

Substitute for House Resolution No. 183.

A resolution to memorialize the Congress and the President of the United States to maintain or improve our nation's commitment to military retirees to provide lifetime health care.

Whereas, The men and women who have devoted themselves to military service on behalf of their fellow citizens are entitled to receive the benefits promised them when they began their patriotic service. When these people signed up for the difficult and dangerous work of protecting our country and way of life, they were assured that the country would provide lifetime health care benefits; and

Whereas, This implied contract is not being fulfilled. Upon reaching the age of sixty-five, military retirees lose a significant portion of promised health care due to Medicare eligibility. This situation is made more severe by the fact that many military retirees do not live near military treatment facilities; and

Whereas, Military retirees have significantly less access to health care than other retired federal employees covered under the Federal Employees Health Benefits Program. This is especially true in light of inequities between coverages for pharmaceuticals; and

Whereas, There are proposals under consideration in Congress to rectify this problem and extend to military retirees the benefits they have earned and deserve. In addition, there are pilot projects operating that address the problem by allowing Medicare-eligible retirees to enroll in a program through the Department of Defense. Clearly, there are options available to provide military retirees the care to which they are entitled; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress and the President of the United States to maintain or improve our nation's commitment to military retirees to provide lifetime health care; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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

Favorable Roll Call

HR 183 To Report Out:

Yeas: Reps. Richardville, Ehardt, Allen, Garcia, Schermesser, Bovin, Mans,

Nays: None.

The Committee on Veterans Affairs, by Rep. Richardville, Chair, reported

House Resolution No. 205.

A resolution to memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained.

(For text of resolution, see House Journal No. 71, p. 2013.)

With the recommendation that the following substitute (H-1) be adopted and that the resolution then be adopted.

Substitute for House Resolution No. 205.

A resolution to memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained or improved.

Whereas, With the move to a balanced federal budget, many people are concerned over the impact of increasingly limited funds for vitally important services. An area of special concern is the health care provided to our veterans, especially through the facilities and programs of the Department of Veterans Affairs; and

Whereas, For those who served our country with sacrifice and valor in the Armed Forces, the VA health programs represent a fulfillment of a promise. The programs and facilities are literally a lifeline for many. This promise on the part of our nation—to care for our veterans in their times of need—cannot be forgotten or abandoned. The move to bring austerity and fiscal responsibility to government spending cannot override the needs of the veterans who now rely on us as we relied on them in our nation's times of need; and

Whereas, Funding to care for veterans who have suffered grave injuries must not be jeopardized. Veterans bedridden by injuries and dependent on VA health services have every right to the same level of dedication they gave to America in battles to preserve our way of life. To decrease our financial and emotional commitment to these patriots through inadequate care is wrong. Continuing cutbacks in funding and reductions in service and personal care represent a flawed approach to caring for men and women who have earned our lasting gratitude; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained or improved; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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

Favorable Roll Call

HR 205 To Report Out:

Yeas: Reps. Richardville, Ehardt, Allen, Garcia, Schermesser, Bovin, Mans,

Nays: None.

The Committee on Veterans Affairs, by Rep. Richardville, Chair, reported
House Concurrent Resolution No. 49.

A concurrent resolution to memorialize the Congress and the President of the United States to maintain our nation's commitment to military retirees to provide lifetime health care.

(For text of resolution, see House Journal No. 61, p. 1803.)

With the recommendation that the following substitute (H-1) be adopted and that the resolution then be adopted.

Substitute for House Concurrent Resolution No. 49.

A concurrent resolution to memorialize the Congress and the President of the United States to maintain or improve our nation's commitment to military retirees to provide lifetime health care.

Whereas, The men and women who have devoted themselves to military service on behalf of their fellow citizens are entitled to receive the benefits promised them when they began their patriotic service. When these people signed up for the difficult and dangerous work of protecting our country and way of life, they were assured that the country would provide lifetime health care benefits; and

Whereas, This implied contract is not being fulfilled. Upon reaching the age of sixty-five, military retirees lose a significant portion of promised health care due to Medicare eligibility. This situation is made more severe by the fact that many military retirees do not live near military treatment facilities; and

Whereas, Military retirees have significantly less access to health care than other retired federal employees covered under the Federal Employees Health Benefits Program. This is especially true in light of inequities between coverages for pharmaceuticals; and

Whereas, There are proposals under consideration in Congress to rectify this problem and extend to military retirees the benefits they have earned and deserve. In addition, there are pilot projects operating that address the problem by allowing Medicare-eligible retirees to enroll in a program through the Department of Defense. Clearly, there are options available to provide military retirees the care to which they are entitled; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress and the President of the United States to maintain or improve our nation's commitment to military retirees to provide lifetime health care; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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

Favorable Roll Call

HCR 49 To Report Out:

Yeas: Reps. Richardville, Ehardt, Allen, Garcia, Schermesser, Bovin, Mans,
Nays: None.

The Committee on Veterans Affairs, by Rep. Richardville, Chair, reported
Senate Concurrent Resolution No. 8.

A concurrent resolution to memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained.

(For text of resolution, see House Journal No. 50, p. 1268.)

With the recommendation that the following substitute (H-1) be adopted and that the resolution then be adopted.

Substitute for Senate Concurrent Resolution No. 8.

A concurrent resolution to memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained or improved.

Whereas, With the move to a balanced federal budget, many people are concerned over the impact of increasingly limited funds for vitally important services. An area of special concern is the health care provided to our veterans, especially through the facilities and programs of the Department of Veterans Affairs; and

Whereas, For those who served our country with sacrifice and valor in the Armed Forces, the VA health programs represent a fulfillment of a promise. The programs and facilities are literally a lifeline for many. This promise on the part of our nation—to care for our veterans in their times of need—cannot be forgotten or abandoned. The move to bring austerity and fiscal responsibility to government spending cannot override the needs of the veterans who now rely on us as we relied on them in our nation's times of need; and

Whereas, Funding to care for veterans who have suffered grave injuries must not be jeopardized. Veterans bedridden by injuries and dependent on VA health services have every right to the same level of dedication they gave to America in battles to preserve our way of life. To decrease our financial and emotional commitment to these patriots through inadequate care is wrong. Continuing cutbacks in funding and reductions in service and personal care represent a flawed approach to caring for men and women who have earned our lasting gratitude; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained or improved; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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

Favorable Roll Call

SCR 8 To Report Out:

Yeas: Reps. Richardville, Ehardt, Allen, Garcia, Schermesser, Bovin, Mans,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Richardville, Chair of the Committee on Veterans Affairs, was received and read:

Meeting held on: Thursday, October 21, 1999, at 9:00 a.m.,

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

The Committee on Health Policy, by Rep. DeWeese, Vice-Chair, reported

House Bill No. 4596, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20902, 20904, 20906, 20908, 20910, 20912, 20915, 20916, 20918, 20919, 20920, 20921, 20923, 20929, 20934, 20950, 20954, 20956, 20958, 20965, 20975, and 20977 (MCL 333.20902, 333.20904, 333.20906, 333.20908, 333.20910, 333.20912, 333.20915, 333.20916, 333.20918, 333.20919, 333.20920, 333.20921, 333.20923, 333.20929, 333.20934, 333.20950, 333.20954, 333.20956, 333.20958, 333.20965, 333.20975, and 333.20977), sections 20902, 20904, 20906, 20908, 20910, 20912, 20915, 20916, 20918, 20923, 20929, 20934, 20950, 20954, 20956, 20958, 20975, and 20977 as added by 1990 PA 179, section 20919 as amended by 1996 PA 192, and sections 20920, 20921, and 20965 as amended by 1997 PA 78.

With the recommendation that the substitute (H-5) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 4596 To Report Out:

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

Nays: None.

The Committee on Health Policy, by Rep. DeWeese, Vice-Chair, reported

House Bill No. 4742, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5205 (MCL 333.5205), as amended by 1997 PA 57.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4742 To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Ehardt, Gosselin, Green, Ruth Johnson, Rocca, Vear, Schauer, Baird, Dennis, Jacobs, Neumann, Woodward,

Nays: Reeves.

The Committee on Health Policy, by Rep. DeWeese, Vice-Chair, reported

House Bill No. 4903, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 18802 and 18838 (MCL 333.18802 and 333.18838), section 18802 as amended by 1982 PA 353.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4903 To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Ehardt, Gosselin, Green, Ruth Johnson, Rocca, Vear, Schauer, Baird, Dennis, Jacobs, Neumann, Reeves, Woodward,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, October 21, 1999, at 10:30 a.m.,

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

Absent: Rep. Raczkowski,

Excused: Rep. Raczkowski.

The Committee on Education, by Rep. Allen, Chair, reported

House Bill No. 4959, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 15 and 602.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4959 To Report Out:

Yeas: Reps. Allen, Ruth Johnson, Bradstreet, DeWeese, Hager, Hart, Kuipers, Van Woerkom, Voorhees, Bogardus, Clark, Daniels, Gielegheem, Hansen, Spade,

Nays: None.

The Committee on Education, by Rep. Allen, Chair, reported

Senate Bill No. 706, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1317.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 706 To Report Out:

Yeas: Reps. Allen, Ruth Johnson, Bradstreet, DeWeese, Hager, Hart, Kuipers, Van Woerkom, Voorhees, Bogardus, Clark, Daniels, Gielegheem, Hansen, Spade,

Nays: None.

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 26, 1999, at 10:30 a.m.,

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

Absent: Reps. Rick Johnson, Scott,

Excused: Reps. Rick Johnson, Scott.

The Committee on Economic Development, by Rep. Garcia, Chair, reported

Senate Bill No. 717, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38e (MCL 208.38e), as added by 1996 PA 593.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 717 To Report Out:

Yeas: Reps. Garcia, Kowall, Bisbee, Richardville, Van Woerkom, Bob Brown, Lockwood, Vaughn,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Garcia, Chair of the Committee on Economic Development, was received and read:

Meeting held on: Tuesday, October 26, 1999, at 9:00 a.m.,

Present: Reps. Garcia, Kowall, Bisbee, Richardville, Van Woerkom, Bob Brown, Lockwood, Vaughn,

Absent: Rep. Mans,

Excused: Rep. Mans.

The Committee on Tax Policy, by Rep. Woronchak, Vice-Chair, reported

House Bill No. 4863, entitled

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

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 4863 To Report Out:

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

Nays: None.

The Committee on Tax Policy, by Rep. Woronchak, Vice-Chair, reported

Senate Bill No. 809, entitled

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; and to declare the effect of this act," by amending the title and section 14 (MCL 205.14), the title as amended and section 14 as added by 1998 PA 368.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 809 To Report Out:

Yeas: Reps. Cassis, Woronchak, Allen, Faunce, Gilbert, Gosselin, Patterson, Vander Roest, Vear, Quarles, Basham, Jamnick,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Woronchak, Vice-Chair of the Committee on Tax Policy, was received and read:
Meeting held on: Tuesday, October 26, 1999, at 9:00 a.m.,

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

Absent: Rep. O'Neil,

Excused: Rep. O'Neil.

The Committee on Agriculture and Resource Management, by Rep. Green, Chair, reported

Senate Bill No. 205, entitled

A bill to amend 1981 PA 93, entitled "Michigan right to farm act," by amending section 4 (MCL 286.474), as amended by 1995 PA 94.

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 205 To Report Out:

Yeas: Reps. Green, Julian, Bradstreet, DeRossett, DeVuyst, Ehardt, Howell, Rick Johnson, Koetje, Vear, Rivet, Sheltroun, Spade,

Nays: Reps. Brater, Bogardus, Hansen, LaForge.

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: Tuesday, October 26, 1999, at 8:00 a.m.,

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

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, October 26, 1999, at 12:00 Noon,

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hart, Chair of the Committee on Family and Children Services, was received and read:

Meeting held on: Tuesday, October 26, 1999, at 12:00 Noon,

Present: Reps. Hart, Cassis, Law, Shulman, LaForge, Gielegghem, Hardman, Jacobs,

Absent: Rep. DeRossett,

Excused: Rep. DeRossett.

Notices

October 26, 1999

Mr. Gary Randall
Clerk of the House
3rd Floor House Office Building
Lansing, Michigan 48909
Dear Mr. Randall:

Please make note in your records that Representative Ruth Johnson is removed from the House Standing Committee on Conservation and Outdoor Recreation, and replaced by Representative Jason Allen. Additionally, Representative

Randy Richardville is removed from House Oversight and Operations and replaced by Representative Ruth Johnson. Representative Randy Richardville is added to Great Lakes and Tourism in place of Representative Jason Allen.

Thank you for your attention to this matter.

Sincerely,
Charles R. Perricone
Speaker of the House

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, October 21:

House Bill Nos. 5018 5019 5020 5021 5022

The Clerk announced the enrollment printing and presentation to the Governor on Friday, October 22, for his approval of the following bills:

Enrolled House Bill No. 4413 at 1:49 p.m.
Enrolled House Bill No. 4426 at 1:51 p.m.
Enrolled House Bill No. 4598 at 1:53 p.m.
Enrolled House Bill No. 4670 at 1:55 p.m.
Enrolled House Bill No. 4764 at 1:57 p.m.
Enrolled House Bill No. 4816 at 1:59 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, October 22:

House Bill Nos. 5023 5024

The Clerk announced the enrollment printing and presentation to the Governor on Monday, October 25, for his approval of the following bills:

Enrolled House Bill No. 4132 at 11:48 a.m.
Enrolled House Bill No. 4310 at 11:50 a.m.
Enrolled House Bill No. 4354 at 11:52 a.m.

The Clerk announced that the following Senate bill had been received on Tuesday, October 26:

Senate Bill No. 725

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

House Bill No. 4420, entitled

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

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and ordered that it be given immediate effect.

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

Senate Bill No. 725, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20965 (MCL 333.20965), as amended by 1997 PA 78.

The Senate has passed the bill.

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

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 22, 1999
Time: 12:40 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4244 (Public Act No. 142, I.E.), being

An act to amend 1968 PA 2, entitled "An act to provide for the formulation and establishment of uniform charts of accounts and reports in local units of government; to define local units of government; to provide for the examination of the books and accounts of local units of government; to provide for annual financial reports from local units of

government; to provide for the administration of this act; to prescribe the powers and duties of the state treasurer, the attorney general, the library of Michigan and depository libraries, and other officers and entities; to provide penalties for violation of certain requirements of this act; to provide for meeting the expenses authorized by this act; to provide a uniform budgeting system for local units; and to prohibit deficit spending by a local unit of government,” by amending section 2d (MCL 141.422d), as amended by 1996 PA 401.

(Filed with the Secretary of State October 22, 1999, at 2:20 p.m.)

Date: October 22, 1999

Time: 12:42 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4609 (Public Act No. 143, I.E.), being

An act to amend 1957 PA 200, entitled “An act to provide for the creation by 2 or more municipalities of an intermunicipality committee for the purpose of studying area problems; and to provide authority for the committee to receive gifts and grants,” (MCL 123.631 to 123.636) by adding section 7.

(Filed with the Secretary of State October 22, 1999, at 2:22 p.m.)

Communications from State Officers

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

October 15, 1999

Pursuant to Section 315 of P.A. 122 of 1999, we are enclosing a copy of the special investigation reports #9C0102010 conducted on Bay Pines Center and #9C0103019 conducted on Maxey Training School-Summit Center.

If you have any questions regarding this information, please feel free to contact me at 373-3892.

Sincerely,

John R. Suckow, C.P.A.

Director, Finance and

Administrative Services

The communication was referred to the Clerk.

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

October 21, 1999

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

Financial Audit

Including the Provisions of the Single Audit Act

of the

Library of Michigan

October 1, 1996 through September 30, 1998

October 21, 1999

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

Financial Audit

Including the Provisions of the Single Audit Act

of the

Department of Environmental Quality

October 1, 1995 through September 30, 1997

October 21, 1999

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

Performance and Financial Related Audit

of the

Medicaid Management Information System

Department of Community Health

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.

Introduction of Bills

Reps. Spade, Schauer, Vander Roest, Prusi, Woodward, Wojno, Bovin, Callahan, Martinez, Voorhees, Jacobs, Gielegghem, Minore, Garza, DeHart, Garcia, Switalski, LaForge, Richardville, Mans, Bishop, Hager, Dennis, O'Neil, Jellema, Bob Brown, Scott, Lockwood, Brater, Vear and Lemmons introduced

House Bill No. 5025, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 260 (MCL 206.260), as amended by 1996 PA 484.

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

Reps. Schauer, Vander Roest, Spade, Prusi, Woodward, Wojno, Bovin, Callahan, Martinez, Voorhees, Jacobs, Gielegghem, Minore, Garza, DeHart, Garcia, Switalski, LaForge, Richardville, Mans, Bishop, Hager, Dennis, Jellema, O'Neil, Bob Brown, Scott, Lockwood, Brater, Vear and Lemmons introduced

House Bill No. 5026, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 260a.

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

Reps. Vander Roest, Spade, Schauer, Prusi, Woodward, Wojno, Bovin, Callahan, Martinez, Voorhees, Jacobs, Gielegghem, Minore, Garza, DeHart, Garcia, Switalski, LaForge, Richardville, Mans, Bishop, Hager, Dennis, Jellema, O'Neil, Bob Brown, Scott, Lockwood, Brater, Vear and Lemmons introduced

House Bill No. 5027, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 260b.

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

Reps. Richardville, Pappageorge, Rocca, Patterson, Toy, Kowall, Mortimer, Garcia, Allen, Woronchak, Bisbee, DeRossett, Hager, Faunce, Bradstreet, Van Woerkom, Shackleton, Gilbert, Julian, Tabor, Voorhees, Schermesser, DeHart, Rivet, Vander Roest, Caul, Bovin, Mans, Spade, Woodward and Vear introduced

House Bill No. 5028, entitled

A bill to designate the part of highway I-75 located in Monroe county as the "Michigan's Congressional Medal of Honor Recipient Highway"; and to prescribe certain duties of the state transportation department.

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

Reps. Gosselin, DeHart, Green, Kuipers, Jansen, Bishop, Kukuk, Voorhees and Garcia introduced

House Bill No. 5029, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5119 (MCL 333.5119), as amended by 1994 PA 75.

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

Reps. Gosselin, Green, DeHart, Kuipers, Spade, Bishop, Voorhees and Raczkowski introduced

House Bill No. 5030, entitled

A bill to repeal 1993 PA 330, entitled "State real estate transfer tax act," (MCL 207.521 to 207.537).

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

Reps. Brewer, Kelly, LaForge and Quarles introduced

House Bill No. 5031, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 223a.

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

Reps. Brewer, Kelly, LaForge, Frank and Neumann introduced

House Bill No. 5032, entitled

A bill to amend 1978 PA 472, entitled "An act to regulate political activity; to regulate lobbyists, lobbyist agents, and lobbying activities; to require registration of lobbyists and lobbyist agents; to require the filing of reports; to prescribe the powers and duties of the department of state; to prescribe penalties; and to repeal certain acts and parts of acts," (MCL 4.411 to 4.431) by adding section 6b.

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

Reps. Brewer, LaForge, Frank and Neumann introduced

House Bill No. 5033, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20165 and 20175 (MCL 333.20165 and 333.20175), section 20165 as amended by 1998 PA 108 and section 20175 as amended by 1993 PA 79, and by adding section 20173.

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

Reps. Brewer, LaForge, Frank and Neumann introduced

House Bill No. 5034, entitled

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," (MCL 400.701 to 400.737) by adding section 34a.

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

Reps. Brewer, Kelly, LaForge, Frank, Neumann, Basham and Quarles introduced

House Bill No. 5035, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding section 137b.

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

Reps. Green, DeRossett and Law introduced

House Bill No. 5036, entitled

A bill to amend 1943 PA 184, entitled "Township zoning act," by amending sections 3, 9, 11a, and 40 (MCL 125.273, 125.279, 125.281a, and 125.310), section 40 as added by 1996 PA 570.

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

Reps. Green, DeRossett and Law introduced

House Bill No. 5037, entitled

A bill to amend 1943 PA 183, entitled "County zoning act," by amending sections 3, 9, 11a, and 40 (MCL 125.203, 125.209, 125.211a, and 125.240), section 40 as added by 1996 PA 569.

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

Reps. Green, DeRossett, Minore, Law and Birkholz introduced

House Bill No. 5038, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1071 (MCL 380.1071).

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

Reps. Green, DeRossett, Minore, Law and Birkholz introduced

House Bill No. 5039, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1066 (MCL 380.1066), as amended by 1995 PA 289.

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

Reps. Allen, Rick Johnson, Shackleton, Howell, Rocca, Green, DeVuyst, Geiger, Pappageorge, Stamas, LaSata, Middaugh, Cameron Brown, LaForge, Tabor, Julian, Toy, Bisbee, Hager, Kowall, Richardville, Hart, Caul, Vander Roest, Jelinek, Mead, Pumford, Mortimer, Ehardt, Bradstreet, Patterson, Gilbert, DeRossett, Byl, Ruth Johnson, Garcia, Rivet, Sheltrown, Jansen, Birkholz, Bogardus, Bovin, Vear and Kuipers introduced

House Bill No. 5040, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811n.

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

Reps. Shackleton, Kowall, Gilbert, Toy, Rick Johnson, Middaugh, Birkholz, Ruth Johnson, Allen, Bovin, Tabor, Julian, Ehardt, Pappageorge, Garcia, Stamas, Kuipers, Jelinek, Bishop, Mead, Law, Mortimer, Geiger, Koetje, Prusi, Jansen, Jellema and Raczkowski introduced

House Bill No. 5041, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811k.

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

Reps. Hager, Gilbert, Richardville, Callahan, Spade, Toy, Kowall, Shackleton, Pappageorge, Rick Johnson, Byl, Hart, Wojno, Richner, Allen, Ehardt, Voorhees, Middaugh, Ruth Johnson, Faunce, Cameron Brown, Woronchak, Rocca and Birkholz introduced

House Bill No. 5042, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811i. The bill was read a first time by its title and referred to the Committee on Transportation.

Reps. Bishop, Vander Roest, Allen, Mead, Baird and Raczkowski introduced

House Bill No. 5043, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 260 (MCL 206.260), as amended by 1996 PA 484.

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

Reps. Geiger, Martinez, Bovin, Pappageorge, Birkholz, Allen and Kuipers introduced

House Bill No. 5044, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 1 of chapter XI (MCL 711.1), as amended by 1996 PA 495, and by adding section 3 to chapter XI.

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

Reps. Brater, Hansen, LaForge, Woodward, Bovin, Baird, Callahan, Spade, Martinez, Schauer, Price, Vaughn, Tesanovich, Jacobs, Garza, DeHart, Schermesser, Dennis, Hale, Cherry, Rivet, Scott, Garcia, Jamnick, Godchaux, Tabor and Toy introduced

House Bill No. 5045, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 208 (MCL 330.1208), as amended by 1995 PA 290.

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

Reps. Brater, Hansen, Woodward, Baird, Bovin, Callahan, Spade, Martinez, Schauer, LaForge, Price, Vaughn, Tesanovich, Jacobs, Garza, DeHart, Schermesser, Dennis, Hale, Cherry, Rivet, Scott, Jamnick, Garcia, Godchaux, Tabor and Toy introduced

House Bill No. 5046, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 84 to chapter VII.

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

Reps. Rivet, Woodward, Schauer, Pestka and Lemmons introduced

House Bill No. 5047, entitled

A bill to create the strategic planning and accountability division in the office of the auditor general; and to prescribe its powers and duties.

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

Reps. Rivet, Woodward, Schauer, Pestka and Lemmons introduced

House Bill No. 5048, entitled

A bill to create the office of strategic planning in the executive branch; and to prescribe its powers and duties.

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

Reps. Rivet, Woodward, Schauer, Pestka and Lemmons introduced

House Bill No. 5049, entitled

A bill to create the quality government and accountability committee within the legislative branch; to prescribe its membership, powers, and duties; and to prescribe the powers and duties of certain state officials and state agencies.

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

Reps. Garcia, Julian, Howell, Caul, Rick Johnson, Mortimer, Middaugh, Shulman, Hart and Vander Roest introduced

House Bill No. 5050, entitled

A bill to regulate the erection of certain signs or markers by road agencies for certain purposes.

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

Reps. Garcia, Julian, Howell and Faunce introduced

House Bill No. 5051, entitled

A bill to amend 1917 PA 273, entitled “An act to regulate and license pawnbrokers in cities and incorporated villages of this state, having a population of more than 3,000,” by amending section 5 (MCL 446.205), as amended by 1998 PA 233.

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

Reps. Gielegheem, Thomas, Schauer, Minore, Wojno, Dennis, Woodward, Clark, Switalski, Jacobs, Scott, Richardville, Julian, Rocca, Faunce, Woronchak, Pestka, Rivet, Daniels and Lemmons introduced

House Bill No. 5052, entitled

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

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

Reps. Kowall, Allen, Hager, Richardville, Shackleton, Gilbert, Ehardt, Switalski, DeRossett, Sanborn, Mortimer, Julian, Van Woerkom, Faunce, Howell, Bisbee, Woronchak, Caul, Toy, Pappageorge, Rick Johnson, Garcia, Bishop, Gosselin and LaSata introduced

House Bill No. 5053, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 43534 (MCL 324.43534), as added by 1995 PA 57.

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

Rep. Mortimer introduced

House Bill No. 5054, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 2, 42, 73, 74, 283, 284, 393, 394, 544b, 662, 686, 686a, 759a, and 879 (MCL 168.2, 168.42, 168.73, 168.74, 168.283, 168.284, 168.393, 168.394, 168.544b, 168.662, 168.686, 168.686a, 168.759a, and 168.879), section 284 as amended by 1990 PA 7, sections 662 and 759a as amended by 1996 PA 207, section 686a as amended by 1988 PA 116, and section 879 as amended by 1995 PA 261, and by adding section 30; 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. Shulman introduced

House Bill No. 5055, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 558, 826, 841, and 933 (MCL 168.558, 168.826, 168.841, and 168.933), sections 558 and 993 as amended by 1997 PA 137 and sections 826 and 841 as amended by 1995 PA 261.

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

Rep. Gilbert introduced

House Bill No. 5056, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending sections 16 and 32 (MCL 169.216 and 169.232), section 16 as amended by 1992 PA 188 and section 32 as amended by 1995 PA 264.

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

Rep. Woronchak introduced

House Bill No. 5057, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending sections 15, 16, 33, 34, and 35 (MCL 169.215, 169.216, 169.233, 169.234, and 169.235), section 15 as amended by 1996 PA 590, section 16 as amended by 1992 PA 188, section 33 as amended by 1995 PA 264, and sections 34 and 35 as amended by 1989 PA 95.

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

Reps. Patterson, Cassis, Bishop, Godchaux, Shulman, Kowall, Kukuk, Faunce, Ehardt, Allen, LaSata, Toy, Koetje, Pappageorge, Geiger, Jellema, Ruth Johnson, Rocca, Howell, Gilbert, Byl, Caul, Voorhees, DeVuyst, Birkholz and Sanborn introduced

House Bill No. 5058, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending section 15 (MCL 169.215), as amended by 1996 PA 590.

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

Rep. Bishop introduced

House Bill No. 5059, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 5, 22, 26, 28, 29, 41, and 42 (MCL 169.205, 169.222, 169.226, 169.228, 169.229, 169.241, and 169.242), sections 5, 26, and 29 as amended by 1995 PA 264, section 22 as amended by 1989 PA 95, and sections 28, 41, and 42 as amended by 1994 PA 117, and by adding section 18; and to repeal acts and parts of acts.

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

Rep. Green introduced

House Bill No. 5060, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 53, 71, 161, 163, 191, 193, 224, 254, 281, 322, 342, 349, 391, 404, 409, 409b, 409l, 411, 413, 424, 424a, 426b, 426d, 431, 433, 444, 467, 467b, 467m, 544c, 544d, 624, 644f, 667, 685, and 795 (MCL 168.53, 168.71, 168.161, 168.163, 168.191, 168.193, 168.224, 168.254, 168.281, 168.322, 168.342, 168.349, 168.391, 168.404, 168.409, 168.409b, 168.409l, 168.411, 168.413, 168.424, 168.424a, 168.426b, 168.426d, 168.431, 168.433, 168.444, 168.467, 168.467b, 168.467m, 168.544c, 168.544d, 168.624, 168.644f, 168.667, 168.685, and 168.795), sections 53, 163, 193, 224, 254, 322, 349, 409b, 413, 426d, 433, 467b, and 624 as amended by 1996 PA 583, sections 71, 161, 191, 281, 342, 391, 409, 411, 426b, 431, and 467 as amended by 1982 PA 505, sections 409l, 424, 424a, 444, and 467m as amended by 1990 PA 32, section 544c as amended by 1993 PA 137, section 544d as amended by 1988 PA 116, section 644f as amended by 1990 PA 7, section 685 as amended by 1990 PA 329, and section 795 as amended by 1998 PA 21, and by adding section 544f; 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. Mortimer introduced

House Bill No. 5061, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 471, 472a, 474a, 475, 476, 477, 544c, 552, 961, and 961a (MCL 168.471, 168.472a, 168.474a, 168.475, 168.476, 168.477, 168.544c, 168.552, 168.961, and 168.961a), section 544c as amended by 1993 PA 137, section 552 as amended by 1990 PA 7, and sections 961 and 961a as amended by 1982 PA 456, and by adding sections 9a and 473b.

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

Rep. Jelinek moved that the House adjourn.

The motion prevailed, the time being 5:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, October 27, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.