

No. 81
STATE OF MICHIGAN
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House of Representatives
90th Legislature
REGULAR SESSION OF 1999

House Chamber, Lansing, Tuesday, November 30, 1999.

12:00 Noon.

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	Gielegghem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—present
Bogardus—present	Godchaux—present	Lockwood—present	Scott—present
Bovin—present	Gosselin—present	Mans—present	Scranton—present
Bradstreet—present	Green—present	Martinez—present	Shackleton—present
Brater—present	Hager—present	Mead—present	Sheltrown—present
Brewer—present	Hale—present	Middaugh—present	Shulman—present
Brown, Bob—present	Hanley—present	Minore—present	Spade—present
Brown, Cameron—present	Hansen—present	Mortimer—present	Stallworth—present
Byl—present	Hardman—present	Neumann—present	Stamas—present
Callahan—present	Hart—present	O’Neil—present	Switalski—present
Cassis—present	Howell—present	Pappageorge—present	Tabor—present
Caul—present	Jacobs—present	Patterson—present	Tesanovich—present
Cherry—present	Jamnick—present	Perricone—present	Thomas—present
Clark—present	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—present	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—present	Quarles—present	Vear—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—present	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Pastor Allan Fraser, from the North Warren Church of Christ in Warren, offered the following invocation:

“Our Almighty God, we approach Your throne of eternal power with the request that You hear our prayer and that Your heart be open to our appeal for wisdom. Father, as with Solomon of old, we are aware of our need to apply the knowledge You have granted us over the many years of accumulation present in this House today.

Let us realize our limitations and if there be any need to err, let us err on the side of humility rather than on the side of arrogance. Make us aware of our imperfections and aware of Your limitless perfection.

Father, You are omnipotent, omniscient and omnipresent, and we pale in any comparison and pray that none ever enters our thoughts. Let us, however, feel Your constant presence wherever we find ourselves, Your probing knowledge in all the difficult situations that our leadership leads us, as well as Your comforting power in the service of Your children who we serve.

God, You have blessed us with a huge task and we pray for Your assistance in the successful completion of such. We also thank You for the freedoms that we possess and pray that we, at the end of our tenor on this earth, will be found to have been good stewards of the trust that You have placed in us.

Please be with our families and all the unsung heroes who continually support us as we progress towards the goal of serving You and serving those we represent.

In the precious name of Our Lord, Jesus Christ. Amen.”

Second Reading of Bills

Senate Bill No. 663, entitled

A bill to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act,” by amending section 1 (MCL 423.201), as amended by 1996 PA 543.

The bill was read a second time.

Reps. Sanborn, Jelinek, Pumford and Godchaux 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. 663, entitled

A bill to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act,” by amending section 1 (MCL 423.201), as amended by 1996 PA 543.

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

Roll Call No. 1035

Yeas—56

Allen
Birkholz
Bisbee
Bishop
Bradstreet
Brown, C.

Garcia
Geiger
Gilbert
Godchaux
Gosselin
Green

Julian
Koetje
Kowall
Kuipers
Kukuk
LaSata

Raczkowski
Richardville
Richner
Sanborn
Shackleton
Shulman

Byl	Hager	Mans	Stamas
Cassis	Hart	Mead	Tabor
Caul	Howell	Middaugh	Toy
DeRossett	Jansen	Mortimer	Van Woerkom
DeVuyst	Jelinek	Pappageorge	Vander Roest
DeWeese	Jellema	Patterson	Vear
Ehardt	Johnson, Rick	Perricone	Voorhees
Faunce	Johnson, Ruth	Pumford	Woronchak

Nays—53

Baird	Frank	Lemmons	Rocca
Basham	Garza	Lockwood	Schauer
Bogardus	Gielegthem	Martinez	Schermesser
Bovin	Hale	Minore	Scott
Brater	Hanley	Neumann	Sheltrown
Brewer	Hansen	O'Neil	Spade
Brown, B.	Hardman	Pestka	Stallworth
Callahan	Jacobs	Price	Switalski
Cherry	Jamnick	Prusi	Tesanovich
Clark, I.	Kelly	Quarles	Thomas
Clarke, H.	Kilpatrick	Reeves	Vaughn
Daniels	LaForge	Rison	Wojno
DeHart	Law	Rivet	Woodward
Dennis			

In The Chair: Birkholz

The House agreed to the title of the bill.

Second Reading of Bills

Senate Bill No. 783, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care reform act," by amending section 207 (MCL 550.1207), as amended by 1993 PA 201.

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. 783, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care reform act," by amending section 207 (MCL 550.1207), as amended by 1993 PA 201.

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

Roll Call No. 1036

Yeas—106

Allen	Frank	Kowall	Rison
Baird	Garcia	Kuipers	Rivet

Basham	Garza	Kukuk	Rocca
Birkholz	Geiger	LaForge	Sanborn
Bisbee	Gielegthem	LaSata	Schauer
Bishop	Gilbert	Law	Schermesser
Bogardus	Godchaux	Lemmons	Scott
Bovin	Gosselin	Lockwood	Scranton
Bradstreet	Green	Mans	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	Tabor
Caul	Jacobs	Pappageorge	Thomas
Cherry	Jamnack	Patterson	Toy
Clark, I.	Jansen	Pestka	Van Woerkom
Clarke, H.	Jelinek	Price	Vander Roest
Daniels	Jellema	Prusi	Vaughn
DeHart	Johnson, Rick	Quarles	Vear
Dennis	Johnson, Ruth	Raczkowski	Voorhees
DeRossett	Julian	Reeves	Wojno
DeVuyst	Kelly	Richardville	Woodward
Ehardt	Kilpatrick	Richner	Woronchak
Faunce	Koetje		

Nays—0

In The Chair: Birkholz

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

“An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts,”.

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 784, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 5104 (MCL 500.5104), as added by 1993 PA 200.

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. 784, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 5104 (MCL 500.5104), as added by 1993 PA 200.

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

Roll Call No. 1037

Yeas—108

Allen	Faunce	Kowall	Richner
Baird	Frank	Kuipers	Rison
Basham	Garcia	Kukuk	Rivet
Birkholz	Garza	LaForge	Rocca
Bisbee	Geiger	LaSata	Sanborn
Bishop	Gielegthem	Law	Schauer
Bogardus	Gilbert	Lemmons	Schermesser
Bovin	Godchaux	Lockwood	Scranton
Bradstreet	Gosselin	Mans	Shackleton
Brater	Green	Martinez	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	Vaughn
Dennis	Johnson, Ruth	Pumford	Vear
DeRossett	Julian	Quarles	Voorhees
DeVuyst	Kelly	Raczkowski	Wojno
DeWeese	Kilpatrick	Reeves	Woodward
Ehardt	Koetje	Richardville	Woronchak

Nays—0

In The Chair: Birkholz

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain

insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”.

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Raczkowski moved to vacate the enrollment of **House Bill No. 4625**.

The motion prevailed.

Messages from the Senate

House Bill No. 4625, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 3a to chapter X.

The Senate has amended the bill as follows:

1. Amend page 2, line 2, by striking out “RECOMMENDED”.
2. Amend page 2, following line 7, following subdivision (C), by inserting:

“(4) WHILE ESTABLISHING THAT A PLEA OF GUILTY, GUILTY BUT MENTALLY ILL, OR NOLO CONTENDERE WAS MADE UNDERSTANDINGLY AND VOLUNTARILY UNDER MICHIGAN COURT RULE 6.302 OR ITS SUCCESSOR RULE, AND BEFORE ACCEPTING THE PLEA, THE COURT SHALL ADVISE THE DEFENDANT THAT, EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, IF THE PLEA IS ACCEPTED BY THE COURT, THE DEFENDANT WAIVES THE RIGHT TO HAVE AN ATTORNEY APPOINTED AT PUBLIC EXPENSE TO ASSIST IN FILING AN APPLICATION FOR LEAVE TO APPEAL OR TO ASSIST WITH OTHER POSTCONVICTION REMEDIES, AND SHALL DETERMINE WHETHER THE DEFENDANT UNDERSTANDS THE WAIVER. UPON SENTENCING, THE COURT SHALL FURNISH THE DEFENDANT WITH A FORM DEVELOPED BY THE STATE COURT ADMINISTRATIVE OFFICE THAT IS NONTECHNICAL AND EASILY UNDERSTOOD AND THAT THE DEFENDANT MAY COMPLETE AND FILE AS AN APPLICATION FOR LEAVE TO APPEAL.

Enacting section 1. This amendatory act takes effect April 1, 2000.”.

The Senate has passed the bill as amended and pursuant to Joint Rule 20, inserted the full title.

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

Second Reading of Bills

House Bill No. 4881, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 520c and 520e (MCL 750.520c and 750.520e), section 520c as amended by 1983 PA 158 and section 520e as amended by 1996 PA 155.

The bill was read a second time.

Rep. Faunce 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. 4881, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 520c and 520e (MCL 750.520c and 750.520e), section 520c as amended by 1983 PA 158 and section 520e as amended by 1996 PA 155.

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

Roll Call No. 1038

Yeas—110

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

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

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

Rep. Vander Roest moved that Reps. Perricone and Bisbee be excused temporarily from today’s session.
 The motion prevailed.

Second Reading of Bills

Senate Bill No. 404, 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 amendment previously recommended by the Committee on Health Policy (for amendment, see House Journal No. 66, p. 1919),

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

Reps. LaSata, Raczkowski and Frank moved to amend the bill as follows:

1. Amend page 46, line 14, after "paramedic," by inserting "or".
2. Amend page 46, line 15, after "designee" by striking out the balance of the line through "SPONSOR" on line 17.
3. Amend page 46, line 18, after "hospital," by inserting "or".
4. Amend page 46, line 19, after "personnel," by striking out the balance of the line through "SETTING" on line 20.
5. Amend page 46, line 22, after "authority" by striking out the balance of the line through "PROGRAM" on line 23.
6. Amend page 47, following line 24, by inserting:

"(M) A CLINICAL PRECEPTOR PROVIDING DEPARTMENT-APPROVED EDUCATION PROGRAM SPONSOR SERVICES TO A STUDENT OF AN EDUCATION PROGRAM SPONSOR DURING THE PARTICIPATION OF THE STUDENT IN CLINICAL TRAINING IN AN EDUCATION PROGRAM SPONSOR-APPROVED CLINICAL SETTING. THE LIMITATION ON LIABILITY PROVIDED UNDER THIS SUBDIVISION APPLIES ONLY TO THE ACTS OR OMISSIONS OF THE STUDENT AND NOT TO THE ACTS OR OMISSIONS OF THE CLINICAL PRECEPTOR," and relettering the remaining subdivisions.

The motion prevailed and the amendments were 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.

Rep. Kelly moved that Rep. LaForge be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 404, 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. 1039

Yeas—93

Allen
Baird
Basham

Frank
Garcia
Garza

Kilpatrick
Koetje
Kowall

Rison
Rivet
Rocca

Birkholz	Geiger	Kuipers	Sanborn
Bishop	Gielegthem	Kukuk	Schermesser
Bogardus	Gilbert	LaSata	Scott
Brater	Godchaux	Law	Scranton
Brewer	Gosselin	Lockwood	Shulman
Brown, B.	Green	Mans	Spade
Brown, C.	Hager	Martinez	Stallworth
Byl	Hale	Mead	Stamas
Callahan	Hansen	Middaugh	Switalski
Cassis	Hardman	Mortimer	Tabor
Caul	Hart	O'Neil	Thomas
Cherry	Howell	Pappageorge	Toy
Clark, I.	Jacobs	Patterson	Van Woerkom
Clarke, H.	Jamnick	Pestka	Vander Roest
Daniels	Jansen	Price	Vaughn
DeHart	Jellema	Pumford	Vear
DeRossett	Johnson, Rick	Quarles	Voorhees
DeVuyst	Johnson, Ruth	Raczkowski	Wojno
DeWeese	Julian	Richardville	Woodward
Ehardt	Kelly	Richner	Woronchak
Faunce			

Nays—10

Bovin	Lemmons	Reeves	Sheltrown
Bradstreet	Neumann	Shackleton	Tesanovich
Jelinek	Prusi		

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.

Second Reading of Bills

Senate Bill No. 725, entitled

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

The 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. 725, entitled

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

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

Roll Call No. 1040

Yeas—101

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

Nays—0

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.

By unanimous consent the House returned to the order of
Reports of Standing Committees

The Speaker laid before the House
House Concurrent Resolution No. 53.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Michigan State Police Crime Lab.

(For text of resolution, see House Journal No. 65, p. 1886.)

(The concurrent resolution was reported by the Committee on Appropriations on November 10, consideration of which was postponed until today under the rules.)

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 1041

Yeas—101

Allen	Frank	Kowall	Richner
Baird	Garcia	Kuipers	Rison
Basham	Garza	Kukuk	Rivet
Birkholz	Geiger	LaSata	Rocca
Bishop	Gielegghem	Law	Sanborn
Bogardus	Gilbert	Lemmons	Scott
Bovin	Godchaux	Lockwood	Scranton
Bradstreet	Gosselin	Mans	Shackleton
Brater	Green	Martinez	Sheltrown
Brewer	Hager	Mead	Shulman
Brown, B.	Hale	Middaugh	Spade
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	Pestka	Van Woerkom
Clarke, H.	Jelinek	Price	Vander Roest
Daniels	Jellema	Prusi	Vaughn
DeHart	Johnson, Rick	Pumford	Vear
DeRossett	Johnson, Ruth	Quarles	Voorhees
DeVuyst	Julian	Rackowski	Wojno
DeWeese	Kelly	Reeves	Woodward
Ehardt	Koetje	Richardville	Woronchak
Faunce			

Nays—0

In The Chair: Birkholz

The Speaker laid before the House
House Concurrent Resolution No. 54.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Baraga Maximum Correctional Facility Additional Housing Units.

(For text of resolution, see House Journal No. 65, p. 1887.)

(The concurrent resolution was reported by the Committee on Appropriations on November 10, consideration of which was postponed until today under the rules.)

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 1042

Yeas—89

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

Nays—14

Brater	Hansen	Lemmons	Reeves
Clark, I.	Hardman	Martinez	Scott
Garza	Jacobs	Minore	Vaughn
Hale	Jamnick		

In The Chair: Birkholz

Rep. Rison moved that Rep. Bogardus be excused temporarily from today’s session.
The motion prevailed.

The Speaker laid before the House

House Concurrent Resolution No. 55.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Camp Ojibway Additional Housing Units.

(For text of resolution, see House Journal No. 65, p. 1888.)

(The concurrent resolution was reported by the Committee on Appropriations on November 10, consideration of which was postponed until today under the rules.)

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 1043

Yeas—90

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

Nays—17

Brater	Jacobs	Lemmons	Quarles
Garza	Jamnick	Martinez	Reeves
Hale	Kilpatrick	Minore	Scott
Hansen	LaForge	Price	Vaughn
Hardman			

In The Chair: Birkholz

The Speaker laid before the House

House Concurrent Resolution No. 56.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Camp Pugsley Additional Housing Units.

(For text of resolution, see House Journal No. 65, p. 1888.)

(The concurrent resolution was reported by the Committee on Appropriations on November 10, consideration of which was postponed until today under the rules.)

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 1044

Yeas—86

Allen	Ehardt	Kukuk	Sanborn
Baird	Faunce	LaSata	Schauer
Basham	Frank	Law	Schermesser
Birkholz	Garcia	Lockwood	Scranton
Bisbee	Geiger	Mans	Shackleton
Bishop	Gielegghem	Mead	Sheltrown
Bogardus	Gilbert	Middaugh	Shulman
Bovin	Godchaux	Mortimer	Spade
Bradstreet	Gosselin	Neumann	Stallworth
Brewer	Green	O’Neil	Stamas
Brown, B.	Hager	Pappageorge	Switalski
Brown, C.	Hart	Patterson	Tabor
Byl	Howell	Pestka	Thomas
Callahan	Jansen	Prusi	Toy
Cassis	Jelinek	Pumford	Van Woerkom
Caul	Johnson, Rick	Rackowski	Vander Roest
Cherry	Johnson, Ruth	Richardville	Vear
Clarke, H.	Julian	Richner	Voorhees
DeHart	Kelly	Rison	Wojno
DeRossett	Koetje	Rivet	Woodward
DeVuyst	Kowall	Rocca	Woronchak
DeWeese	Kuipers		

Nays—19

Brater	Hansen	LaForge	Quarles
Clark, I.	Hardman	Lemmons	Reeves
Daniels	Jacobs	Martinez	Scott
Garza	Jamnick	Minore	Vaughn
Hale	Kilpatrick	Price	

In The Chair: Birkholz

The Speaker laid before the House

House Concurrent Resolution No. 57.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Florence Crane Women’s Facility Additional Housing Units.

(For text of resolution, see House Journal No. 65, p. 1889.)

(The concurrent resolution was reported by the Committee on Appropriations on November 10, consideration of which was postponed until today under the rules.)

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 1045**Yeas—88**

Allen	DeWeese	Kuipers	Sanborn
Baird	Ehardt	Kukuk	Schauer
Basham	Faunce	LaSata	Schermesser
Birkholz	Frank	Law	Scranton
Bisbee	Garcia	Lockwood	Shackleton
Bishop	Geiger	Mans	Sheltrown
Bogardus	Gielegthem	Mead	Shulman
Bovin	Gilbert	Middaugh	Spade
Bradstreet	Godchaux	Mortimer	Stallworth
Brewer	Gosselin	Neumann	Stamas
Brown, B.	Green	O'Neil	Switalski
Brown, C.	Hager	Pappageorge	Tabor
Byl	Hart	Patterson	Tesanovich
Callahan	Howell	Perricone	Thomas
Cassis	Jansen	Pestka	Toy
Caul	Jelinek	Prusi	Van Woerkom
Cherry	Johnson, Rick	Pumford	Vander Roest
Clarke, H.	Johnson, Ruth	Rackowski	Vear
Daniels	Julian	Richardville	Voorhees
DeHart	Kelly	Richner	Wojno
DeRossett	Koetje	Rivet	Woodward
DeVuyst	Kowall	Rocca	Woronchak

Nays—18

Brater	Hardman	Lemmons	Quarles
Clark, I.	Jacobs	Martinez	Reeves
Garza	Jamnick	Minore	Scott
Hale	Kilpatrick	Price	Vaughn
Hansen	LaForge		

In The Chair: Birkholz

The Speaker laid before the House

House Concurrent Resolution No. 58.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Macomb Correctional Facility Additional Housing Units.

(For text of resolution, see House Journal No. 65, p. 1890.)

(The concurrent resolution was reported by the Committee on Appropriations on November 10, consideration of which was postponed until today under the rules.)

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 1046**Yeas—86**

Allen	Faunce	Kukuk	Sanborn
Baird	Frank	LaSata	Schauer
Basham	Garcia	Law	Schermesser
Birkholz	Geiger	Lockwood	Scranton

Bisbee	Gielegthem	Mans	Shackleton
Bishop	Gilbert	Mead	Sheltrown
Bogardus	Godchaux	Middaugh	Shulman
Bovin	Gosselin	Mortimer	Spade
Bradstreet	Green	Neumann	Stallworth
Brewer	Hager	O'Neil	Stamas
Brown, B.	Hart	Pappageorge	Switalski
Brown, C.	Howell	Patterson	Tabor
Byl	Jansen	Perricone	Tesanovich
Callahan	Jelinek	Pestka	Thomas
Cassis	Jellema	Prusi	Toy
Caul	Johnson, Rick	Pumford	Van Woerkom
Clarke, H.	Johnson, Ruth	Raczkowski	Vander Roest
DeHart	Julian	Richardville	Vear
DeRossett	Kelly	Richner	Voorhees
DeVuyst	Koetje	Rison	Wojno
DeWeese	Kowall	Rocca	Woronchak
Ehardt	Kuipers		

Nays—19

Brater	Hansen	LaForge	Quarles
Clark, I.	Hardman	Lemmons	Reeves
Daniels	Jacobs	Martinez	Scott
Garza	Jamnick	Minore	Vaughn
Hale	Kilpatrick	Price	

In The Chair: Birkholz

The Speaker laid before the House

House Concurrent Resolution No. 59.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Saginaw Correctional Facility Additional Housing Units.

(For text of resolution, see House Journal No. 65, p. 1891.)

(The concurrent resolution was reported by the Committee on Appropriations on November 10, consideration of which was postponed until today under the rules.)

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 1047

Yeas—87

Allen	Ehardt	Kukuk	Schauer
Baird	Faunce	LaSata	Schermesser
Basham	Frank	Law	Scranton
Birkholz	Garcia	Lockwood	Shackleton
Bisbee	Geiger	Mans	Sheltrown
Bishop	Gielegthem	Mead	Shulman
Bogardus	Gilbert	Middaugh	Spade

Bovin	Godchaux	Mortimer	Stallworth
Bradstreet	Gosselin	Neumann	Stamas
Brewer	Green	O'Neil	Switalski
Brown, B.	Hart	Pappageorge	Tabor
Brown, C.	Howell	Patterson	Tesanovich
Byl	Jansen	Perricone	Thomas
Callahan	Jelinek	Pestka	Toy
Cassis	Jellema	Prusi	Van Woerkom
Caul	Johnson, Rick	Pumford	Vander Roest
Cherry	Johnson, Ruth	Richardville	Vear
Clarke, H.	Julian	Richner	Voorhees
DeHart	Kelly	Rison	Wojno
DeRossett	Koetje	Rivet	Woodward
DeVuyst	Kowall	Rocca	Woronchak
DeWeese	Kuipers	Sanborn	

Nays—19

Brater	Hansen	LaForge	Quarles
Clark, I.	Hardman	Lemmons	Reeves
Daniels	Jacobs	Martinez	Scott
Garza	Jamnick	Minore	Vaughn
Hale	Kilpatrick	Price	

In The Chair: Birkholz

Rep. Brater moved that Rep. Martinez be excused temporarily from today's session.
The motion prevailed.

The Speaker laid before the House

House Concurrent Resolution No. 60.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Secure Level I Correctional Facility at St. Louis.

(For text of resolution, see House Journal No. 65, p. 1892.)

(The concurrent resolution was reported by the Committee on Appropriations on November 10, consideration of which was postponed until today under the rules.)

The Clerk made the following statement:

"Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk's office."

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 1048**Yeas—87**

Allen	Ehardt	Kukuk	Schauer
Baird	Faunce	LaSata	Schermesser
Basham	Frank	Law	Scranton

Birkholz	Garcia	Lockwood	Shackleton
Bisbee	Geiger	Mans	Sheltrown
Bishop	Gielegthem	Mead	Shulman
Bogardus	Gilbert	Middaugh	Spade
Bovin	Godchaux	Mortimer	Stallworth
Bradstreet	Gosselin	Neumann	Stamas
Brewer	Green	O'Neil	Switalski
Brown, B.	Hager	Pappageorge	Tabor
Brown, C.	Hart	Patterson	Tesanovich
Byl	Howell	Perricone	Thomas
Callahan	Jansen	Pestka	Toy
Cassis	Jelinek	Prusi	Van Woerkom
Caul	Jellema	Pumford	Vander Roest
Cherry	Johnson, Rick	Richardville	Vear
Clarke, H.	Johnson, Ruth	Richner	Voorhees
DeHart	Julian	Rison	Wojno
DeRossett	Koetje	Rivet	Woodward
DeVuyst	Kowall	Rocca	Woronchak
DeWeese	Kuipers	Sanborn	

Nays—16

Brater	Hale	Jamnick	Quarles
Clark, I.	Hansen	Kilpatrick	Reeves
Daniels	Hardman	Lemmons	Scott
Garza	Jacobs	Minore	Vaughn

In The Chair: Birkholz

The Speaker laid before the House

House Concurrent Resolution No. 61.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Thumb Correctional Facility Additional Housing Units.

(For text of resolution, see House Journal No. 61, p. 1893.)

(The concurrent resolution was reported by the Committee on Appropriations on November 10, consideration of which was postponed until today under the rules.)

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 1049**Yeas—88**

Allen	Ehardt	Kuipers	Rocca
Baird	Faunce	Kukuk	Sanborn
Basham	Frank	LaSata	Schauer
Birkholz	Garcia	Law	Schermesser
Bisbee	Geiger	Lockwood	Scranton
Bishop	Gielegthem	Mans	Shackleton
Bogardus	Gilbert	Mead	Sheltrown

Bovin	Godchaux	Middaugh	Shulman
Bradstreet	Gosselin	Mortimer	Spade
Brewer	Green	Neumann	Stallworth
Brown, B.	Hager	O'Neil	Stamas
Brown, C.	Hart	Pappageorge	Switalski
Byl	Howell	Patterson	Tabor
Callahan	Jansen	Perricone	Thomas
Cassis	Jelinek	Pestka	Toy
Caul	Jellema	Prusi	Van Woerkom
Cherry	Johnson, Rick	Pumford	Vander Roest
Clarke, H.	Johnson, Ruth	Rackowski	Vear
DeHart	Julian	Richardville	Voorhees
DeRossett	Kelly	Richner	Wojno
DeVuyst	Koetje	Rison	Woodward
DeWeese	Kowall	Rivet	Woronchak

Nays—18

Brater	Hansen	LaForge	Quarles
Clark, I.	Hardman	Lemmons	Reeves
Daniels	Jacobs	Minore	Scott
Garza	Jamnick	Price	Vaughn
Hale	Kilpatrick		

In The Chair: Birkholz

The Speaker laid before the House

House Concurrent Resolution No. 65.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Eastern Michigan University relative to the Eastern Michigan University Health and Human Services Building.

(For text of resolution, see House Journal No. 65, p. 2130.)

(The concurrent resolution was reported by the Committee on Appropriations on November 10, consideration of which was postponed until today under the rules.)

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 1050**Yeas—103**

Allen	Frank	Kowall	Rivet
Baird	Garcia	Kuipers	Rocca
Basham	Garza	Kukuk	Sanborn
Birkholz	Geiger	LaForge	Schauer
Bisbee	Gielegthem	LaSata	Schermesser
Bishop	Gilbert	Law	Scott
Bogardus	Godchaux	Lemmons	Scranton
Bovin	Gosselin	Lockwood	Shackleton
Bradstreet	Green	Mans	Sheltrown
Brater	Hager	Mead	Shulman

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

Nays—0

In The Chair: Birkholz

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

The Speaker laid before the House

House Concurrent Resolution No. 66.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Northern Michigan University relative to the Northern Michigan University West Science Building Remodeling (Phase I).

(For text of resolution, see House Journal No. 75, p. 2130.)

(The concurrent resolution was reported by the Committee on Appropriations on November 10, consideration of which was postponed until today under the rules.)

The Clerk made the following statement:

"Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk's office."

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 1051

Yeas—105

Allen	Frank	Koetje	Rivet
Baird	Garcia	Kowall	Rocca
Basham	Garza	Kuipers	Sanborn
Birkholz	Geiger	Kukuk	Schauer
Bisbee	Gielegthem	LaForge	Schermesser
Bishop	Gilbert	LaSata	Scott
Bogardus	Godchaux	Law	Scranton
Bovin	Gosselin	Lemmons	Shackleton
Bradstreet	Green	Lockwood	Sheltrown

Brater	Hager	Mans	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	Pestka	Van Woerkom
Clarke, H.	Jelinek	Prusi	Vander Roest
DeHart	Jellema	Pumford	Vaughn
Dennis	Johnson, Rick	Raczkowski	Vear
DeRossett	Johnson, Ruth	Reeves	Voorhees
DeVuyst	Julian	Richardville	Wojno
DeWeese	Kelly	Richner	Woodward
Ehardt	Kilpatrick	Rison	Woronchak
Faunce			

Nays—0

In The Chair: Birkholz

The Speaker laid before the House

House Concurrent Resolution No. 67.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Ferris State University relative to the Ferris State University Library Addition and Renovation (Phase I).

(For text of resolution, see House Journal No. 75, p. 2131.)

(The concurrent resolution was reported by the Committee on Appropriations on November 10, consideration of which was postponed until today under the rules.)

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 1052**Yeas—106**

Allen	Frank	Kuipers	Rivet
Baird	Garcia	Kukuk	Rocca
Basham	Garza	LaForge	Sanborn
Birkholz	Gielegghem	LaSata	Schauer
Bisbee	Gilbert	Law	Schermesser
Bishop	Godchaux	Lemmons	Scott
Bogardus	Gosselin	Lockwood	Scranton
Bovin	Green	Mans	Shackleton
Bradstreet	Hager	Mead	Sheltrown
Brater	Hale	Middaugh	Shulman
Brewer	Hanley	Minore	Spade
Brown, B.	Hansen	Mortimer	Stallworth
Brown, C.	Hardman	Neumann	Stamas
Byl	Hart	O'Neil	Switalski

Cassis	Howell	Pappageorge	Tabor
Caul	Jacobs	Patterson	Tesanovich
Cherry	Jamnack	Pestka	Thomas
Clark, I.	Jansen	Price	Toy
Clarke, H.	Jelinek	Prusi	Van Woerkom
Daniels	Jellema	Pumford	Vander Roest
DeHart	Johnson, Rick	Quarles	Vaughn
Dennis	Johnson, Ruth	Raczkowski	Vear
DeRossett	Julian	Reeves	Voorhees
DeVuyst	Kelly	Richardville	Wojno
DeWeese	Kilpatrick	Richner	Woodward
Ehardt	Koetje	Rison	Woronchak
Faunce	Kowall		

Nays—0

In The Chair: Birkholz

The Speaker laid before the House

House Concurrent Resolution No. 70.

A concurrent resolution to change the scope of the Multipurpose Educational Facility and General Campus Renovations project at North Central Michigan College.

(For text of resolution, see House Journal No. 79, p. 2255.)

(The concurrent resolution was reported by the Committee on Appropriations on November 10, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Speaker laid before the House

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.

(For text of resolution, see House Journal No. 76, p. 2154.)

(The resolution was reported by the Committee on Veterans Affairs on November 10, consideration of which was postponed until today under the rules.)

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

House Bill No. 5112, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending the title and section 613a (MCL 168.613a), the title as amended by 1994 PA 441 and section 613a as amended by 1999 PA 72, and by adding section 613b; and to repeal acts and parts of acts.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Godchaux moved to substitute (H-2) the bill.

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

Rep. Godchaux 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.

Rep. Cameron Brown moved that Rep. Bishop be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 5112, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending the title and section 613a (MCL 168.613a), the title as amended by 1994 PA 441 and section 613a as amended by 1999 PA 72, and by adding section 613b; 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. 1053

Yeas—99

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

Nays—0

In The Chair: Birkholz

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 1954 PA 116, entitled “Michigan election law,” by amending section 613a (MCL 168.613a), as amended by 1999 PA 72, and by adding section 613b.

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.

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

Rep. Switalski moved that Reps. Hanley and Kilpatrick be excused temporarily from today’s session.

The motion prevailed.

Second Reading of Bills

House Bill No. 4335, entitled

A bill to amend 1967 PA 150, entitled “Michigan military act,” by amending section 411 (MCL 32.811), as amended by 1996 PA 497.

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

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

Rep. Richardville 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. Middaugh 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. 4335, entitled

A bill to amend 1967 PA 150, entitled “Michigan military act,” by amending section 411 (MCL 32.811), as amended by 1996 PA 497.

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

Roll Call No. 1054

Yeas—105

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

The Speaker Pro Tempore resumed the Chair.

Second Reading of Bills

House Bill No. 4684, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2162 (MCL 600.2162), as amended by 1994 PA 67; and to repeal acts and parts of acts.

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

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

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

The motion prevailed.

House Bill No. 5028, entitled

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

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

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

Rep. Richardville 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. 5028, entitled

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

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

Roll Call No. 1055

Yeas—106

Allen	Faunce	Kukuk	Rivet
Baird	Frank	LaForge	Rocca
Basham	Garcia	LaSata	Sanborn
Birkholz	Geiger	Law	Schauer
Bisbee	Gielegthem	Lemmons	Schermesser
Bishop	Gilbert	Lockwood	Scott
Bogardus	Godchaux	Mans	Scranton
Bovin	Gosselin	Mead	Shackleton
Bradstreet	Green	Middaugh	Sheltrown
Brater	Hager	Minore	Shulman
Brewer	Hale	Mortimer	Spade
Brown, B.	Hansen	Neumann	Stallworth
Brown, C.	Hardman	O’Neil	Stamas
Byl	Hart	Pappageorge	Switalski
Callahan	Howell	Patterson	Tabor
Cassis	Jacobs	Perricone	Tesanovich

Caul	Jamnick	Pestka	Thomas
Cherry	Jansen	Price	Toy
Clark, I.	Jelinek	Prusi	Van Woerkom
Clarke, H.	Jellema	Pumford	Vander Roest
Daniels	Johnson, Rick	Quarles	Vaughn
DeHart	Johnson, Ruth	Rackowski	Vear
Dennis	Julian	Reeves	Voorhees
DeRossett	Kelly	Richardville	Wojno
DeVuyst	Koetje	Richner	Woodward
DeWeese	Kowall	Rison	Woronchak
Ehardt	Kuipers		

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 designate the part of highway I-75 located in Monroe county as the “Medal of Honor Recipient and American Legion Memorial Highway”; and to prescribe certain duties of the state transportation department.

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.

Rep. Martinez 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. 1048-1055. Had I been present, I would have voted ‘nay’ on Roll Call Nos. 1048 and 1049, and ‘yea’ on Roll Call Nos. 1050-1055.”

Rep. Rackowski moved that House Committees be given leave to meet during the balance of today’s session.

The motion prevailed.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill and joint resolution had been printed and placed upon the files of the members, Tuesday, November 9:

Senate Bill No. 885

Senate Joint Resolution N

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, November 12:

**House Bill Nos. 5105 5106 5107 5108 5109 5110 5111 5113 5114 5115 5116 5117 5118 5119
5120 5121 5122 5123 5124 5125 5126 5127 5128 5129 5130 5131 5132 5133
5134**

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, November 17, for his approval of the following bills:

Enrolled House Bill No. 4624 at 2:36 p.m.

Enrolled House Bill No. 4656 at 2:38 p.m.

The Clerk announced that the following Senate bills had been received on Tuesday, November 30:

Senate Bill Nos. 668 756

By unanimous consent the House returned to the order of
Reports of Standing Committees

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

House Bill No. 4803, entitled

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 1, 2, 3, 6, 8, 10, 12, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 51, 52, 53, 54, 101, 102, 103, 104, 105, 106, 151, 152, 153, 154, 155, 156, 157, 158, 161, 191, 192, 199, 200, 221, 222, 223, 241, 242, 243, 244, 245, 247, 261, 262, 263, 265, 266, 267, 269, 270, 273, 274, 275, 276, 277, 278, 279, 280, 282, 283, 301, 302, 303, 304, 306, 307, 322, 322b, 323, 324, 326, 327, 328, 391, 392, 393, 395, 421, 422, 423, 425, 429, 430, 431, 433, 463, 464, 465, 466, 467, 468, 469, 472, 473, 474, 476, 478, 483, 490, 491, 499, 513, 515, 517, 518, 519, 520, 521, 524, 525, 532, 540, 541, 601, 602, 626, and 627 (MCL 280.1, 280.2, 280.3, 280.6, 280.8, 280.10, 280.12, 280.21, 280.23, 280.24, 280.25, 280.26, 280.27, 280.28, 280.29, 280.30, 280.31, 280.32, 280.33, 280.51, 280.52, 280.53, 280.54, 280.101, 280.102, 280.103, 280.104, 280.105, 280.106, 280.151, 280.152, 280.153, 280.154, 280.155, 280.156, 280.157, 280.158, 280.161, 280.191, 280.192, 280.199, 280.200, 280.221, 280.222, 280.223, 280.241, 280.242, 280.243, 280.244, 280.245, 280.247, 280.261, 280.262, 280.263, 280.265, 280.266, 280.267, 280.269, 280.270, 280.273, 280.274, 280.275, 280.276, 280.277, 280.278, 280.279, 280.280, 280.282, 280.283, 280.301, 280.302, 280.303, 280.304, 280.306, 280.307, 280.322, 280.322b, 280.323, 280.324, 280.326, 280.327, 280.328, 280.391, 280.392, 280.393, 280.395, 280.421, 280.422, 280.423, 280.425, 280.429, 280.430, 280.431, 280.433, 280.463, 280.464, 280.465, 280.466, 280.467, 280.468, 280.469, 280.472, 280.473, 280.474, 280.476, 280.478, 280.483, 280.490, 280.491, 280.499, 280.513, 280.515, 280.517, 280.518, 280.519, 280.520, 280.521, 280.524, 280.525, 280.532, 280.540, 280.541, 280.601, 280.602, 280.626, and 280.627), sections 21 and 464 as amended by 1989 PA 134, section 33 as amended by 1982 PA 356, section 223 as amended by 1989 PA 61, section 280 as amended by 1983 PA 176, section 282 as amended by 1984 PA 80, sections 283 and 499 as amended by 1989 PA 149, section 423 as amended by 1996 PA 552, and section 433 as amended by 1982 PA 449, and by adding sections 7, 7a, 7b, 7c, 13, 14, 34, 35, 55, 56, 57, 58, 59, 107, 108, 109, 110, 111, 112, 113, 201, 275a, 277a, 329, 330, 467a, 467b, 474a, 500, 519a, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 603, 604, 605, 606, 607, 615, 616, and 617; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

HB 4803 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 10, 1999, at 7:35 p.m.,

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

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

Senate Bill No. 246, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 904.

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

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

Favorable Roll Call

SB 246 To Report Out:

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

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

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

Senate Bill No. 315, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 136b (MCL 750.136b), as added by 1988 PA 251.

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

SB 315 To Report Out:

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

Nays: None.

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

Senate Bill No. 856, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 219, 222, 233, 240, 319, 605, and 904d (MCL 257.219, 257.222, 257.233, 257.240, 257.319, 257.605, and 257.904d), sections 219, 233, and 605 as amended by 1999 PA 73, section 222 as amended by 1993 PA 300, section 319 as amended by 1999 PA 118, and section 904d as amended by 1999 PA 51.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 856 To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Shulman, Baird, Callahan, Jacobs,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, November 30, 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. Bishop, Chair of the Committee on Constitutional Law and Ethics, was received and read:

Meeting held on: Monday, November 29, 1999, at 3:00 p.m.,

Present: Reps. Bishop, Patterson, Bradstreet, Green, Rocca, Vaughn,

Absent: Reps. Brater, Garza, Lemmons,

Excused: Reps. Brater, Garza, Lemmons.

Messages from the Senate

House Bill No. 4628, entitled

A bill to amend 1959 PA 168, entitled "An act to provide for township planning; for the creation, organization, powers and duties of township planning commissions; for the regulation and subdivision of land; and to prescribe penalties and provide remedies," by amending section 9 (MCL 125.329).

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.

House Bill No. 4629, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," by amending section 72a (MCL 41.72a), as amended by 1996 PA 465.

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.

House Bill No. 4618, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2441 (MCL 600.2441). The Senate has amended the bill as follows:

1. Amend page 2, line 5, by striking out "\$200.00" and inserting "\$100.00".
2. Amend page 2, line 10, after "ENTERED," by striking out "\$100.00" and inserting "\$50.00".
3. Amend page 2, line 12, by striking out "January 1, 2000" and inserting "April 1, 2001".

The Senate has passed the bill as amended and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 668, entitled

A bill to amend 1988 PA 161, entitled "Consumer financial services act," by amending sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, and 19 (MCL 487.2052, 487.2053, 487.2054, 487.2055, 487.2056, 487.2057, 487.2058, 487.2059, 487.2060, 487.2061, 487.2062, 487.2064, 487.2065, 487.2066, 487.2067, and 487.2069), sections 5, 7, 8, 11, 12, and 15 as amended by 1992 PA 76, and by adding sections 10a, 10b, 10c, 10d, 10e, 16a, and 16b; 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 Insurance and Financial Services.

Senate Bill No. 756, entitled

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

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 Concurrent Resolution No. 26.

A concurrent resolution to memorialize the Congress of the United States to enact legislation to provide for the establishment of a national cemetery in the Detroit metropolitan area.

Whereas, Providing the singular dignity and respect of a special final resting place for the men and women who have served our country in the military is a fitting acknowledgment of the lasting esteem our country holds for these heroes. For those among us who know the cost of our freedoms, there are few more moving experiences than a quiet walk amid the markers of veterans at national cemeteries in Arlington or near Battle Creek; and

Whereas, With the aging of our World War II generation, there is well-documented need for additional national cemetery facilities. The Veterans Administration has projected that deaths of veterans in our country will reach 1,700 per day within the next ten years. Michigan, which has a veteran population of nearly 900,000, will have similar needs for burial space; and

Whereas, Two reports by the Veterans Administration to the Congress in the past twelve years have identified the Detroit region as one of the areas of the country with the most need for national cemetery burial space; and

Whereas, Congress is presently considering legislation, S. 695, to require the United States Secretary of Veterans Affairs to establish national cemeteries at various locations around the country. This bill provides that one of these is to be in the Detroit metropolitan area to meet the needs of area veterans and their families; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to enact legislation to provide for the establishment of a national cemetery in the Detroit metropolitan area; 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 Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Veterans Affairs.

Reps. Spade, Birkholz, Mortimer, Cassis, Vander Roest, Toy, Koetje, Kelly, Perricone, DeHart, Bishop, Voorhees, Garcia, Vaughn, Julian, Patterson, Pappageorge, Green, Gosselin and Caul were named co-sponsors of the concurrent resolution.

Messages from the Governor

The following message from the Governor was received November 17, 1999 and read:

EXECUTIVE ORDER

No. 1999 - 13

**Michigan Commission on Public Pension and Retiree
Health Benefits**

WHEREAS, Article IX, Section 24 of the Constitution of the state of Michigan of 1963 provides that the accrued financial benefits of each pension plan and retirement system of the state and its political subdivisions shall be a contractual obligation thereof which shall not be diminished or impaired thereby; and further provides that financial benefits arising on account of services rendered in each fiscal year shall be funded during that year and that such funds are not to be used for financing unfunded accrued liabilities; and

WHEREAS, the funding, management, oversight, and fiscal integrity of public pension and retirement systems is a matter of paramount public importance which bears directly upon the fiscal integrity of the state and its political subdivisions; and

WHEREAS, it is an appropriate time to assemble a group of Michigan citizens who have demonstrated particular knowledge of and interest in public pension and retirement systems for the purpose of conducting a comprehensive review of relevant practices and issues.

NOW, THEREFORE, I, John Engler, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan, do hereby establish the Michigan Commission on Public Pension and Retiree Health Benefits.

The Commission is charged with the following responsibilities:

1. Review those state laws that govern or affect the funding, management, oversight, and fiscal integrity of public pension and retirement systems.

2. Review the adequacy of funding for public pension and retirement systems and the extent of unfunded accrued liabilities.

3. Consider, recommend and report such modifications in state laws governing or affecting public pension and retirement systems as the Commission shall think appropriate in the circumstances.

The Commission shall consist of nine members who shall be appointed by, and serve at the pleasure of, the Governor. The Governor shall appoint one member of the Commission as Chairperson. Members of the Commission shall serve during the existence of the Commission, which shall complete its work not later than one year after the Commission is appointed.

The Commission shall be staffed by personnel within the Department of Treasury, to be designated by the State Treasurer.

All principal departments and other state agencies shall cooperate with the Commission in the performance of its responsibilities. The Commission may request, and principal departments and other state agencies shall provide, such policy and technical information as is required by the Commission in the discharge of its responsibilities.

The Commission may hire or retain such contractors, sub-contractors, advisors, consultants and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of and the performance of its duties as the State Treasurer may deem advisable and necessary, in accordance with the relevant statutes, rules and procedures of the Civil Service Commission and the Department of Management and Budget.

Members of the Commission shall not receive compensation, but members may receive necessary expenses for the performance of Commission functions, based on existing state rates.

Executive Order 1999-8 is hereby rescinded.

The provisions of this Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 17th day of November, in the Year of our Lord, One Thousand Nine Hundred Ninety-Nine.

John Engler

Governor

By the Governor:

Candice S. Miller

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received November 24, 1999 and read:

EXECUTIVE ORDER
No. 1999 - 14

Michigan Solid Waste Importation Task Force

Michigan Department of Environmental Quality

WHEREAS, Michigan has a finite amount of landfill capacity available and uncontrolled imports of solid waste will require the siting of additional, unnecessary disposal capacity with the potential to negatively impact Michigan's many unique natural resources; and

WHEREAS, Michigan needs to have the ability to regulate the importation of solid waste to ensure that landfill capacity is available for disposal of Michigan's waste; and

WHEREAS, out-of-state imports of solid waste total over twelve percent of all solid waste disposed of in Michigan landfills; and

WHEREAS, Michigan's counties have engaged in long-term comprehensive solid waste planning to ensure that the long-term disposal needs of their citizens can be met in an environmentally sound, cost effective manner; and

WHEREAS, many communities in Michigan have made significant commitments to waste reduction, recycling, and composting programs as part of their solid waste planning efforts that will be undermined by significant, uncontrolled imports of waste from out-of-state; and

WHEREAS, the United States Constitution's Commerce Clause (US Const, art I, § 8, cl 3, hereafter "Commerce Clause") reserves to the United States Congress the authority to regulate commerce between the states and with foreign countries; and

WHEREAS, since 1992, Michigan and other states have worked with Congress to seek federal legislation that would authorize states and affected local governments to regulate imports of solid waste from other states and countries; and

WHEREAS, given the limitations of states to address this issue, it is essential that solid waste imports be addressed through federal legislation.

NOW, THEREFORE, I, John Engler, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan, do hereby establish the Michigan Solid Waste Importation Task Force ("Task Force") within the Michigan Department of Environmental Quality.

The Task Force is charged with the following responsibilities:

1. Identify trends, causes, and consequences of the importation of solid waste;
2. Meet with members of the Michigan Congressional Delegation and other members of Congress to encourage passage of federal legislation to allow Michigan to control the importation of solid waste; and
3. Provide recommendations to the Governor and the Director of the Michigan Department of Environmental Quality concerning the control of interstate and international waste imports.

The members of the Task Force shall serve at the pleasure of the Governor. The Governor shall appoint one member of the Task Force as Chairperson and such member shall serve as Chairperson at the pleasure of the Governor. The Michigan Department of Environmental Quality shall staff the Task Force.

The Task Force shall consist of members as follows: six members shall be appointed by the Governor, two members representing each of the following: environmental organizations, local government, and the business community.

Additionally, two members may be appointed by the Speaker of the House of Representatives, and two members may be appointed by the Senate Majority Leader.

All state departments, agencies, boards, commissions, or officers of the state shall cooperate and provide any necessary assistance required by the Task Force, or any member or representative thereof, in the performance of its duties. This shall include free access to any books, records, or documents in the custody of the department, agency, board, commission, or officer that is within the scope of the inquiry, study, or review of the Task Force.

Members of the Task Force shall not receive compensation, but may receive reimbursement for necessary travel and expenses for the performance of Task Force functions, based on existing state rates.

The Task Force may adopt rules of procedure, not inconsistent with Michigan law and with this Executive Order, governing its organization and operations. A majority of the serving members constitutes a quorum for the transaction of business at a meeting, notwithstanding the existence of one (1) or more vacancies. Voting upon actions taken by the Task Force shall be conducted by a majority vote.

Unless extended by the Governor, the Task Force shall complete its work and issue a final report and recommendations to the Governor and the Director of the Michigan Department of Environmental Quality by December 1, 2000.

The invalidity of any portion of this Order shall not affect the validity of the remainder thereof.
Executive Order 1999-3 is hereby rescinded.

The provisions of this Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of
Michigan this 24th day of November, in the Year of our
Lord, One Thousand Nine Hundred Ninety-Nine.

John Engler

Governor

By the Governor:

Candice S. Miller

Secretary of State

The message was referred to the Clerk.

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

Date: November 15, 1999

Time: 4:02 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4420 (Public Act No. 173, I.E.), being

An act 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.

(Filed with the Secretary of State November 16, 1999, at 10:02 a.m.)

Date: November 15, 1999

Time: 4:04 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4632 (Public Act No. 174, I.E.), being

An act 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.

(Filed with the Secretary of State November 16, 1999, at 10:04 a.m.)

Date: November 15, 1999

Time: 4:06 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4479 (Public Act No. 175, I.E.), being

An act to amend 1980 PA 350, entitled “An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts,” (MCL 550.1101 to 550.1704) by adding section 401h.

(Filed with the Secretary of State November 16, 1999, at 10:06 a.m.)

Date: November 15, 1999

Time: 4:08 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4480 (Public Act No. 176, I.E.), being

An act to amend 1978 PA 368, entitled “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,” (MCL 333.1101 to 333.25211) by adding section 21053f.

(Filed with the Secretary of State November 16, 1999, at 10:08 a.m.)

Date: November 15, 1999

Time: 4:10 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4481 (Public Act No. 177, I.E.), being

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business

of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act," (MCL 500.100 to 500.8302) by adding section 3406o.

(Filed with the Secretary of State November 16, 1999, at 10:10 a.m.)

Date: November 15, 1999

Time: 4:12 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4482 (Public Act No. 178, I.E.), being

An act to amend 1980 PA 350, entitled "An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts," (MCL 550.1101 to 550.1704) by adding section 401g.

(Filed with the Secretary of State November 16, 1999, at 10:12 a.m.)

Date: November 15, 1999

Time: 4:14 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4483 (Public Act No. 179, I.E.), being

An act to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business

of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act," (MCL 500.100 to 500.8302) by adding section 3406n.

(Filed with the Secretary of State November 16, 1999, at 10:14 a.m.)

Date: November 15, 1999

Time: 4:16 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4484 (Public Act No. 180, I.E.), being

An act to amend 1978 PA 368, entitled "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," (MCL 333.1101 to 333.25211) by adding section 21053e.

(Filed with the Secretary of State November 16, 1999, at 10:16 a.m.)

Date: November 16, 1999

Time: 3:19 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4796 (Public Act No. 181, I.E.), being

An act to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts," by amending section 30 (MCL 206.30), as amended by 1997 PA 86.

(Filed with the Secretary of State November 16, 1999, at 4:00 p.m.)

Date: November 24, 1999

Time: 3:20 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4624 (Public Act No. 191), being

An act to amend 1953 PA 232, entitled “An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending sections 34 and 44 (MCL 791.234 and 791.244), section 34 as amended by 1998 PA 512 and section 44 as amended by 1992 PA 181.

(Filed with the Secretary of State November 24, 1999, at 4:04 p.m.)

Date: November 24, 1999

Time: 3:25 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4656 (Public Act No. 192), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide 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 16d of chapter XVII (MCL 777.16d), as added by 1998 PA 317.

(Filed with the Secretary of State November 24, 1999, at 4:05 p.m.)

Communications from State Officers

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

November 16, 1999

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

Financial Audit

Including the Provisions of the Single Audit
of the Department of Agriculture

October 1, 1996 through September 30, 1998

November 19, 1999

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit
of the Property Development
and Manufactured Housing Divisions
within the Corporation, Securities, and Land
Development Bureau
Department of Consumer and Industry Services
November 1999

November 19, 1999

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit
of the African American Male Initiative
Department of Community Health
November 1999

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

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

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

November 12, 1999

Pursuant to Section 315 of P.A. 122 of 1999, we are enclosing a copy of the special investigation report #9C0103015 conducted on Maxey Boys Training School - Summit Center, 9036 East M-36, Whitmore Lake, Michigan.

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

Sincerely,
John R. Suckow, C.P.A.
Director, Finance and
Administrative Services

The communication was referred to the Clerk.

Quorum Call

Rep. Middaugh questioned the presence of a quorum and moved that the roll be called and printed in the Journal.

The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

Roll Call No. 1056

Yeas—108

Allen	Frank	Kowall	Rison
Baird	Garcia	Kuipers	Rivet
Basham	Garza	Kukuk	Rocca
Birkholz	Geiger	LaForge	Sanborn
Bisbee	Gielegthem	LaSata	Schauer
Bishop	Gilbert	Law	Schermesser
Bogardus	Godchaux	Lemmons	Scott
Bovin	Gosselin	Lockwood	Scranton

Bradstreet	Green	Mans	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	Tabor
Caul	Jacobs	Pappageorge	Tesanovich
Cherry	Jamnick	Patterson	Thomas
Clark, I.	Jansen	Pestka	Toy
Daniels	Jelinek	Price	Van Woerkom
DeHart	Jellema	Prusi	Vander Roest
Dennis	Johnson, Rick	Pumford	Vaughn
DeRossett	Johnson, Ruth	Quarles	Vear
DeVuyst	Julian	Raczkowski	Voorhees
DeWeese	Kelly	Reeves	Wojno
Ehardt	Kilpatrick	Richardville	Woodward
Faunce	Koetje	Richner	Woronchak

In The Chair: Birkholz

By unanimous consent the House returned to the order of
Third Reading of Bills

Pending the Third Reading of
House Bill No. 4592, entitled

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

Rep. Raczkowski moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

Second Reading of Bills

House Bill No. 4592, entitled

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

Rep. Faunce moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. Faunce.

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

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

Rep. Faunce withdrew the amendment.

Rep. Julian 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.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4592, entitled

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

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

Roll Call No. 1057

Yeas—106

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

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.

Pending the Third Reading of

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.

Rep. Raczkowski moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

Second Reading of Bills

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.

Rep. Faunce moved to reconsider the vote by which the House adopted the amendments offered previously by Rep. Faunce.

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

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

Rep. Faunce withdrew the amendments.

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.

Rep. Quarles moved that Rep. Clarke be excused temporarily from today’s session.

The motion prevailed.

Rep. Bob Brown moved that Rep. Thomas be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

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.

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

Roll Call No. 1058

Yeas—106

Allen	Frank	Kuipers	Rison
Baird	Garcia	Kukuk	Rivet
Basham	Garza	LaForge	Rocca
Birkholz	Geiger	LaSata	Sanborn
Bisbee	Gielegghem	Law	Schauer
Bishop	Gilbert	Lemmons	Schermesser
Bogardus	Godchaux	Lockwood	Scott
Bovin	Gosselin	Mans	Scranton
Bradstreet	Green	Martinez	Shackleton
Brater	Hager	Mead	Sheltrown
Brewer	Hale	Middaugh	Shulman
Brown, B.	Hansen	Minore	Spade
Brown, C.	Hardman	Mortimer	Stallworth

Byl	Hart	Neumann	Stamas
Callahan	Howell	O'Neil	Switalski
Cassis	Jacobs	Pappageorge	Tabor
Caul	Jamnack	Patterson	Tesanovich
Cherry	Jansen	Pestka	Toy
Clark, I.	Jelinek	Price	Van Woerkom
Daniels	Jellema	Prusi	Vander Roest
DeHart	Johnson, Rick	Pumford	Vaughn
Dennis	Johnson, Ruth	Quarles	Vear
DeRossett	Julian	Rackowski	Voorhees
DeVuyst	Kelly	Reeves	Wojno
DeWeese	Kilpatrick	Richardville	Woodward
Ehardt	Koetje	Richner	Woronchak
Faunce	Kowall		

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Pending the Third Reading of

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).

Rep. Rackowski moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

Second Reading of Bills

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).

Rep. Faunce moved to reconsider the vote by which the House adopted the amendments offered previously by Rep. Faunce.

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

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

Rep. Faunce withdrew the amendments.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

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).

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

Roll Call No. 1059**Yeas—105**

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

Nays—0

In The Chair: Birkholz

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide 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.”.

The House agreed to the full title.

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

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

Second Reading of Bills**Senate Bill No. 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.

(The bill was read a second time and postponed temporarily on November 10, see House Journal No. 80, p. 2270.)

The question being on the adoption of the proposed amendments previously recommended by the Committee on Criminal Law and Corrections (for amendments, see House Journal No. 77, p. 2185),

The amendments were 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. 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.

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

Roll Call No. 1060**Yeas—107**

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

Nays—0

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

“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.”.

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. 4305, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2000; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

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

Rep. Callahan moved to amend the bill as follows:

1. Amend page 12, following line 2, by inserting:

“Sec. 403. The department shall track the expenditure of all clean Michigan initiative fund clean water fund, and of all clean Michigan initiative fund nonpoint source, expenditures according to the watershed in which they are being used.”.

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

Rep. Kilpatrick moved to amend the bill as follows:

1. Amend page 11, following line 5, by inserting:

“Sec. 211. By March 1, 2000, the department of environmental quality shall submit to the senate and house of representatives appropriations committees and the standing committees of the senate and house of representatives with jurisdiction over issues primarily pertaining to natural resources and the environment, a plan for reporting on the expenditure of the proceeds of bonds issued under the clean Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108. The plan shall contain a proposal for preparation and distribution of reports to be issued beginning in 2003 and every 5 years thereafter until all bond proceeds have been expended and a final report that shall be issued within 1 year after all bond proceeds have been expended. The reports shall include, but are not limited to, all of the following:

- (a) A cumulative update on the progress and accomplishments attributable to the expenditure of bond proceeds.
- (b) The amount of bonds sold.
- (c) The amount of bond proceeds expended.
- (d) The number of and locations of sites in which bond proceeds have been expended.
- (e) The number of and locations of sites that have been redeveloped with bond proceeds.
- (f) A summary of the data collected with bond proceeds.
- (g) A summary of the overall effectiveness of bond proceed expenditures.”.

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

Rep. Kilpatrick demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1061

Yeas—68

Baird
Basham
Birkholz

Frank
Garza
Gielegghem

Lockwood
Mans
Martinez

Rocca
Schauer
Schermesser

Bishop	Gilbert	Middaugh	Scott
Bogardus	Hager	Minore	Shackleton
Bovin	Hale	Neumann	Sheltrown
Brater	Hansen	O'Neil	Spade
Brewer	Hardman	Pappageorge	Stallworth
Brown, B.	Howell	Pestka	Switalski
Callahan	Jacobs	Price	Tesanovich
Cherry	Jamnack	Prusi	Thomas
Clark, I.	Julian	Quarles	Van Woerkom
Daniels	Kelly	Reeves	Vander Roest
DeHart	Kilpatrick	Richardville	Vaughn
Dennis	Kowall	Richner	Wojno
DeWeese	LaForge	Rison	Woodward
Faunce	Lemmons	Rivet	Woronchak

Nays—39

Allen	Garcia	Johnson, Ruth	Raczkowski
Bisbee	Geiger	Koetje	Sanborn
Bradstreet	Godchaux	Kuipers	Scranton
Brown, C.	Gosselin	Kukuk	Shulman
Byl	Green	LaSata	Stamas
Cassis	Hart	Law	Tabor
Caul	Jansen	Mead	Toy
DeRossett	Jelinek	Mortimer	Vear
DeVuyst	Jellema	Patterson	Voorhees
Ehardt	Johnson, Rick	Pumford	

In The Chair: Birkholz

Rep. Callahan moved to amend the bill as follows:

1. Amend page 11, line 3, after “would” by striking out “threaten the economic viability of” and inserting “compete with”.

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

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

The motion prevailed.

Senate Bill No. 454, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 508 (MCL 206.508), as amended by 1990 PA 283.

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. 454, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 508 (MCL 206.508), as amended by 1990 PA 283.

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

Roll Call No. 1062**Yeas—103**

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

Nays—0

In The Chair: Birkholz

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

“An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,”.

The House agreed to the full title.

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

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

Second Reading of Bills

The House returned to the consideration of

House Bill No. 4305, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2000; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

(The bill was considered earlier today, see today's journal, p. 2346.)

Rep. Clarke moved to amend the bill as follows:

1. Amend page 5, following line 26, by inserting:

“Sec. 103. DEPARTMENT OF EDUCATION

(1) APPROPRIATION SUMMARY:

GROSS APPROPRIATION.....	\$	10,000,000
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Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental transfer.....		0
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ADJUSTED GROSS APPROPRIATION	\$	10,000,000
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Special revenue funds:

Total other state restricted revenues.....		0
--	--	---

State general fund/general purpose	\$	10,000,000
--	----	------------

(2) GRANTS AND DISTRIBUTIONS STATE PROGRAMS:

School security and building demolition	\$	10,000,000
---	----	------------

GROSS APPROPRIATION.....	\$	10,000,000
--------------------------	----	------------

State general fund/general purpose	\$	10,000,000”.
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2. Amend page 6, following line 25, by inserting:

“School security and building demolition.....		10,000,000”
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and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 12, following line 2, by inserting:

“DEPARTMENT OF EDUCATION

GRANT AND DISTRIBUTIONS STATE PROGRAMS

Sec. 501. The appropriation in part 1 for school security and building demolition to the department of education provides funds in an amount not to exceed \$10,000,000.00 for fiscal year 1999-2000 to the department of education for a district that is a school district of the first class under the revised school code. Funds allocated under this section are for measures to improve student security and for measures to demolish abandoned buildings within a 5-mile radius of any high school building. Measures to improve security shall include, but not be limited to, additional patrols to a district’s security department. A district receiving these funds may contract with faith-based organizations to provide security patrols and should do so whenever feasible. The district shall work in cooperation with the city of Detroit to identify those abandoned buildings which will be demolished.”.

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

Rep. Clarke demanded the yeas and nays.

The demand was supported.

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

Rep. Clarke moved to amend the Clarke amendments as follows:

1. Amend Rep. Clarke Amendment No. 2, page 12, following line 2, section 501, after the second “education” by striking out the balance of the sentence and inserting a period.

2. Amend Rep. Clarke Amendment No. 2, page 12, following line 2, section 501, after “cooperation with” by striking out “the city of Detroit” and inserting “local units of government”.

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

Rep. DeHart demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1063

Yeas—54

Baird	Garza	Mans	Schauer
Basham	Gielegghem	Martinez	Schermesser
Bogardus	Hager	Minore	Scott
Bovin	Hale	Neumann	Shackleton
Brater	Hansen	O’Neil	Sheltrown
Brewer	Hardman	Pestka	Spade
Brown, B.	Jacobs	Price	Stallworth
Callahan	Jamnick	Prusi	Switalski
Cherry	Julian	Quarles	Tesanovich

Clark, I.
Daniels
DeHart
Dennis
Frank

Kelly
Kilpatrick
LaForge
Lemmons
Lockwood

Reeves
Rison
Rivet
Rocca

Thomas
Vaughn
Wojno
Woodward

Nays—48

Allen
Birkholz
Bisbee
Bishop
Bradstreet
Brown, C.
Byl
Cassis
DeRossett
DeVuyst
DeWeese
Ehardt

Garcia
Geiger
Gilbert
Godchaux
Gosselin
Green
Hart
Howell
Jansen
Jelinek
Jellema
Johnson, Rick

Johnson, Ruth
Koetje
Kuipers
Kukuk
LaSata
Mead
Middaugh
Mortimer
Pappageorge
Patterson
Rackowski
Richardville

Richner
Sanborn
Scranton
Shulman
Stamas
Tabor
Toy
Van Woerkom
Vander Roest
Vear
Voorhees
Woronchak

In The Chair: Birkholz

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

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

Rep. Quarles moved that Rep. Rison be excused temporarily from today's session.
The motion prevailed.

Rep. Hale moved to amend the bill as follows:

1. Amend page 5, following line 18, by inserting:

“Mosquito Abatement Rouge River..... 30,000”.

2. Amend page 5, line 26, by striking out “0” and inserting “30,000” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Hale demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1064

Yeas—37

Baird
Basham
Bogardus
Bovin
Brater
Brewer
Brown, B.

DeHart
Dennis
Garza
Hale
Hanley
Hardman
Jacobs

Kilpatrick
LaForge
Law
Lemmons
Mans
Martinez
Price

Rackowski
Reeves
Schauer
Schermesser
Scott
Switalski
Tesanovich

Clark, I.
Clarke, H.
Daniels

Jamnick
Kelly

Prusi
Quarles

Thomas
Vaughn

Nays—66

Allen
Birkholz
Bisbee
Bishop
Bradstreet
Brown, C.
Byl
Cassis
Caul
DeRossett
DeVuyst
DeWeese
Ehardt
Faunce
Garcia
Geiger
Gielegem

Gilbert
Godchaux
Gosselin
Green
Hager
Hansen
Hart
Howell
Jansen
Jelinek
Jellema
Johnson, Rick
Julian
Koetje
Kowall
Kuipers
Kukuk

LaSata
Lockwood
Mead
Middaugh
Mortimer
Neumann
O'Neil
Pappageorge
Patterson
Perricone
Pestka
Pumford
Richardville
Richner
Rivet
Rocca

Sanborn
Scranton
Shackleton
Sheltrown
Shulman
Spade
Stamas
Tabor
Toy
Van Woerkom
Vander Roest
Vear
Voorhees
Wojno
Woodward
Woronchak

In The Chair: Birkholz

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

Rep. Raczkowski moved that when the House adjourns today it stand adjourned until Wednesday, December 1, at 12:00 Noon.

The motion prevailed.

Introduction of Bills

Reps. Hart, DeWeese, Tabor, Van Woerkom and Lemmons introduced

House Bill No. 5135, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 815 (MCL 600.815), as amended by 1996 PA 374.

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

Reps. Gilbert, Sheltrown, Julian, DeRossett, Green, Byl, Bradstreet, Richardville, Van Woerkom, Neumann, Tabor, Shackleton, Mortimer, Ehardt, Caul, Switalski, Patterson, LaSata, DeVuyst and Koetje introduced

House Bill No. 5136, entitled

A bill to provide for the establishment of alternative agricultural production districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of agricultural property; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties.

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

Rep. DeWeese introduced

House Bill No. 5137, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7104, 7107, 7109, 7333, 7401, 7403, 7407, 7521, 16204b, 16204c, 16204d, and 16315 (MCL 333.7104, 333.7107, 333.7109, 333.7333, 333.7401, 333.7403, 333.7407, 333.7521, 333.16204b, 333.16204c, 333.16204d, and 333.16315), section 7104 as amended by 1994 PA 38, sections 7107, 7109, and 7407 as amended by 1993 PA 80, section 7333 as amended and section 16315 as added by 1993 PA 138, section 7401 as amended by 1998 PA 319, section 7403 as amended by 1996 PA 249, section 7521 as amended by 1990 PA 30, section 16204b as added by 1998 PA 422, and sections 16204c and 16204d as added by 1998 PA 423; and to repeal acts and parts of acts.

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

Reps. Shackleton, Gilbert, Richardville, Tabor, Julian, Gosselin, LaSata, Toy and Kukuk introduced

House Bill No. 5138, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32504, 32505, 32506, and 32513 (MCL 324.32504, 324.32505, 324.32506, and 324.32513), sections 32504, 32505, and 32506 as added by 1995 PA 59 and section 32513 as amended by 1999 PA 106.

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

Reps. Kukuk, LaSata, Ruth Johnson, Gosselin, Pappageorge, Middaugh, Tabor, DeVuyst, Ehardt, Mortimer, Patterson, Koetje, Shackleton, Hager, Voorhees, Faunce, Caul, Cameron Brown, Toy, DeHart and Raczkowski introduced

House Bill No. 5139, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 14a, 24j, 666a, 669, 805, and 871 (MCL 168.14a, 168.24j, 168.666a, 168.669, 168.805, and 168.871), sections 14a and 805 as amended by 1995 PA 261 and section 871 as amended by 1996 PA 583.

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

Reps. Shackleton, Gosselin, Julian, LaSata and Kukuk introduced

House Bill No. 5140, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 721 (MCL 257.721), as amended by 1999 PA 24.

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

Reps. Birkholz, Ehardt, Hager, LaSata, Rick Johnson, Middaugh, Julian, Mead, Jellema, Van Woerkom, Woodward, Toy, Voorhees, Gosselin, Garcia, Jelinek and Jansen introduced

House Bill No. 5141, entitled

A bill to amend 1941 PA 205, entitled "An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the receipt and expenditure of funds generated from the facilities," by amending section 2 (MCL 252.52), as amended by 1999 PA 47.

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

Reps. Ehardt, Birkholz, Hager, LaSata, Rick Johnson, Middaugh, Julian, Mead, Jellema, Van Woerkom, Woodward, Toy, Voorhees, Gosselin, Garcia, Jelinek and Jansen introduced

House Bill No. 5142, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 676a (MCL 257.676a), as amended by 1999 PA 46.

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

Reps. Jelinek, Jellema, Julian and Scranton introduced

House Bill No. 5143, entitled

A bill to amend 1959 PA 228, entitled "An act to promote the development of the Michigan fruit and vegetable industry; to define certain types and methods of fruit and vegetable storage; to prohibit the sale of fruits and vegetables misbranded as to type of storage; to provide for records; to provide for licensing of certain fruit and vegetable storage

facilities; to provide for registration and permits for packers or repackers; to provide for revocation of licenses; to provide for the enforcement of this act; and to provide penalties for violation of this act,” by amending sections 1, 2, 3, 4, 5, 6, and 9 (MCL 286.371, 286.372, 286.373, 286.374, 286.375, 286.376, and 286.379) and by adding sections 2a and 4a; and to repeal acts and parts of acts.

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

Rep. Ruth Johnson introduced

House Bill No. 5144, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending sections 2, 7, 8, and 8d (MCL 722.622, 722.627, 722.628, and 722.628d), section 2 as amended by 1998 PA 531, section 7 as amended by 1998 PA 485, and section 8 as amended and section 8d as added by 1998 PA 484.

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

Rep. Voorhees introduced

House Bill No. 5145, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 13b, 19a, and 19b of chapter XIIA (MCL 712A.13b, 712A.19a, and 712A.19b), section 13b of chapter XIIA as added and section 19a of chapter XIIA as amended by 1997 PA 163 and section 19b of chapter XIIA as amended by 1998 PA 530.

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

Reps. Hart, Julian, DeHart, Van Woerkom, Kelly and Voorhees introduced

House Bill No. 5146, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” (388.1601 to 388.1772) by adding section 55. The bill was read a first time by its title and referred to the Committee on Appropriations.

Reps. DeWeese, Sheltroun, Bovin, Schauer, Shackleton, Mortimer, Voorhees, Tabor, Green, Howell, Julian, Koetje, Ehardt, Garcia, Martinez and DeHart introduced

House Bill No. 5147, entitled

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” (MCL 38.1 to 38.69) by adding section 20i.

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

Reps. DeWeese, Sheltroun, Bovin, Schauer, Mortimer, Voorhees, Tabor, Green, Howell, Julian, Koetje, Ehardt, Garcia, Martinez and DeHart introduced

House Bill No. 5148, entitled

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending section 20g (MCL 38.20g), as amended by 1987 PA 241.

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

Reps. DeWeese, Bovin, Voorhees, Green, Tabor, Julian, Koetje and Garcia introduced

House Bill No. 5149, entitled

A bill to amend 1976 PA 390, entitled “Emergency management act,” by amending section 6 (MCL 30.406), as amended by 1990 PA 50.

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

Reps. DeWeese, Voorhees, Green, Van Woerkom, Kukuk and Garcia introduced

House Bill No. 5150, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 166b (MCL 388.1766b), as amended by 1999 PA 119.

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

Rep. DeWeese introduced

House Bill No. 5151, entitled

A bill to permit and regulate physicians negotiating with certain health benefit plans; to prescribe certain powers and responsibilities of certain state departments and agencies; and to regulate certain persons who negotiate on behalf of physicians.

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

Reps. Law, Green, Toy, Sanborn, Jelinek, Caul, Richner, Switalski and Neumann introduced

House Bill No. 5152, entitled

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Rick Johnson, Hale, LaForge, Birkholz, Mortimer, Cassis, Vander Roest, Mead, Shulman, Toy, Koetje, Kelly, Perricone, Bishop, Voorhees, Garcia, Vaughn, Julian, Pappageorge, Green, Gosselin, Kilpatrick and Caul offered the following resolution:

House Resolution No. 228.

A resolution honoring the 50th Anniversary of Coastal Corporation's ANR Pipeline Company.

Whereas, The Coastal Corporation's ANR Pipeline Company subsidiary, one of the nation's largest natural gas transportation companies, began operations November 1, 1949. During the past 50 years, ANR has developed a long-standing reputation for reliable, dependable service, environmental stewardship, and responsible corporate citizenship; and

Whereas, With its main office in Detroit, Michigan, the company was the vision of William G. Woolfolk, who saw the potential of clean-burning natural gas as the fuel of the future. It was his idea to build a pipeline from the Texas/Oklahoma panhandle region—where rich reserves of natural gas had been found—to customers in Michigan and Wisconsin; and

Whereas, Originally called Michigan Wisconsin Pipe Line Company, the business began as a 1,500 mile pipeline with 375 employees and three compressor stations pumping natural gas from the Southwest to the Midwest; and

Whereas, Now, 50 years later, Coastal's ANR Pipeline Company operates more than 10,600 miles of pipeline in 18 states and the Gulf of Mexico and 74 compressor stations equipped with one million horsepower. ANR's 2,000 employees—1,080 of them in Michigan—provide natural gas transportation services for utilities, electric power producers, and other large-volume natural gas users beyond its traditional Midwestern market area. In addition, ANR and its affiliates operate 16 underground natural gas storage fields, with approximately 240 billion cubic feet of capacity in Michigan; and

Whereas, In addition to reliable, dependable service to customers, another ANR tradition is community service. By supporting nonprofit agencies and organizations in the communities where ANR does business, and where its employees live and work, the company continually seeks to fulfill its commitment to being a good corporate citizen; and

Whereas, The ANR Pipeline Company Community Investment Program makes cash and in-kind contributions to organizations that promote community development, benefit the health and welfare of citizens, provide educational programs, and support cultural opportunities. The program's Volunteer Involvement Council organizes volunteer projects for ANR employees who wish to donate their time to help improve the quality of life in their communities; and

Whereas, As we approach a new millennium, Mr. Woolfolk's vision continues to grow and thrive. In a world that has become increasingly environmentally aware, natural gas is rapidly becoming the fuel of choice and Coastal Corporation's ANR Pipeline Company continues to ably serve the needs of people here in Michigan and throughout the United States; now, therefore, be it

Resolved by the House of Representatives, That we honor the 50th Anniversary of Coastal Corporation's ANR Pipeline Company; and be it further

Resolved, That a copy of this resolution be transmitted to Coastal Corporation's ANR Pipeline Company as evidence of our respect and 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, Hale, Spade, LaForge, Sheltroun, Bogardus, Cherry, Birkholz, Mortimer, Cassis, Vander Roest, Mead, Shulman, Geiger, Toy, Koetje, Kelly, Perricone, DeHart, Bishop, Voorhees, Garcia, Vaughn, Julian, Pappageorge, Jansen, Green, Gosselin, Kilpatrick and Caul offered the following resolution:

House Resolution No. 229.

A resolution honoring the life and memory of Elton Smith.

Whereas, It is a privilege to join with the citizens of Michigan to honor the memory of Elton Smith, Michigan Farm Bureau president for 22 years; and

Whereas, Elton Smith was widely respected and recognized as a leader, not only in Michigan agriculture, but on the national and international scenes; and

Whereas, A graduate from a two-year agricultural short course at what is now Michigan State University in 1931, Elton began his farming career with 120 acres of rented land. He built Med-O-Bloom, an 800-acre, 500-head dairy farm nationally renowned for its red-and-white Holstein herd; and

Whereas, He devoted much of his life to the promotion of Michigan and American agriculture. As president of the Michigan Farm Bureau from 1964 to 1986, his talents were often tapped by U.S. presidents, Michigan governors and secretaries of agriculture. He served as vice president of the American Farm Bureau Federation and on U.S. trade committees, appointed by four different U.S. presidents. He led trade missions to Japan, Europe and Israel; and

Whereas, Elton Smith was considered one of Michigan's leading proponents of agriscience, education and research. He served as a board member of the Michigan FFA Foundation and was an avid 4-H supporter. He believed in the promise of young farmers and emphasized the need to keep young people involved in agriculture; and

Whereas, The passing of Elton Smith marks the end of an outstanding career and the end of an era in Michigan agriculture. His leadership and service have been greatly appreciated by the citizens of this state; now, therefore, be it

Resolved by the House of Representatives, That the highest tribute be hereby accorded to honor the memory of Elton Smith and his many accomplishments; and be it further

Resolved, That a copy of this resolution be transmitted to the family of Elton Smith and the Michigan Farm Bureau as evidence of our admiration and esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Hanley moved that the House adjourn.

The motion prevailed, the time being 10:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, December 1, at 12:00 Noon.

GARY L. RANDALL

Clerk of the House of Representatives.

