

No. 76
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House of Representatives
90th Legislature
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House Chamber, Lansing, Tuesday, November 2, 1999.

2:00 p.m.

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

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

Allen—present	Frank—present	Kuipers—present	Rison—present
Baird—present	Garcia—present	Kukuk—present	Rivet—present
Basham—present	Garza—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—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—present	Vear—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—absent	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. Paul DeWeese, from the 67th District, offered the following invocation:

“Dear Lord, we come to You as a people—people who sometimes are confused, people who are limited, people who try hard to absorb a lot of different information and apply that towards the broad public interest. We are all limited. We come to You and we pray for wisdom. We pray for guidance. We pray that we might listen more often than engaging in chatter. Thank You for people that bruise our egos and challenge us with information and another view. Thank You for the privilege of being able to be stewards of the broad public interest. Give us wisdom today, help us to be civil. We pray in Your name. Amen.”

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

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 952-958. Had I been present, I would have voted ‘no’ on Roll Call Nos. 952, 955, 958, 960, 963 and 965, and ‘yes’ on Roll Call Nos. 953, 954, 956, 957, 959, 961, 962 and 964.”

Second Reading of Bills

Senate Bill No. 436, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17745a (MCL 333.17745a), as added by 1993 PA 305.

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.

Senate Bill No. 555, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4g (MCL 205.54g), as amended by 1998 PA 60.

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

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.

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.

Was read a second time, and the question being on the adoption of the proposed substitute (H-5) previously recommended by the Committee on Health Policy,

The substitute (H-5) was adopted, a majority of the members serving voting therefor.

Reps. Law and Jacobs moved to amend the bill as follows:

1. Amend page 2, line 4, after “PROFESSION.” by inserting “ONE OF THE HEALTH PROFESSIONALS APPOINTED UNDER THIS SUBDIVISION SHALL BE A REGISTERED PROFESSIONAL NURSE WITH TRAINING IN EMERGENCY AND TRAUMA SERVICES.”

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

Reps. Law and Schauer moved to amend the bill as follows:

1. Amend page 2, line 1, after "FOLLOWING" by striking out "15" and inserting "16".
2. Amend page 2, following line 8, by inserting:

"(D) ONE REPRESENTATIVE FROM AMBULANCE SERVICE PROVIDERS." and relettering the remaining subdivisions.

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

Rep. Bovin moved to amend the bill as follows:

1. Amend page 2, line 2, after "COUNTIES" by inserting a comma and "1 OF WHOM SHALL BE A RESIDENT OF A RURAL COUNTY LOCATED IN THE UPPER PENINSULA".

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

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

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

House Bill No. 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.

The bill was read a second time.

Rep. Rick Johnson 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. 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.

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.

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.

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

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

Rep. Cassis 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. 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.

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.

House Bill No. 4205, entitled

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

The bill was read a second time.

Rep. Callahan moved to amend the bill as follows:

1. Amend page 1, line 8, after "SHANTY" by inserting "WITH A VALUE OF \$100.00 OR MORE".

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

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

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

House Bill No. 4846, entitled

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 1a (MCL 480.11a), as amended by 1995 PA 265.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Transportation,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

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

House Bill No. 4865, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 705 (MCL 257.705), as amended by 1995 PA 91.

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. Rick Johnson 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. 157, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 803j, 803k, 803l, 803n, and 803o (MCL 257.803j, 257.803k, 257.803l, 257.803n, and 257.803o), as amended by 1998 PA 68.

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.

House Bill No. 4807, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 18826 and 18827.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Family and Civil Law (for amendment, see House Journal No. 69, p. 1974),

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

Rep. Law moved to amend the bill as follows:

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

"(4) A VETERINARIAN OR VETERINARY TECHNICIAN SHALL NOTIFY THE ANIMAL CONTROL AUTHORITY IN THE COUNTY IN WHICH THE ANIMAL IS FOUND OF THE DISPOSITION OF THE TREATMENT RENDERED TO THE ANIMAL BEFORE THE END OF THE FIRST BUSINESS DAY FOLLOWING THE DAY TREATMENT IS RENDERED."

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

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

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

House Bill No. 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.

The bill was read a second time.

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

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

Rep. Julian moved that Rep. Tabor be excused temporarily from today's session.

The motion prevailed.

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

The Speaker laid before the House

House Bill No. 4420, entitled

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

(The bill was received from the Senate on October 26 with substitute (S-2) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 27, see House Journal No. 73, p. 2058.)

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. 966

Yeas—83

Allen	Geiger	Kuipers	Richardville
Birkholz	Gilbert	Kukuk	Richner
Bisbee	Godchaux	LaForge	Rivet
Bishop	Gosselin	LaSata	Rocca
Bogardus	Green	Law	Sanborn
Bovin	Hager	Lemmons	Scranton
Bradstreet	Hansen	Lockwood	Shackleton
Brewer	Hardman	Mead	Sheltrown
Brown, B.	Hart	Middaugh	Shulman
Brown, C.	Howell	Mortimer	Spade
Byl	Jamnack	Neumann	Stallworth
Cassis	Jansen	O’Neil	Stamas
Caul	Jelinek	Pappageorge	Switalski
Clarke, H.	Jellema	Patterson	Tesanovich
DeHart	Johnson, Rick	Perricone	Toy
DeRossett	Johnson, Ruth	Pestka	Van Woerkom
DeWeese	Julian	Price	Vander Roest
Ehardt	Kelly	Prusi	Vear
Faunce	Kilpatrick	Pumford	Voorhees
Frank	Koetje	Raczkowski	Woronchak
Garcia	Kowall	Reeves	

Nays—22

Baird	Daniels	Jacobs	Schauer
Basham	Dennis	Martinez	Thomas
Brater	Garza	Minore	Vaughn
Callahan	Gielegem	Quarles	Wojno
Cherry	Hale	Rison	Woodward
Clark, I.	Hanley		

In The Chair: Scranton

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

The Speaker laid before the House

House Bill No. 4796, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86.

(The bill was received from the Senate on October 27 with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 28, see House Journal No. 74, p. 2086.)

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. 967

Yeas—105

Allen	Frank	Koetje	Richardville
Baird	Garcia	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	Scranton
Bradstreet	Green	Lockwood	Shackleton
Brater	Hager	Martinez	Sheltrown
Brewer	Hale	Mead	Shulman
Brown, B.	Hanley	Middaugh	Spade
Brown, C.	Hansen	Minore	Stallworth
Byl	Hardman	Mortimer	Stamas
Callahan	Hart	Neumann	Switalski
Cassis	Howell	O'Neil	Tesanovich
Caul	Jacobs	Pappageorge	Thomas
Cherry	Jamnick	Patterson	Toy
Clark, I.	Jansen	Perricone	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
DeWeese	Kelly	Raczkowski	Woodward
Ehardt	Kilpatrick	Reeves	Woronchak
Faunce			

Nays—0

In The Chair: Scranton

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. Rick Johnson moved that Rep. Richner be excused from the balance of today's session.
The motion prevailed.

Third Reading of Bills

Rep. Raczkowski moved that **Senate Bill No. 809** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

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.

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

Roll Call No. 968**Yeas—105**

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

Nays—0

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.

Rep. Raczkowski moved that **Senate Bill No. 555** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 555, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 1998 PA 60.

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

Roll Call No. 969

Yeas—97

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

Nays—5

Bogardus	Hart	Kelly	LaForge
Byl			

In The Chair: Scranton

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

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

A bill to amend 1933 PA 167, entitled "An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations;

to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,” by amending section 4g (MCL 205.54g), as amended by 1999 PA 116.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Raczkowski moved that **House Bill No. 4596** be placed on its immediate passage.

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

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.

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

Roll Call No. 970

Yeas—104

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

Nays—0

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

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

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20917; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Raczkowski moved that **House Bill No. 4742** be placed on its immediate passage.

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

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.

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

Roll Call No. 971

Yeas—103

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

Nays—1

Reeves

In The Chair: Scranton

The House agreed to the title of the bill.
 Rep. Raczkowski moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Raczkowski moved that **Senate Bill No. 717** be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

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.

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

Roll Call No. 972

Yeas—103

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

Nays—0

In The Chair: Scranton

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

“An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation.”

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

Rep. Raczkowski moved that **House Bill No. 4863** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

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.

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

Roll Call No. 973

Yeas—66

Allen	Geiger	Kukuk	Rivet
Basham	Gilbert	LaSata	Rocca
Birkholz	Godchaux	Law	Sanborn
Bisbee	Gosselin	Lemmons	Scranton
Bishop	Green	Mead	Shackleton
Bradstreet	Hager	Middaugh	Shulman
Brown, B.	Hansen	Mortimer	Spade
Brown, C.	Hart	Neumann	Stamas
Cassis	Howell	Pappageorge	Switalski
Caul	Jansen	Patterson	Tabor
Cherry	Jelinek	Pestka	Toy
DeRossett	Johnson, Rick	Pumford	Van Woerkom
DeWeese	Johnson, Ruth	Quarles	Vander Roest
Ehardt	Julian	Raczkowski	Vear
Frank	Koetje	Richardville	Voorhees
Garcia	Kowall	Rison	Woronchak
Garza	Kuipers		

Nays—35

Baird	DeHart	Kelly	Schauer
Bogardus	Dennis	Kilpatrick	Sheltrown
Bovin	Faunce	LaForge	Stallworth
Brater	Gielegem	Lockwood	Tesanovich
Byl	Hale	Martinez	Thomas
Callahan	Hanley	O'Neil	Vaughn
Clark, I.	Hardman	Price	Wojno
Clarke, H.	Jacobs	Prusi	Woodward
Daniels	Jellema	Reeves	

In The Chair: Scranton

The House agreed to the title of the bill.

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

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

Rep. Raczkowski moved that **Senate Bill No. 157** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 157, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 803j, 803k, 803l, 803n, and 803o (MCL 257.803j, 257.803k, 257.803l, 257.803n, and 257.803o), as amended by 1998 PA 68.

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

Roll Call No. 974

Yeas—102

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

Nays—0

In The Chair: Scranton

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.

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. Howell, Frank, Hanley, Allen, DeHart, Baird, Rivet, Julian, Hale, Schauer, LaForge, Cherry, Sheltroun, Kelly, Vander Roest, Raczkowski, Van Woerkom, Mead, Kowall, Ehardt, Pappageorge, Birkholz, Vear, Vaughn, Jansen, Shulman, Cassis, Toy, Koetje and Caul offered the following resolution:

House Resolution No. 212.

A resolution honoring Judge Robert S. Gilbert.

Whereas, It is with great appreciation for his excellent efforts on behalf of the people of the Great Lakes State that we commend the Honorable Robert S. Gilbert. On behalf of the people of Saginaw County, colleagues, and family, we offer our thanks and appreciation for all of his accomplishments; and

Whereas, Judge Gilbert entered the Army/Air Force in March of 1946 rising to the rank of sergeant. Upon leaving the service, he obtained a bachelor's degree from the University of Michigan and his juris doctor at the University of Michigan Law School. Judge Gilbert took and passed the bar exam in April of 1953, before graduating from law school in June of that year.; and

Whereas, After law school, Judge Gilbert entered the private practice of law with his father, former Senator Donald W. Gilbert, for seven years, concentrating on a general, civil law practice. He was later appointed as an assistant prosecuting attorney and practiced two and a half years; and

Whereas, First elected to the Michigan House of Representatives in 1956, Robert S. Gilbert brought valuable experiences to the Capitol. He introduced a bill to create a third Circuit Court Judgeship for the County of Saginaw. His insights proved to be of vital significance; and

Whereas, After two terms of service in the Michigan House of Representatives, Judge Gilbert was elected to the Probate Court Bench and assigned to the juvenile division. In 1980, he was elected to the Circuit Bench and later elevated to the position of Chief Judge of the Circuit Court in 1989 where he served until he retired in 1991; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body join with the citizens of Saginaw in saluting Judge Robert S. Gilbert in acknowledgment of his outstanding years in legal service; and be it further

Resolved, That a copy of this resolution be transmitted to the Honorable Robert S. Gilbert as a token of our appreciation, respect, and a reflection of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Ehardt, Richardville, Spade, Kuipers, Jelinek, Vear, Mortimer, Julian, Bovin, DeRossett, Sanborn, Jansen, Garcia, Allen, Rick Johnson, DeHart, Howell, Rocca, Daniels, Schauer, Cherry, Wojno, Dennis, Woodward, Sheltroun, Kelly, Gielegem, Vander Roest, Middaugh, Raczkowski, Van Woerkom, Mead, Shackleton, Kowall, Pappageorge, Kukuk, Birkholz, Bogardus, Vaughn, Kilpatrick, Basham, DeWeese, Cassis, Toy and Caul offered the following resolution:

House Resolution No. 213.

A resolution to memorialize the Congress of the United States to provide proper compensation and protection to members of the military reserves and National Guard when called to active duty.

Whereas, The members of the military reserves and National Guard represent a vital component of our national defense. From the birth of our country, civilian soldiers have made the swift transition to take up arms in our country's times of need. Since the end of the Cold War, our reservists have shouldered a heavier burden as the active military has been reduced; and

Whereas, In recent years, with mobilizations in the Middle East and the Balkan Peninsula, for example, reservists and National Guard units called to active duty have proven invaluable in all facets of military operations. This recent experience has also made it clear that the men and women serving in this role often do so at significant personal costs. This cost includes not only the financial strains on families, but also the burden facing the families and the small business operations that lose the contributions of the person who has donned a military uniform. In situations where the reservist or guard member is a medical professional, for example, several people can be deprived of their livelihoods for an indefinite period of time. This hardship becomes even more severe and long lasting if a business is lost; and

Whereas, Some members of Congress, military leadership, and other observers have expressed concern for the future strength of our military as fewer young people pursue military service. In light of these factors, it seems logical to respond appropriately to the genuine needs of those who are already committed to the service of our country through the military. It is important that serious efforts be made to address this situation swiftly; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to provide proper compensation and protection to members of the military reserves and National Guard when called to active duty to safeguard against financial and professional hardships; 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 resolution was referred to the Committee on Veterans Affairs.

Reps. Ehardt, Richardville, Spade, Kuipers, Jelinek, Vear, Mortimer, Julian, Bovin, DeRossett, Sanborn, Jansen, Garcia, Rick Johnson, Allen, DeHart, Howell, Rocca, Daniels, Schauer, Cherry, Wojno, Dennis, Woodward, Sheltroun, Kelly, Gielegem, Vander Roest, Middaugh, Raczkowski, Van Woerkom, Mead, Shackleton, Kowall, Pappageorge, Kukuk, Birkholz, Bogardus, Vaughn, Kilpatrick, Basham, DeWeese, Cassis, Toy and Caul offered the following resolution:

House Resolution No. 214.

A resolution to memorialize the Congress of the United States to enact legislation permitting military retirees to receive disability compensation for service injuries without any reduction in retirement pay.

Whereas, The men and women who devote themselves to our nation's defense through careers in the military provide their fellow citizens with a quality of life and freedom unsurpassed anywhere on earth. This service routinely puts our military personnel at risk for injuries far more threatening than dangers inherent in most civilian professions; and

Whereas, Those pursuing military careers are promised a full retirement upon twenty or more years of active service. In addition to this service, the men and women who have served in the armed forces are sometimes called back into duty during mobilizations; and

Whereas, Currently, a person who becomes eligible for disability compensation as a result of a service-related injury sees retirement benefits reduced by the amount of compensation being paid for the injury. This situation has long been a source of discouragement and frustration for career military personnel. Their unique services and exposure to hardships should be recognized in the law as an indication of the appreciation of our citizens for the risks of military service; and

Whereas, There are measures before Congress to provide that disability payments and retirement benefits can be made concurrently, without deduction from either. This legislation needs to be enacted to keep faith with those to whom our nation has made promises that are an obligation of honor with people who preserve our cherished way of life; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation permitting military retirees to receive disability compensation for service injuries without any reduction in retirement pay; 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 resolution was referred to the Committee on Veterans Affairs.

Reps. Brater, DeHart, Baird, Martinez, Hanley, Jacobs, Spade, Rivet, Hale, Schauer, LaForge, Cherry, Thomas, Wojno, Dennis, Woodward, Hardman, Kelly, Gielegem, Bovin, Raczkowski, Hansen, Switalski, Van Woerkom, Mead, Minore, Birkholz, Bogardus, Price, Vaughn, Kilpatrick, Basham, Toy and Caul offered the following resolution:

House Resolution No. 215.

A resolution recognizing National French Week, November 4-10, 1999.

Whereas, National French Week was created to provide a festive and instructive demonstration of the way the French language and culture enriches our lives and to celebrate all things French. This will be the first time that National French Week will be celebrated in Ann Arbor and Ypsilanti; and

Whereas, An important goal of National French Week is to promote interaction among the many people in Ann Arbor and Ypsilanti who come from francophone areas of the Caribbean, Africa, the Middle East, Europe, North America, and elsewhere, as well as those who identify themselves as francophiles. A substantial community of people in the Ann Arbor and Ypsilanti area share a heritage either as natives of a French-speaking country, as scholars, or as lovers of the French language and culture; and

Whereas, It is hoped that National French Week will inspire people to deepen their knowledge of a heritage shared by 125 million people in over 50 countries around the world; and

Whereas, Students of French at all levels, from elementary through college and beyond, can participate in and contribute to National French Week by sharing their knowledge of French language and culture and by becoming teachers and learners of French; and

Whereas, National French Week has the support and participation of over 15 merchants from the Ann Arbor and Ypsilanti area, including bookstores, universities, theaters, libraries, and eateries. Further, the Honor Roll of National French Week Supporters includes the Cultural Service of the French Embassy, the Government of QuÈbec Minister of International Relations, National Textbook Company/Contemporary Publishing, and the Carnaval de QuÈbec to name a few; and

Whereas, The American Association of Teachers of French, counting over 10,000 members in 75 chapters throughout the United States has named Ann Arbor/Ypsilanti one of the 20 key sites for the celebration of “la Semaine du franAais”; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize November 4-10, 1999, as National French Week and commend organizers of this event for their efforts to celebrate French language and culture; and be it further

Resolved, That copies of this resolution be transmitted to organizers of this event 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.

THIS RESOLUTION IS OFFERED TO COMPLY WITH ARTICLE V, SECTION 2 OF THE CONSTITUTION OF THE STATE OF MICHIGAN.

Reps. Bogardus, Hale, Schauer, LaForge, Schermesser, Mans, Cherry, Hansen, Neumann, Hardman, Garza, Woodward, Spade, Lockwood, Minore, Clark, Bovin, Rivet, Reeves, Sheltrown, Frank, Brewer, Stallworth, Hanley, Rison, Basham, Gielegem, Clarke, Callahan, O’Neil, Baird, Vaughn, Price, Tesanovich, Martinez, Brater, Scott, Daniels, Kelly, Jamnick, Thomas, Wojno, Quarles, DeHart, Prusi, Lemmons, Dennis and Kilpatrick offered the following concurrent resolution:

House Concurrent Resolution No. 69.

A concurrent resolution to disapprove Executive Order No. 1999-12 on executive reorganization.

Whereas, On October 19, 1999, Governor Engler, pursuant to authority outlined in Article V, Section 2 of the Constitution of the State of Michigan of 1963, issued Executive Order No. 1999-12. This proposal on executive reorganization seeks to provide for changes in the Department of Education, the Department of Career Development, and the Department of Treasury. The order seeks to transfer several functions from the authority of the State Board of Education and the Department of Education to other departments; and

Whereas, Article V, Section 2 of the Constitution of the State of Michigan of 1963 also provides:

Where these changes require the force of law, they shall be set forth in executive orders and submitted to the legislature. Thereafter the legislature shall have 60 calendar days of a regular session, or a full regular session if of shorter duration, to disapprove each executive order. Unless disapproved in both houses by a resolution concurred in by a majority of the members elected to and serving in each house, each order shall become effective at a date thereafter to be designated by the governor.

; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of the Michigan Legislature, pursuant to Article V, Section 2 of the Constitution of the State of Michigan, disapprove Executive Order No. 1999-12; and be it further

Resolved, That a copy of this resolution be transmitted to the office of the Governor.

The concurrent resolution was referred to the Committee on House Oversight and Operations.

Reports of Standing Committees

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

Senate Bill No. 218, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7410 (MCL 333.7410), as amended by 1994 PA 174.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 218 To Report Out:

Yeas: Reps. Allen, Ruth Johnson, Bradstreet, DeWeese, Hager, Hart, Rick Johnson, Kuipers, Van Woerkom, Voorhees, Bogardus, Clark, Daniels, Gielegghem, 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, November 2, 1999, at 10:30 a.m.,

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

Absent: Rep. Scott,

Excused: Rep. Scott.

The Committee on Family and Children Services, by Rep. Hart, Chair, reported

Senate Bill No. 505, entitled

A bill to amend 1984 PA 387, entitled "State food stamp distribution act," by amending section 1 (MCL 400.751).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 505 To Report Out:

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

Nays: None.

The Committee on Family and Children Services, by Rep. Hart, Chair, reported

Senate Bill No. 506, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 60 (MCL 400.60).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 506 To Report Out:

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

Nays: None.

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, November 2, 1999, at 12:00 Noon,

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

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

House Bill No. 4249, entitled

A bill to amend 1982 PA 249, entitled "An act to establish the state children's trust fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the trust fund," by amending section 1 (MCL 21.171), as amended by 1997 PA 34.

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 4249 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor, Kilpatrick, Bovin, Jamnick,
Nays: None.

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

House Bill No. 5040, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811n. With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 1, line 11, after "TO" by striking out the balance of the subsection and inserting "MICHIGAN STATE UNIVERSITY DEVELOPMENT, DESIGNATED FOR THE FFA VISION2000 ENDOWMENT FUND, FOR THE PURPOSE OF PROVIDING GRANTS FOR AGRI-SCIENCE, NATURAL RESOURCES, AND ENVIRONMENTAL K-12 EDUCATIONAL PROGRAMS."

2. Amend page 2, line 7, by striking out "AGRICULTURE" and inserting "AGRICULTURAL HERITAGE".

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

Favorable Roll Call

HB 5040 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Hart, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor, Kilpatrick, Bovin, Brewer, Jamnick, Lemmons, Reeves,
Nays: None.

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

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. With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5041 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor, Kilpatrick, Bovin, Jamnick, Lemmons,
Nays: None.

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

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

1. Amend page 1, line 6, after "STATE" by inserting "AFTER CONSULTATION WITH AND ADVICE OF THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY".

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

Favorable Roll Call

HB 5042 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor, Kilpatrick, Bovin, Jamnick,
Nays: None.

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

House Bill No. 5050, entitled

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

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 5050 To Report Out:

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

Nays: None.

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

Senate Bill No. 180, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43902 and 43905 (MCL 324.43902 and 324.43905), as added by 1995 PA 57.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 180 To Report Out:

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

Nays: None.

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

Senate Bill No. 770, entitled

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

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 770 To Report Out:

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

Nays: None.

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

Senate Bill No. 826, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 803l and 804 (MCL 257.803l and 257.804), section 803l as amended by 1998 PA 68 and section 804 as amended by 1995 PA 129, and by adding sections 6d, 17b, 30b, 811d, 811e, 811f, 811g, and 811h; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 826 To Report Out:

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

Nays: None.

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

Senate Bill No. 827, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811j. With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 1, line 5, after "811G." by striking out the balance of the subsection and inserting "THE PLATE SHALL BE OF A DESIGN MADE BY A CHILD AND AS DETERMINED BY THE SECRETARY OF STATE."

2. Amend page 2, line 18, after "(b)" by striking out the balance of the line and inserting "House Bill No. 4249." The bill and amendments were referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 827 To Report Out:

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

Nays: None.

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

Senate Bill No. 828, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811m. With the recommendation that the bill pass.

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

Favorable Roll Call

SB 828 To Report Out:

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

Nays: None.

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

Senate Bill No. 829, entitled

A bill to amend 1982 PA 249, entitled "An act to establish the state children's trust fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the trust fund," by amending section 1 (MCL 21.171), as amended by 1997 PA 34.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 829 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rick Johnson, Chair of the Committee on Transportation, was received and read:

Meeting held on: Tuesday, November 2, 1999, at 4:50 p.m.,

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

Absent: Reps. DeVuyst, Schermesser,

Excused: Reps. DeVuyst, Schermesser.

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, November 2, 1999, at 8:00 a.m.,

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

Absent: Reps. DeVuyst, Ehardt, Sheltroun,

Excused: Reps. DeVuyst, Ehardt, Sheltroun.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, November 2, 1999, at 9:00 a.m.,

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

Absent: Rep. Mans,

Excused: Rep. Mans.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cassis, Chair of the Committee on Tax Policy, was received and read:

Meeting held on: Tuesday, November 2, 1999, at 9:00 a.m.,

Present: Reps. Cassis, Woronchak, Allen, Faunce, Gilbert, Gosselin, Patterson, Vander Roest, Vear, Quarles, Basham, Garza, Jamnick, Minore, O'Neil, Switalski,

Absent: Rep. Koetje,

Excused: Rep. Koetje.

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, November 2, 1999, at 12:00 Noon,

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

Notices

Public Hearing

Committee on Agriculture and Resource Management

Date: Friday, November 5, 1999

Time: 8:00 a.m.

Place: Monitor Sugar Plant, Bay City, Michigan

Rep. Green,
Chair

Agenda: Tour of Monitor Sugar Plant

and any/or all business properly before this committee.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Friday, October 29, for his approval of the following bill:

Enrolled House Bill No. 4352 at 10:45 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, October 29:

House Bill Nos. 5067 5068

Messages from the Governor

The following message from the Governor, approving and signing the following bill at the times designated below, was received and read:

Date: November 1, 1999

Time: 10:05 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4696 (Public Act No. 145, I.E.), being

An act to amend 1965 PA 7, entitled “An act to authorize the department of conservation to sell certain lands and buildings located thereon owned by the department of conservation in the township of Waterford, Oakland county; and to provide for the disposition of the revenue received therefrom,” by amending section 2 and by adding sections 2a and 3.

(Filed with the Secretary of State November 1, 1999, at 10:45 a.m.)

Introduction of Bills

Reps. Bogardus, Martinez, Bovin, Rivet, Prusi, Dennis, Jacobs, Minore, Hale, Schauer, Schermesser, Mans, Cherry, Neumann, Hardman, Garza, Woodward, Bob Brown, Spade, Pestka, Thomas, Lockwood and Lemmons introduced

House Bill No. 5069, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” (MCL 388.1601 to 388.1772) by adding section 28.

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

Reps. Gielegem, Martinez, Bogardus, Bovin, Rivet, Prusi, Dennis, Jacobs, Minore, Hale, Schauer, Schermesser, Mans, Cherry, Neumann, Hardman, Garza, Woodward, Spade, Thomas, Lockwood and Lemmons introduced

House Bill No. 5070, entitled

A bill to amend 1961 PA 108, entitled “An act to provide for loans by the state of Michigan to school districts for the payment of principal and interest upon school bonds; to prescribe the terms and conditions of the loans and the conditions upon which levies for bond principal and interest shall be included in computing the amount to be so loaned by the state; to prescribe the powers and duties of the superintendent of public instruction and the state treasurer in relation to such loans; to provide for the repayment of such loans; to provide incentives for repayment of such loans; to provide for other matters in respect to such loans; and to make an appropriation,” by amending section 2 (MCL 388.952), as amended by 1992 PA 228.

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

Reps. Martinez, Bogardus, Bovin, Rivet, Prusi, Dennis, Jacobs, Minore, Hale, Schauer, Schermesser, Mans, Cherry, Neumann, Hardman, Garza, Woodward, Bob Brown, Spade, Pestka, Thomas, Lockwood and Lemmons introduced

House Bill No. 5071, entitled

A bill to amend the Initiated Law of 1996, entitled “Michigan gaming control and revenue act,” by amending section 12 (MCL 432.212), as amended by 1997 PA 69.

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

Reps. Gosselin, DeHart, Shackleton, Voorhees, DeRossett, Stamas, Bishop, Hart, Woronchak and Lemmons introduced **House Bill No. 5072, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 4x.

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

Reps. Shackleton, Gosselin, DeHart, Stamas, Gilbert, Kowall, Bishop, Woronchak and Lemmons introduced
House Bill No. 5073, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4x. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Woronchak, Stamas, Gosselin, DeHart, Bishop, Shackleton and Lemmons introduced

House Bill No. 5074, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4x. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Kuipers introduced

House Bill No. 5075, entitled

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies," by amending section 5 (MCL 45.505), as amended by 1980 PA 7.

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

Reps. Mans, Martinez, Cherry, O'Neil, Schermesser, Wojno, Frank, Pestka, Vaughn, Bogardus, Schauer, Minore, Baird, Switalski, Spade, Lockwood, Sheltroun, DeHart and Lemmons introduced

House Bill No. 5076, entitled

A bill to amend 1972 PA 230, entitled "State construction code act of 1972," by amending sections 2, 8, and 28 (MCL 125.1502, 125.1508, and 125.1528), section 2 as amended by 1998 PA 42, section 8 as amended by 1994 PA 128, and section 28 as amended by 1996 PA 48, and by adding section 8a; and to repeal acts and parts of acts.

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

Reps. Godchaux, Martinez, Scranton, Ehardt, Pappageorge, Woodward, Jacobs, Caul and Richner introduced

House Bill No. 5077, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 1027 (MCL 436.2027) and by adding section 1016.

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

Reps. Caul and Stamas introduced

House Bill No. 5078, entitled

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending sections 10, 12, 16, 20, 30, and 31 (MCL 431.310, 431.312, 431.316, 431.320, 431.330, and 431.331), section 10 as amended by 1998 PA 408 and section 20 as amended by 1997 PA 73.

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

Reps. Spade, Sheltroun, Wojno, Woodward, Neumann, Rivet, DeHart, Lemmons, Gielegem, Basham, Voorhees, Garcia, Mortimer, Bovin, Schermesser, O'Neil, Daniels, Ehardt, Jacobs, Mans, Allen, Bogardus and Richardville introduced

House Bill No. 5079, entitled

A bill to make an appropriation for the national memorial for World War II veterans; and to prescribe duties of certain state officials.

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

Reps. Minore, Stallworth, Cherry, Jacobs, Jamnick, Quarles, Gielegem, Baird, Switalski and Scott introduced

House Bill No. 5080, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 267. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Raczkowski, DeHart, Spade, Shackleton, Koetje, Pappageorge, O'Neil, Voorhees, Bishop, Ehardt and Bovin introduced

House Bill No. 5081, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 520 and 522 (MCL 206.520 and 206.522), section 520 as amended by 1995 PA 245 and section 522 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. Raczkowski, Garcia, Koetje, O'Neil, Voorhees, Bishop, Bovin and Jellema introduced

House Bill No. 5082, entitled

A bill to provide for the compensation of persons whose property is taken for public use; and to prescribe the powers and duties of certain state agencies and officials.

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

Reps. Raczkowski, Garcia, Koetje, Pappageorge, O'Neil, Voorhees and Bishop introduced

House Bill No. 5083, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 931 (MCL 600.931), as amended by 1989 PA 100.

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

Reps. Basham, Bovin, Hanley, Bogardus, Neumann, Vaughn and Schermesser introduced

House Bill No. 5084, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 457.

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

Reps. Basham, Bovin, Hanley, Baird, Bogardus, Neumann, Vaughn, Pestka and Schermesser introduced

House Bill No. 5085, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding section 154.

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

Reps. Basham, Bovin, Hanley, Bogardus, Neumann, Vaughn, Clarke and Schermesser introduced

House Bill No. 5086, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 852 (MCL 418.852), as added by 1985 PA 103.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Rep. LaSata introduced

House Bill No. 5087, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by repealing section 1812 (MCL 339.1812).

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

Reps. LaSata, Cameron Brown, Jellema, Geiger, Pumford, Kukuk and Middaugh introduced

House Bill No. 5088, entitled

A bill to require tobacco product manufacturers to place funds in escrow for medical expenses incurred by the state due to tobacco related illnesses; to establish a formula for determining the amount of the escrow; to establish the conditions for release of funds from escrow; to prescribe powers and duties of the attorney general; and to provide for civil penalties for violation of this act.

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

Rep. Jamnick introduced

House Bill No. 5089, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 1999 PA 116.

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

Rep. Jamnick introduced

House Bill No. 5090, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 1999 PA 117.

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

Rep. Jamnick introduced

House Bill No. 5091, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding sections 115p and 115q.

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

Rep. Jamnick introduced

House Bill No. 5092, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 501 (MCL 436.1501), as amended by 1998 PA 416.

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

Rep. Jacobs moved that the House adjourn.

The motion prevailed, the time being 7:45 p.m.

Associate Speaker Pro Tempore Scranton declared the House adjourned until Wednesday, November 3, at 2:00 p.m.

GARY L. RANDALL

Clerk of the House of Representatives.

