

No. 77
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House of Representatives
90th Legislature
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House Chamber, Lansing, Wednesday, November 3, 1999.

2:00 p.m.

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

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

Allen—present	Frank—present	Kuipers—present	Rison—present
Baird—present	Garcia—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—present	Scranton—e/d/s
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—e/d/s	Thomas—present
Clark—present	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—present	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—present	Quarles—present	Vear—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—present	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Rev. Ronald Brown, Pastor of New Hope Tabernacle in Adrian, offered the following invocation:

“Our Heavenly Father, we approach Your throne of grace on behalf of these men and women who have gathered here today representing citizens of this state.

I stand here today, mindful that a public prayer can be considered a minor note on a lengthy agenda—let that not be our thought today. Almighty God, we are thankful for these good people. I would ask You to guide them as they seek to serve, support, and inform their constituents. As representatives and civil servants, I ask You to provide wisdom and discernment as they legislate and make policy decisions on complex issues affecting us all.

And I would ask encouragement and strength for this body. They not only carry a heavy load from their districts in their official capacity, but also from their private homes—for God, You understand the stress on family and the personal sacrifice required of those called to public service. Lord, please bless these people with Your love and grace.

Strengthen them to be the leaders we need today, with ability to look beyond the boundaries of race, religion, culture, language, and life-style. May they be inspired with conviction to uphold and do that which is morally correct. May they have direction and certainty in their lives, an ability to listen to others, and a compassion for those in need.

Realizing that decisions made in these chambers may impact generations to come, may we follow the guidance of Your holy word. By not walking in the counsel of the ungodly, or sitting in the seat of the scornful, only then will we truly experience prosperity. I thank You for the commitment of the men and women of this legislative body to serve You and our state by accepting the demanding responsibility of listening and for evaluating truth.

Bless our representatives and those who labor beside them with the assurance that Your work, done with total trust in You and respect for each other, will not lack Your resources. When impasse occurs, bring a divinely inspired solution. Through Christ our Lord. In His name, we pray. Amen.”

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

Third 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.

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

Roll Call No. 975

Yeas—103

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	Shackleton
Bradstreet	Green	Lockwood	Sheltrown
Brater	Hager	Mans	Shulman
Brewer	Hale	Martinez	Spade
Brown, C.	Hanley	Mead	Stallworth
Byl	Hansen	Middaugh	Stamas
Cassis	Hardman	Minore	Switalski
Caul	Hart	Mortimer	Tabor
Cherry	Howell	Neumann	Tesanovich
Clark, I.	Jacobs	O’Neil	Thomas

Clarke, H.	Jamnick	Pappageorge	Toy
Daniels	Jansen	Patterson	Van Woerkom
DeHart	Jelinek	Pestka	Vander Roest
Dennis	Jellema	Price	Vaughn
DeRossett	Johnson, Rick	Prusi	Vear
DeVuyst	Johnson, Ruth	Pumford	Voorhees
DeWeese	Julian	Quarles	Woodward
Ehardt	Kelly	Raczkowski	Woronchak
Faunce	Kilpatrick	Reeves	

Nays—3

Brown, B.	Callahan	Wojno
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In The Chair: Birkholz

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

The House agreed to the full title.

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

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

House Bill No. 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 third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 976**Yeas—105**

Allen	Faunce	Kilpatrick	Richardville
Baird	Frank	Koetje	Richner
Basham	Garcia	Kowall	Rison
Birkholz	Garza	Kuipers	Rivet
Bisbee	Geiger	Kukuk	Rocca
Bishop	Gielegem	LaForge	Sanborn
Bogardus	Gilbert	LaSata	Schauer
Bovin	Godchaux	Law	Shackleton
Bradstreet	Gosselin	Lockwood	Sheltrown
Brater	Green	Mans	Shulman

Brewer	Hager	Martinez	Spade
Brown, B.	Hale	Mead	Stallworth
Brown, C.	Hanley	Middaugh	Stamas
Byl	Hansen	Minore	Switalski
Callahan	Hardman	Mortimer	Tabor
Cassis	Hart	Neumann	Tesanovich
Caul	Howell	O'Neil	Thomas
Cherry	Jacobs	Pappageorge	Toy
Clark, I.	Jamnick	Patterson	Van Woerkom
Clarke, H.	Jansen	Pestka	Vander Roest
Daniels	Jelinek	Price	Vaughn
DeHart	Jellema	Prusi	Vear
Dennis	Johnson, Rick	Pumford	Voorhees
DeRossett	Johnson, Ruth	Quarles	Wojno
DeVuyst	Julian	Raczkowski	Woodward
DeWeese	Kelly	Reeves	Woronchak
Ehardt			

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.

House Bill No. 4205, entitled

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

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

Roll Call No. 977

Yeas—105

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

DeVuyst
DeWeese
Ehardt

Julian
Kelly

Raczkowski
Reeves

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.

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.

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

Roll Call No. 978

Yeas—106

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

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.

Rep. Scranton entered the House Chambers.

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

Roll Call No. 979

Yeas—105

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

Nays—0

In The Chair: Birkholz

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

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

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 1a (MCL 480.11a), as amended by 1995 PA 265, and by adding section 3a.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

Roll Call No. 980**Yeas—106**

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

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.

Second Reading of Bills**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.

The bill was read a second time.

Rep. Rick Johnson moved to substitute (H-1) the bill.

The motion prevailed and 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. 826, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 803/ and 804 (MCL 257.803/ and 257.804), section 803/ 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.

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

Roll Call No. 981

Yeas—106

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

Nays—1

Rison

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.

Second Reading of Bills

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 second time.

Rep. Shackleton 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. 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 third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 5042, entitled

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

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Transportation (for amendment, see House Journal No. 76, p. 2158),

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

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

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

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. The bill was read a second time.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 706, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1317. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 982**Yeas—104**

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

Nays—1

Rison

In The Chair: Birkholz

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

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

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. Perricone entered the House Chambers.

Second Reading of Bills

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.

The bill was read a second time.

Rep. Geiger 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. 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.

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

Roll Call No. 983

Yeas—107

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

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.

Second Reading of Bills

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.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Transportation (for amendments, see House Journal No. 76, p. 2158),

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

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

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

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.)

(The resolution was reported by the Committee on Veterans Affairs on October 26, with substitute (H-1), consideration of which was postponed until October 27 under the rules.)

(For substitute, see House Journal No. 73, p. 2051.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

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

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

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.)

(The resolution was reported by the Committee on Veterans Affairs on October 26, with substitute (H-1), consideration of which was postponed until October 27 under the rules.)

(For substitute, see House Journal No. 73, p. 2052.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

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

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

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.)

(The concurrent resolution was reported by the Committee on Veterans Affairs on October 26, with substitute (H-1), consideration of which was postponed until October 27 under the rules.)

(For substitute, see House Journal No. 73, p. 2053.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Second Reading of Bills

House Bill No. 4689, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 315b. The bill was read a second time.

Rep. Koetje moved to substitute (H-4) the bill.

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4689, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 315b. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 984

Yeas—107

Allen	Faunce	Koetje	Richner
Baird	Frank	Kowall	Rison
Basham	Garcia	Kuipers	Rivet
Birkholz	Garza	Kukuk	Rocca
Bisbee	Geiger	LaSata	Sanborn
Bishop	Gielegem	Law	Schauer
Bogardus	Gilbert	Lemmons	Scranton
Bovin	Godchaux	Lockwood	Shackleton
Bradstreet	Gosselin	Mans	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	Quarles	Wojno
DeVuyst	Julian	Raczkowski	Woodward
DeWeese	Kelly	Reeves	Woronchak
Ehardt	Kilpatrick	Richardville	

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.

Second Reading of Bills

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.

The bill was read a second time.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 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.

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

Roll Call No. 985

Yeas—105

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

Nays—0

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

The House agreed to the full title.

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

The question being on the motion made by Rep. Raczkowski,

Rep. Baird demanded the yeas and nays.

The demand was supported.

The question being on the motion made by Rep. Raczkowski,

The motion prevailed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 986

Yeas—95

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

Nays—1

Baird

In The Chair: Birkholz

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

Rep. DeHart asked and obtained an excuse from tomorrow's session.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Schauer, Vander Roest, Spade, Birkholz, Sheltroun, Bovin, Daniels, Julian, Bishop, Garcia, Jamnick, Toy, LaForge, Green, Baird, Hanley, Vear, DeRossett, DeHart, Hale, Tesanovich, Frank, Neumann, Allen, Rivet, LaSata, Ehardt, DeVuyst, Brater, Hansen, Woodward, Switalski, DeWeese, Clarke, Jacobs, Minore, Cherry, Caul, Martinez, Callahan, Lockwood and Kilpatrick offered the following resolution:

House Resolution No. 216.

A resolution to honor the memory of Leslie A. Rardin, Opinion Page editor of the *Battle Creek Enquirer*, who passed away Wednesday, October 27, 1999.

Whereas, Leslie was born in Battle Creek on May 19, 1953, to Aubrey C. and Mavis J. Corum. She grew up in Battle Creek and graduated from Lakeview High School, where she first took an interest in writing and poetry; and

Whereas, Leslie was dedicated to the Battle Creek community. She expressed it by marrying William B. Rardin on October 12, 1974, in Battle Creek, and raising two daughters, Kacie J. Brunner and Brooke L. Rardin in Battle Creek; and

Whereas, Leslie had a wonderful sense of humor and love of life. Ellen Leifeld, Leslie's publisher, wrote the following about her: "Through her writing she made life more comfortable for us, helping us laugh at ourselves and to see that we weren't alone in the daily struggle."; and

Whereas, Leslie's expression of the simplicity of life enriched the Battle Creek community. As one of her colleagues wrote, "Her columns gave extraordinary voice to the ordinary things in life."; and

Whereas, Leslie was an accomplished writer and authored the book *People, Prayer and Pot Roast*. Leslie's philosophy was we should incorporate some things we love into our daily lives. Leslie's best advice was, "The things that matter to you in life shouldn't be shoved aside to a separate compartment, circled on your calendar for only certain days. They should be part of your daily calendar."; and

Whereas, Leslie's courage in her fight against breast cancer was an inspiration to all of us in the Battle Creek community and the state. It is our hope that her legacy lives on and renews our commitment to the fight against breast cancer, so that others may win their fight and that sad resolutions such as this are no longer necessary. We will deeply miss Leslie; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body and the people of the State of Michigan—with deep sadness—honor and recognize the life and love of Leslie A. Rardin; and be it further

Resolved, That copies of this resolution be transmitted to Leslie's family and the *Battle Creek Enquirer* as an expression of our regret.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. DeRossett, Mortimer, Garcia, Richardville, Bisbee, Vear, Spade, Vander Roest, Birkholz, Sheltroun, Bovin, Wojno, Daniels, Julian, Koetje, Bishop, Mead, Howell, Faunce, DeVuyst, Cassis, Gosselin, Shulman, Jamnick, Ehardt, Kukuk, Jansen, Green, Caul, Van Woerkom, Pappageorge, Raczkowski and DeHart offered the following resolution:

House Resolution No. 217.

A resolution to support the efforts of Lenawee County and the Wal-Mart Corporation in raising funds for a national World War II Memorial.

Whereas, The Lenawee County Board of Commissioners' Personnel/Ways & Means Committee at its meeting held October 12, 1999, received a presentation on plans for a national World War II Memorial to be built in Washington, D.C.; and

Whereas, The Wal-Mart Corporation, which has a store located in Adrian, has organized a nationwide fund-raising effort. This campaign is to officially begin on the 11th hour of November 11, 1999, to solicit total community involvement in supporting the construction of the \$100 million World War II Memorial; and

Whereas, The Wal-Mart project is endorsed and supported by the Lenawee United Veterans Council; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body and the Lenawee County Board of Commissioners officially recognize the 1,710 living World War II veterans of Lenawee County, including Mr. Roger Durban of Blissfield who has been identified as the father of the idea for the national World War II Memorial; and be it further

Resolved, That we officially endorse the Wal-Mart Corporation's "one store, one associate, one customer at a time" campaign in Lenawee County to raise the targeted \$32,000 as Lenawee County's way of saying "thank you" to all its World War II veterans; and be it further

Resolved, That copies of this resolution be transmitted to U.S. Senators Carl Levin and Spencer Abraham, U.S. Representative Nick Smith, Governor John Engler, State Senator Bev Hammerstrom, the Michigan Association of Counties, the Lenawee United Veterans Council, and the Wal-Mart Corporation 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.

Reps. Allen, Rick Johnson, Bovin, Hale, Bogardus, Pappageorge, Green, Rocca, Ruth Johnson, Howell, Jellema, Kuipers, Birkholz, Geiger, Bisbee, Kukuk, Voorhees, Jelinek, Vander Roest, Mead, Ehardt, Pumford, Bishop, Kilpatrick, Garcia, Mortimer, Cameron Brown, Van Woerkom, Bradstreet, Byl, Hart, Jansen, Shulman, LaSata, Gosselin, Hager, Kowall, Shackleton, Gilbert, Vear, Richardville, Prusi, Patterson, Woronchak, Julian, DeWeese, Koetje, Toy, Law, Richner, Kelly, Rivet, Thomas, Daniels, Middaugh, Tesanovich, Godchaux, Stamas, DeRossett, Switalski, LaForge, Raczkowski and Perricone offered the following resolution:

House Resolution No. 218.

A resolution honoring Daniel Miller.

Whereas, It is with deep appreciation for his bravery and leadership that this accomplishment represents that we congratulate Daniel Miller of Cadillac upon the occasion of receiving the Heroism Award by the National Court of Honor from the Boy Scouts of America. This achievement signifies qualities that the people of this state very much admire as an indication of competence and industriousness that will be a great value to our state and nation in the years to come; and

Whereas, With Troop 147, Daniel Miller has taken full advantage of the opportunities for personal growth that have made the Boy Scouts one of the most universally respected organizations in our country. Through his quick actions during a multi-car accident on December 31, 1998, Dan risked his own safety and performed first aid on critically-injured accident victims. He offered assistance to the only police officer at the scene, allowing the officer to continue to survey the damage and attend to other injured victims. Dan's unselfishness and eagerness to accept responsibility does not surprise his parents, Tim and Cathy, as he has always been the first one to lend a helping hand to someone in need; and

Whereas, The famed Boy Scout motto, "Be Prepared," takes on new meaning when meeting an individual like Daniel Miller. There can be little doubt that he is well prepared to take on the challenges that await him in adulthood. Clearly, the lessons he learned on December 31, 1998, and with Troop 147, will long continue to reap many rewards; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body congratulate Daniel Miller as he receives this prestigious award for his heroic actions. We challenge him to continue his excellent efforts in all aspects of life; and be it further

Resolved, That a copy of this resolution be transmitted to Daniel Miller as an expression of our respect for his unselfish actions and outstanding bravery.

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. Shackleton, Spade, Birkholz, Sheltroun, Bovin, Wojno, Mortimer, Julian, Howell, Godchaux, Faunce, Cassis, Shulman, Jamnick, Toy, Ehardt, Kukuk, Gilbert, Patterson, Jansen, Green, Caul, Garza, DeRossett, Raczkowski, Brewer, Scranton, DeHart and Tesanovich offered the following resolution:

House Resolution No. 219.

A resolution to oppose the proposed transportation of weapons-grade plutonium through Michigan and over any of the waters of the Great Lakes.

Whereas, The United States Department of Energy proposal to transport weapons-grade plutonium through Michigan and across major bridges at Sault Ste. Marie and across the Straits of Mackinac has generated considerable concern among citizens of this state. As a result of worries over the route and questions on the safety of the materials and their handling, several public meetings have provided information and focused well-deserved attention on the proposal; and

Whereas, The officials working on the plan to transport the plutonium across the country to its ultimate destination in Ontario have related the precautionary measures that are in place. References have been made to the various security steps being taken and the constant communications involved. The Department has cited its preliminary work in

studying several routes before narrowing the choice to the current proposal. We respect the work involved in this project. However, the fragility of the Great Lakes remains; and

Whereas, In all discussions of moving weapons-grade plutonium through this part of the continent, it is imperative that the vulnerability of the Great Lakes be recognized and respected fully. It is essential that the most important water resources of this part of the world be protected. Exposing the Great Lakes to any unnecessary risk when other options are available is inappropriate and short sighted; now, therefore, be it

Resolved by the House of Representatives, That we oppose the proposed transportation of weapons-grade plutonium through Michigan and over any of the waters of the Great Lakes; and be it further

Resolved, That copies of this resolution be transmitted to the United States Department of Energy.

The resolution was referred to the Committee on Energy and Technology.

Reps. Shackleton, Birkholz, Julian, Mead, Garcia, Godchaux, Gosselin, Ehardt, Kukuk, Tabor, Gilbert, Jansen, Green, Vear, DeRossett, Raczkowski and Scranton offered the following resolution:

House Resolution No. 220.

A resolution to express support for the continuation of the optional single-gender classes offered by the Pellston Public Schools.

Whereas, For the past two years, the Pellston Public Schools have offered some students and their parents the option of studying in a single-gender class. Enrollment in this type of class, which this year is offered at the sixth grade level, is entirely optional. Pellston school authorities are being challenged by organizations that feel a single-gender class is discriminatory, a contention denied by many parents and school officials; and

Whereas, Single-gender classes are thought by many, including educators, to be an excellent option for certain students. This is evident in the number of schools, including colleges and high schools, that are for men or women. Several teachers and parents in Pellston have remarked on the benefits the single-gender class offered to certain students. Proponents have noticed increased participation in class activities and discussions and far fewer social pressures; and

Whereas, Pellston school board members have held public meetings on the optional offering of the single-gender classes. Many people have voiced support for the offering, and some have remarked on the fact that there are many situations elsewhere in the country where same-sex classes and schools are readily accepted as nondiscriminatory; and

Whereas, A key to success in any educational setting is the support of parents and their confidence in the environment for their children. The optional single-gender classes are an expression of the wishes of a significant number of parents who feel this will advance the education of their children; now, therefore, be it

Resolved by the House of Representatives, That we express support for the continuation of the optional single-gender classes offered by the Pellston Public Schools; and be it further

Resolved, That copies of this resolution be transmitted to the Pellston Board of Education.

The resolution was referred to the Committee on Education.

Reports of Standing Committees

The Committee on Criminal Law and Corrections, by Rep. Howell, Vice-Chair, reported

House Bill No. 4592, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 7 (MCL 29.7).

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

1. Amend page 3, line 4, after "~~testifying.~~" by inserting "TRUTHFUL".
2. Amend page 3, line 5, after "OTHER" by inserting "TRUTHFUL".
3. Amend page 3, line 7, after "THAT" by inserting "TRUTHFUL".
4. Amend page 3, line 7, after "OTHER" by inserting "TRUTHFUL".
5. Amend page 3, line 12, by striking out all of enacting section 1.

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

Favorable Roll Call

HB 4592 To Report Out:

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

Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Howell, Vice-Chair, reported
Senate Bill No. 468, entitled

A bill to amend 1968 PA 289, entitled "An act to authorize circuit court judges to grant immunity to witnesses upon application of the prosecuting attorneys; to prescribe the procedures therefor; and to prescribe penalties for refusal to testify and for giving false testimony," by amending the title and sections 1, 2, and 3 (MCL 780.701, 780.702, and 780.703) and by adding section 2a.

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

1. Amend page 2, line 27, after "testifies" by inserting "TRUTHFULLY".
2. Amend page 3, line 23, after "(3)" by inserting "TRUTHFUL".
3. Amend page 3, line 23, after "OTHER" by inserting "TRUTHFUL".
4. Amend page 3, line 25, after "THAT" by inserting "TRUTHFUL".
5. Amend page 3, line 25, after "OTHER" by inserting "TRUTHFUL".
6. Amend page 4, line 20, after "TESTIFIES" by inserting "TRUTHFULLY".
7. Amend page 5, line 7, after "(6)" by inserting "TRUTHFUL".
8. Amend page 5, line 7, after "OTHER" by inserting "TRUTHFUL".
9. Amend page 5, line 9, after "THAT" by inserting "TRUTHFUL".
10. Amend page 5, line 9, after "OTHER" by inserting "TRUTHFUL".

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

Favorable Roll Call

SB 468 To Report Out:

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

Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Howell, Vice-Chair, reported
Senate Bill No. 469, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 6 and 19b of chapter VII (MCL 767.6 and 767.19b).

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

1. Amend page 2, line 11, after "(3)" by inserting "TRUTHFUL".
2. Amend page 2, line 12, after "THAT" by inserting "TRUTHFUL".
3. Amend page 3, line 19, after "(2)" by inserting "TRUTHFUL".
4. Amend page 3, line 21, after "THAT" by inserting "TRUTHFUL".

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

Favorable Roll Call

SB 469 To Report Out:

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

Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Howell, Vice-Chair, reported
Senate Bill No. 470, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 125, 157, 446, 453, and 461 (MCL 750.125, 750.157, 750.446, 750.453, and 750.461); and to repeal acts and parts of acts.

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

1. Amend page 3, line 15, after "forfeiture." by inserting "TRUTHFUL".
2. Amend page 3, line 16, after "OTHER" by inserting "TRUTHFUL".
3. Amend page 3, line 17, after "THAT" by inserting "TRUTHFUL".
4. Amend page 3, line 18, after "OTHER" by inserting "TRUTHFUL".
5. Amend page 5, line 3, after "PERSON." by inserting "TRUTHFUL".
6. Amend page 5, line 4, after "OTHER" by inserting "TRUTHFUL".
7. Amend page 5, line 5, after "THAT" by inserting "TRUTHFUL".
8. Amend page 5, line 6, after "OTHER" by inserting "TRUTHFUL".
9. Amend page 5, line 25, after "PERSON." by inserting "TRUTHFUL".
10. Amend page 5, line 26, after "OTHER" by inserting "TRUTHFUL".

11. Amend page 5, line 27, after "THAT" by inserting "TRUTHFUL".
12. Amend page 6, line 1, after "OTHER" by inserting "TRUTHFUL".
13. Amend page 6, line 20, after "PERSON." by inserting "TRUTHFUL".
14. Amend page 6, line 21, after "OTHER" by inserting "TRUTHFUL".
15. Amend page 6, line 22, after "THAT" by inserting "TRUTHFUL".
16. Amend page 6, line 23, after "OTHER" by inserting "TRUTHFUL".

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

Favorable Roll Call

SB 470 To Report Out:

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

Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Howell, Vice-Chair, reported

Senate Bill No. 525, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 1g to chapter IX.

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

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

Favorable Roll Call

SB 525 To Report Out:

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

Nays: Reps. Baird, Jacobs.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, November 2, 1999, at 10:30 a.m.,

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 3, 1999, at 9:00 a.m.,

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

Absent: Reps. Daniels, Scott,

Excused: Reps. Daniels, Scott.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 3, 1999, at 10:30 a.m.,

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

Absent: Reps. Gosselin, Daniels,

Excused: Reps. Gosselin, Daniels.

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 28:

Senate Bill Nos. 848 849 850 851 852 853 854

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

Senate Bill Nos. 855 856 857 858 859 860 861

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, November 1:

Senate Bill Nos. 862 863 864 865 866 867

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, November 3, for his approval of the following bills:

Enrolled House Bill No. 4479 at 10:55 a.m.

Enrolled House Bill No. 4480 at 10:57 a.m.

Enrolled House Bill No. 4481 at 10:59 a.m.

Enrolled House Bill No. 4482 at 11:01 a.m.

Enrolled House Bill No. 4483 at 11:03 a.m.

Enrolled House Bill No. 4484 at 11:05 a.m.

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

**House Bill Nos. 5069 5070 5071 5072 5073 5074 5075 5076 5077 5078 5079 5080 5081 5082
5083 5084 5085 5086 5087 5088 5089 5090 5091 5092**

The Clerk announced that the following Senate bills had been received on Wednesday, November 3:

Senate Bill Nos. 378 581 597 657 755

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4632, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 15b (MCL 247.665b), as added by 1997 PA 79.

The Senate has passed the bill and ordered that it be given immediate effect.

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

Senate Bill No. 378, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 174a. The Senate has passed the bill.

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

Senate Bill No. 581, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 717 (MCL 257.717), as amended by 1999 PA 63.

The Senate has passed the bill.

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

Senate Bill No. 597, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 657, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16348 and part 185; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 755, entitled

A bill to amend 1970 PA 29, entitled "An act relating to potatoes; to create a potato commission; to prescribe its powers and duties and authority; to impose an assessment on the privilege of introducing potatoes into the channels of trade and commerce; to provide for the collection of the assessment; to provide for penalties; and to repeal certain acts and parts of acts," by amending section 2 (MCL 290.422), as amended by 1992 PA 135.

The Senate has passed the bill.

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

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, 7, 8, 10, and 22 (MCL 125.1502, 125.1507, 125.1508, 125.1510, and 125.1522), the title 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.

The Senate has nonconcurred in the House substitute (H-2) and appointed Senators McCotter, Stille and Dingell as conferees.

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. DeRossett, Rocca and Frank. The message was referred to the Clerk for record.

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: November 3, 1999

Time: 9:00 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4817 (Public Act No. 150, I.E.), being

An act to amend 1982 PA 294, entitled "An act to revise and consolidate the laws relating to the friend of the court; to provide for the appointment or removal of the friend of the court; to create the office of the friend of the court; to

establish the rights, powers, and duties of the friend of the court and the office of the friend of the court; to establish a state friend of the court bureau and to provide the powers and duties of the bureau; to prescribe powers and duties of the circuit court and of certain state and local agencies and officers; to establish friend of the court citizen advisory committees; to prescribe certain duties of certain employers and former employers; and to repeal acts and parts of acts," by amending sections 2a and 9 (MCL 552.502a and 552.509), section 2a as added by 1996 PA 366 and section 9 as amended by 1998 PA 63, and by adding section 9a.

(Filed with Secretary of State November 3, 1999, at 9:30 a.m.)

Date: November 3, 1999

Time: 9:02 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4827 (Public Act No. 151, I.E.), being

An act to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," by amending section 2538 (MCL 600.2538), as added by 1993 PA 189.

(Filed with Secretary of State November 3, 1999, at 9:32 a.m.)

Date: November 3, 1999

Time: 9:04 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4826 (Public Act No. 152, I.E.), being

An act to amend 1931 PA 328, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 165 (MCL 750.165).

(Filed with Secretary of State November 3, 1999, at 9:34 a.m.)

Date: November 3, 1999

Time: 9:06 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4825 (Public Act No. 153, I.E.), being

An act to amend 1913 PA 379, entitled "An act to facilitate the collection of alimony and support and maintenance for minor children or for children who are 18 years of age or older ordered to be paid in suits for divorce or separate maintenance," by amending section 2 (MCL 552.152) and by adding section 6.

(Filed with Secretary of State November 3, 1999, at 9:36 a.m.)

Date: November 3, 1999

Time: 9:08 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4824 (Public Act No. 154, I.E.), being

An act to amend 1985 PA 216, entitled "An act to facilitate the interstate enforcement of support obligations through income withholding; to prescribe certain powers and duties of the circuit court and of certain agencies and persons; and to provide for remedies and penalties," by amending sections 3, 5, and 10 (MCL 552.673, 552.675, and 552.680), section 3 as amended by 1996 PA 11 and section 5 as amended by 1990 PA 354, and by adding section 10a.

(Filed with Secretary of State November 3, 1999, at 9:38 a.m.)

Date: November 3, 1999
Time: 9:10 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4823 (Public Act No. 155, I.E.), being

An act to amend 1952 PA 8, entitled “An act relative to the extradition of persons charged with failure to provide support for dependents and to provide for the enforcement by circuit courts in chancery of this state of the duty of such persons to support their dependents in accordance with the requirements of the laws of other states or any foreign state having reciprocal legislation, and to grant to such courts power to enforce such obligations by procedures including contempt; and to prescribe the procedure to be followed by such courts in case of proceedings to require enforcement of the duty to support residents of this state by those obligated to furnish such support through proceedings in courts of other states or any foreign state having reciprocal legislation; to prescribe certain powers and duties of the friend of the court; to prescribe certain powers and duties of certain state officers, agencies, and departments; and to prescribe rules of evidence in such proceedings,” by amending sections 3b, 14, 18, 23, and 31a (MCL 780.153b, 780.164, 780.168, 780.173, and 780.181a), section 3b as added and section 18 as amended by 1985 PA 172, section 14 as amended and section 31a as added by 1990 PA 241, and section 23 as amended by 1983 PA 192, and by adding section 14a.

(Filed with Secretary of State November 3, 1999, at 9:40 a.m.)

Date: November 3, 1999
Time: 9:12 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4822 (Public Act No. 156, I.E.), being

An act to amend 1970 PA 91, entitled “An act to declare the inherent rights of minor children; to establish rights and duties to their custody, support, and parenting time in disputed actions; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; to provide for certain procedure and appeals; and to repeal certain acts and parts of acts,” by amending sections 2, 7, and 9 (MCL 722.22, 722.27, and 722.29), sections 2 and 7 as amended by 1998 PA 482.

(Filed with Secretary of State November 3, 1999, at 9:42 a.m.)

Date: November 3, 1999
Time: 9:14 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4821 (Public Act No. 157, I.E.), being

An act to amend 1956 PA 205, entitled “An act to confer upon circuit courts jurisdiction over proceedings to compel and provide support of children born out of wedlock; to prescribe the procedure for determination of such liability; to authorize agreements providing for furnishing of such support and to provide for the enforcement thereof; and to prescribe penalties for the violation of certain provisions of this act,” by amending sections 1, 8, and 19 (MCL 722.711, 722.718, and 722.729), section 1 as amended by 1998 PA 113 and section 19 as amended by 1983 PA 194, and by adding section 19a.

(Filed with Secretary of State November 3, 1999, at 9:44 a.m.)

Date: November 3, 1999
Time: 9:16 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4820 (Public Act No. 158, I.E.), being

An act to amend 1966 PA 138, entitled “An act to confer jurisdiction upon the circuit courts to order and enforce the payment of money for the support, in certain cases, of parents having physical custody of minor children or children who have reached the age of majority and of minor children or children who have reached the age of majority by noncustodial parents; to provide for the termination of the effectiveness of the orders; and to provide for the payment of fees and assessment of costs in those cases,” by amending sections 2, 4, 7, and 9 (MCL 552.452, 552.454, 552.457, and 552.459), section 2 as amended by 1996 PA 5, section 4 as amended by 1990 PA 292, and section 7 as amended by 1983 PA 195, and by adding section 8a.

(Filed with Secretary of State November 3, 1999, at 9:46 a.m.)

Date: November 3, 1999
Time: 9:18 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4819 (Public Act No. 159, I.E.), being

An act to amend 1846 RS 84, entitled “Of divorce,” by amending section 23 (MCL 552.23), as amended by 1983 PA 193, and by adding section 24.

(Filed with Secretary of State November 3, 1999, at 9:48 a.m.)

Date: November 3, 1999
Time: 9:20 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4818 (Public Act No. 160, I.E.), being

An act to amend 1982 PA 295, entitled “An act to provide for and to supplement statutes that provide for the enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody, and spouse support; to prescribe certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts,” by amending sections 2, 9, 11a, 32, 37, and 48 (MCL 552.602, 552.609, 552.611a, 552.632, 552.637, and 552.648), sections 2, 9, and 11a as amended by 1998 PA 334 and section 32 as amended by 1996 PA 301.

(Filed with Secretary of State November 3, 1999, at 9:50 a.m.)

Date: November 3, 1999
Time: 9:22 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4816 (Public Act No. 161, I.E.), being

An act to amend 1971 PA 174, entitled “An act to create the office of child support; and to prescribe certain powers and duties of the office, certain public and private agencies, and certain employers and former employers,” by amending section 1 (MCL 400.231), as amended by 1998 PA 112, and by adding sections 6, 7, 8, and 9.

(Filed with Secretary of State November 3, 1999, at 9:52 a.m.)

Introduction of Bills

Rep. Tabor introduced

House Bill No. 5093, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 205 (MCL 330.1205), as amended by 1996 PA 588.

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

Reps. Kukuk, Gosselin, Hart, Voorhees, Tabor, Patterson, Green, LaSata, Kuipers, Van Woerkom, Bradstreet and Jansen introduced

House Bill No. 5094, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1169, 1506, and 1507 (MCL 380.1169, 380.1506, and 380.1507), sections 1169 and 1507 as amended by 1993 PA 335.

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

Rep. Callahan introduced

House Bill No. 5095, entitled

A bill to provide for compulsory arbitration of labor disputes in the public schools; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority of arbitration panels; and to provide for the enforcement and review of awards of arbitration panels.

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

Rep. Howell moved that the House adjourn.
The motion prevailed, the time being 4:25 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, November 4, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.