

No. 8
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House of Representatives
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House Chamber, Lansing, Tuesday, February 8, 2000.

2:00 p.m.

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

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

Allen—present	Frank—present	Kuipers—present	Rison—present
Baird—present	Garcia—e/d/s	Kukuk—present	Rivet—present
Basham—present	Garza—present	LaForge—present	Rocca—present
Birkholz—present	Geiger—present	LaSata—present	Sanborn—present
Bisbee—present	Gielegthem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—e/d/s	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—excused
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—excused
Clark—present	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—present	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—present	Quarles—present	Vear—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—present	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Rep. Ed Vaughn, from the 4th District, offered the following invocation:

“Dear God, called many names by Your human family, help us to do Thy will. You have given us the gift of knowledge and understanding through Your holy writings. You taught the lessons of truth. You taught these lessons in The Book of Coming Forth by Day and by Night, The Holy Bible, The Holy Quran, The Talmud, The Kaballah, The Mahabharata and The Ramayana. In spite of these teachings we have severely sinned and come short of the glory of God. Stamp out evil; help us to be compassionate and humane. We must be all of this for You warned us in The Holy Bible, in Proverbs 29:18, ‘Where there is no vision, the people perish.’ These blessings we submit to Thee. Amen.”

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

Rep. Schauer, 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. 17-21. Had I been present, I would have voted ‘nay’ on Roll Call No. 17, and ‘yea’ on Roll Call Nos. 18-21.”

Motions and Resolutions

Rep. Raczkowski moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 180**.
The motion prevailed.

Rep. Raczkowski moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 770**.
The motion prevailed.

Rep. Raczkowski moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 657**.
The motion prevailed.

Rep. Raczkowski moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 829**.
The motion prevailed.

Messages from the Senate

The Speaker laid before the House

Senate Bill No. 46, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 722 (MCL 257.722), as amended by 1993 PA 22.

(The bill was received from the Senate on February 2, with amendments to the House substitute (H-3), consideration of which, under the rules, was postponed until February 3, see House Journal No. 6, p. 79.)

The question being on concurring in the amendments to the House substitute (H-3) made to the bill by the Senate,

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

Roll Call No. 22

Yeas—85

Allen
Baird
Basham
Birkholz

Garza
Geiger
Gieleghem
Gilbert

Koetje
Kowall
Kuipers
Kukuk

Richardville
Richner
Rison
Rivet

Bisbee	Gosselin	LaSata	Sanborn
Bishop	Green	Law	Schauer
Bogardus	Hager	Lockwood	Schermesser
Bovin	Hale	Mans	Shackleton
Bradstreet	Hanley	Mead	Sheltrown
Brown, C.	Hansen	Middaugh	Shulman
Byl	Hardman	Mortimer	Spade
Cassis	Hart	Neumann	Stamas
Caul	Howell	Pappageorge	Switalski
Cherry	Jamnick	Patterson	Tabor
Clark, I.	Jansen	Perricone	Tesanovich
Clarke, H.	Jelinek	Pestka	Toy
Daniels	Jellema	Price	Van Woerkom
DeRossett	Johnson, Rick	Prusi	Vander Roest
DeVuyst	Johnson, Ruth	Pumford	Vear
DeWeese	Julian	Quarles	Voorhees
Ehardt	Kilpatrick	Reeves	Woronchak
Frank			

Nays—21

Brater	Faunce	Martinez	Scott
Brewer	Godchaux	Minore	Scranton
Brown, B.	Jacobs	O'Neil	Vaughn
Callahan	Kelly	Raczkowski	Wojno
DeHart	LaForge	Rocca	Woodward
Dennis			

In The Chair: Birkholz

Second Reading of Bills

Senate Bill No. 456, entitled

A bill to amend 1970 PA 207, entitled “An act to exempt certain dogs from license fees,” by amending section 1 (MCL 287.291), as amended by 1984 PA 112.

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. 456, entitled

A bill to amend 1970 PA 207, entitled “An act to exempt certain dogs from license fees,” by amending section 1 (MCL 287.291), as amended by 1984 PA 112.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

Senate Bill No. 808, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 5400, 5402, 5800, 5901, 5905, 5911, 5913, and 5915 (MCL 500.5400, 500.5402, 500.5800, 500.5901, 500.5905, 500.5911, 500.5913, and 500.5915), section 5800 as amended by 1998 PA 457, sections 5901 and 5915 as amended by 1998 PA 121, and sections 5905, 5911, and 5913 as added by 1995 PA 215, and by adding sections 5403 and 5803 and chapter 60.

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. 808, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 5400, 5402, 5800, 5901, 5905, 5911, 5913, and 5915 (MCL 500.5400, 500.5402, 500.5800, 500.5901, 500.5905, 500.5911, 500.5913, and 500.5915), section 5800 as amended by 1998 PA 457, sections 5901 and 5915 as amended by 1998 PA 121, and sections 5905, 5911, and 5913 as added by 1995 PA 215, and by adding sections 5403 and 5803 and chapter 60.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Reps. Garcia and Lemmons entered the House Chambers.

The House returned to the consideration of

Senate Bill No. 456, entitled

A bill to amend 1970 PA 207, entitled “An act to exempt certain dogs from license fees,” by amending section 1 (MCL 287.291), as amended by 1984 PA 112.

(The bill was considered earlier today, see today’s journal, p. 99.)

The question being on passage of the bill,

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

Roll Call No. 23

Yeas—108

Allen	Faunce	Koetje	Richardville
Baird	Frank	Kowall	Richner
Basham	Garcia	Kuipers	Rison
Birkholz	Garza	Kukuk	Rivet
Bisbee	Geiger	LaForge	Rocca
Bishop	Gielegthem	LaSata	Sanborn
Bogardus	Gilbert	Law	Schauer
Bovin	Godchaux	Lemmons	Schermesser
Bradstreet	Gosselin	Lockwood	Scott
Brater	Green	Mans	Scranton
Brewer	Hager	Martinez	Shackleton

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

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

The House returned to the consideration of

Senate Bill No. 808, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 5400, 5402, 5800, 5901, 5905, 5911, 5913, and 5915 (MCL 500.5400, 500.5402, 500.5800, 500.5901, 500.5905, 500.5911, 500.5913, and 500.5915), section 5800 as amended by 1998 PA 457, sections 5901 and 5915 as amended by 1998 PA 121, and sections 5905, 5911, and 5913 as added by 1995 PA 215, and by adding sections 5403 and 5803 and chapter 60.

(The bill was considered earlier today, see today's journal, p. 100.)

The question being on the passage of the bill,

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

Roll Call No. 24**Yeas—107**

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
Brown, B.	Hale	Mead	Sheltrown
Brown, C.	Hanley	Middaugh	Shulman
Byl	Hansen	Minore	Spade
Callahan	Hardman	Mortimer	Stamas
Cassis	Hart	Neumann	Switalski
Caul	Howell	O'Neil	Tabor

Cherry	Jacobs	Pappageorge	Tesanovich
Clark, I.	Jamnick	Patterson	Toy
Clarke, H.	Jansen	Perricone	Van Woerkom
Daniels	Jelinek	Pestka	Vander Roest
DeHart	Jellema	Price	Vaughn
Dennis	Johnson, Rick	Prusi	Vear
DeRossett	Johnson, Ruth	Pumford	Voorhees
DeVuyst	Julian	Quarles	Wojno
DeWeese	Kelly	Rackowski	Woodward
Ehardt	Kilpatrick	Reeves	Woronchak
Faunce	Koetje	Richardville	

Nays—1

Brewer

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. Rackowski moved that the bill be given immediate effect.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Cassis, Spade, Van Woerkom, Koetje, Shackleton, Woronchak, Sanborn, Kowall, Voorhees, Shulman, Faunce, Mead, Kukuk, Gosselin, Kuipers, LaSata, Julian, Jelinek, Howell, Pappageorge, Kelly, Vaughn, Vear, DeWeese, Hager, DeRossett, Jamnick, Bishop, Vander Roest, Ehardt, Birkholz, Geiger, Toy, Green, Tesanovich, Allen, Hanley, Jacobs, Perricone, Caul, Richner, Raczkowski and Bisbee offered the following resolution:

House Resolution No. 266.

A resolution honoring Edward Kriewall.

Whereas, It is with a strong sense of admiration and deep appreciation that we salute Edward Kriewall for his steadfast professionalism, dedication, and loyalty to the people of Novi; and

Whereas, In the record thirty years since Edward Kriewall began his responsibilities in the City of Novi, the people of Novi have benefited immeasurably from the numerous innovations and accomplishments that have been the hallmark of his career. At a time in our history when city managers face many challenges and changes, Edward has responded with energy and a heartfelt concern for the citizens, businesses, and institutions of Novi. He has championed moving Novi out of the mud and into the flourishing, well-planned community it is today; and

Whereas, His creative talents have been behind the development of the Twelve Oaks Mall, the award winning Stormwater and Drain Management program, conversion of the Mohawk industrial site into the prosperous Novi Expo Center, and the incredible 50's Festival. His leadership among his peers is well-known and includes affiliations in the International City Managers Association, Michigan Municipal League, South Oakland County Managers Association, Resource Recovery and Recycling of Southwest Oakland County, Southwest Oakland Cable Commission and Michigan City Management Association. Always sensitive to Novi's prominence with the larger area, Edward worked tirelessly as an advocate of regional cooperation, negotiation, and decision-making. Building positive relationships among people, school districts, and cities have been fostered and sustained under Edward's tenure at Novi's helm; and

Whereas, We recognize and honor Edward Kriewall's loyalty to the community he calls home. He was always there day and night to answer citizen phone calls, respond to a problem, attend civic activities, represent the city at functions, and be present at meetings that could last well into the night and next morning; and

Whereas, Edward Kriewall takes with him into retirement many memories of a job well done. With all that he has given to the people of Novi, he has earned the honor, recognition, and gratitude of a grateful community, in which he can take a great deal of personal pride and satisfaction; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body honor and thank Edward Kriewall for his work as City Manager. May health and happiness be his in the future; and be it further

Resolved, That a copy of this resolution be transmitted to Ed Kriewall as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Switalski, Clarke, Gielegheem, Vaughn, Lockwood, Callahan, Dennis, Hansen, Jamnick, Clark, Garza, Bovin, Cherry, Rison, Sheltroun, Rivet, Pestka, Frank, Brewer, Schauer, Hale, LaForge, Allen, Daniels, DeHart, Price, Schermesser, Tesanovich, Law, Jelinek, Stamas, Jellema, Howell, Green, Richner, Woronchak, Hardman, Mans, Kilpatrick, Raczkowski, O'Neil and Cassis offered the following resolution:

House Resolution No. 267.

A resolution recognizing the 50th anniversary of the Lindell A.C.

Whereas, The Lindell A.C. is celebrating its 50th anniversary and has been a landmark in Detroit as the prototype of sports bars across the nation; and

Whereas, Generations of sports figures, entertainers, media moguls, and countless glitterati from around the world have frequented the Lindell A.C., and

Whereas, John Butsicaris, owner and operator of the Lindell A.C., has reached the grand age of 80 years; and

Whereas, John Butsicaris continues to work a 12-hour day behind the bar at the Lindell A.C., serving liquid refreshments and mouth-watering hamburgers; and

Whereas, The Lindell A.C. is home to sports treasures and paraphernalia accumulated over its decades as the principle watering hole for Detroit sports teams and visiting rival players; and

Whereas, John Butsicaris officiated over the titanic struggle between Dick "the Bruiser" and Alex Karras, and has lived to tell the tale; and

Whereas, On Saturday February 12, 2000 the Lindell A.C. will celebrate its 50th anniversary and the 80th birthday of its owner John Butsicaris; now, therefore, be it

Resolved by the House of Representatives, That members of this Legislative body congratulate John Butsicaris and the Lindell A.C. on this most significant milestone; and be it further

Resolved, That a copy of this resolution be transmitted to John Butsicaris as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Vear, Rocca, Van Woerkom, Richner, Bishop, Spade, Birkholz, Bovin, Garcia, Vander Roest, Voorhees, Scranton, Shackleton, Woronchak, Shulman, Faunce, Gosselin, Kuipers, LaSata, Julian, Jelinek, Pappageorge, DeWeese, DeRossett, Ehardt, Toy, Green, Tesanovich, Perricone and Raczkowski offered the following concurrent resolution:

House Concurrent Resolution No. 79.

A concurrent resolution to memorialize the Congress of the United States to prohibit any tax on the transmission of data over the Internet, including e-mail.

Whereas, In an amazingly short period of time, the Internet has transformed how people communicate and conduct business with one another. The technology of computers is influencing virtually every kind of pursuit, from education to commerce and from entertainment to governmental services. In spite of this change, the full impact of the world wide web has yet to be felt; and

Whereas, Over the past couple of years, there have been discussions on the notion of taxing some aspects of the use of the Internet. These proposals, which are distinct from discussions on the application of existing taxes, center on the idea of implementing some kind of "bit tax" to create revenue from the transmission of data itself. These proposals have included measures to tax e-mail in some fashion; and

Whereas, While some of the rumors about taxing e-mail have proven to be false, a new idea was raised by the United Nations Development Program. The 1999 Human Development Report, entitled "Globalization With a Human Face," included information about the gap in technology among nations. The report includes a proposal for a bit tax to fund communications in developing countries. The report argues that a very small tax on the transmission of information, including e-mail data, could reap great rewards; and

Whereas, The argument for a bit tax ignores the role that the free-market environment has played in the explosive growth of the Internet. Imposing taxes is not the answer to every problem. Instead, ways to encourage developing nations to use this new tool for progress should be explored; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to prohibit any tax on the transmission of data over the Internet, including e-mail; 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 concurrent resolution was referred to the Committee on Tax Policy.

Reports of Standing Committees

The Committee on Health Policy, by Rep. Law, Chair, reported

House Bill No. 4383, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 10102 and 10104 (MCL 333.10102 and 333.10104).

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 4383 To Report Out:

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

Nays: None.

The Committee on Health Policy, by Rep. Law, Chair, reported

House Bill No. 4384, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1106, 5506, 5507, and 5510 (MCL 700.1106, 700.5506, 700.5507, and 700.5510).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4384 To Report Out:

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

Nays: None.

The Committee on Health Policy, by Rep. Law, Chair, reported

House Bill No. 5015, entitled

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

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 5015 To Report Out:

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

Nays: None.

The Committee on Health Policy, by Rep. Law, Chair, reported

House Bill No. 5023, entitled

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

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 5023 To Report Out:

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

Nays: None.

The Committee on Health Policy, by Rep. Law, Chair, reported

House Bill No. 5067, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 214 (MCL 330.1214).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5067 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Law, Chair of the Committee on Health Policy, was received and read:
Meeting held on: Thursday, February 3, 2000, at 10:30 a.m.,

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

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

House Bill No. 4792, entitled

A bill to amend 1996 PA 195, entitled "Police officer's and fire fighter's survivor tuition act," by amending the title and sections 1, 2, and 3 (MCL 390.1241, 390.1242, and 390.1243).

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

1. Amend page 3, line 9, after "police;" by inserting "CONSERVATION OFFICER OF THE DEPARTMENT OF NATURAL RESOURCES OR DEPARTMENT OF ENVIRONMENTAL QUALITY;".

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

Favorable Roll Call

HB 4792 To Report Out:

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

Nays: None.

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

Senate Bill No. 614, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1178 (MCL 380.1178), as amended by 1995 PA 289.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 614 To Report Out:

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

Nays: None.

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

Senate Bill No. 631, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1179.

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

1. Amend page 2, line 2, after "OR" by striking out "HEALTH CARE PROVIDER" and inserting "OTHER HEALTH CARE PROVIDER AUTHORIZED BY LAW TO PRESCRIBE AN INHALER".

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

Favorable Roll Call

SB 631 To Report Out:

Yeas: Reps. Allen, Ruth Johnson, Bradstreet, DeWeese, Hager, Hart, Kuipers, Van Woerkom, Voorhees, Bogardus, Clark, 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, February 8, 2000, at 10;30 a.m.,

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

Absent: Rep. Daniels,

Excused: Rep. Daniels.

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

House Bill No. 4322, entitled

A bill 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 section 63a (MCL 791.263a).

With the recommendation that the substitute (H-3) 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 4322 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

House Bill No. 4809, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," by amending section 107 (MCL 55.107), as amended by 1997 PA 60.

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

1. Amend page 2, line 9, after "AS" by inserting "OR SERVE AS".

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

"Enacting section 1. This amendatory act takes effect June 6, 2000."

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

Favorable Roll Call

HB 4809 To Report Out:

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

Nays: None.

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

House Bill No. 4994, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 215 (MCL 750.215), as amended by 1991 PA 145.

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

1. Amend page 1, line 4, after "COMMISSION," by inserting "CITY, COUNTY, OR MUNICIPAL FIREFIGHTER, VOLUNTEER FIREFIGHTER,".

2. Amend page 1, line 9, after "COMMISSION," by inserting "CITY, COUNTY, OR MUNICIPAL FIREFIGHTER, VOLUNTEER FIREFIGHTER,".

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

"Enacting section 1. This amendatory act takes effect June 6, 2000.".

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

Favorable Roll Call

HB 4994 To Report Out:

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

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, February 8, 2000, 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. Garcia, Chair of the Committee on Economic Development, was received and read:

Meeting held on: Tuesday, February 8, 2000, at 9:00 a.m.,

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

Absent: Reps. Lockwood, Mans,

Excused: Reps. Lockwood, Mans.

Notices

The Speaker appointed as conferees, on the part of the House of Representatives, for **House Bill No. 4305**, Reps. Byl, Mead and Cherry.

February 8, 2000

Dear Mr. Clerk:

Please amend your records to reflect the following change in the subcommittee of the House Standing Committee on Appropriations. Representative Terry Geiger, Chairman of the subcommittee on Fiscal Oversight, Audit and Litigation will be removed and replaced by Representative Charles LaSata. Representative Charles LaSata will be designated as Chairman, and Representative Jon Jellema as Vice-Chairman.

Thank you for your attention to this matter.

Sincerely,
Charles R. Perricone
Speaker of the House

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Thursday, February 3:

House Bill Nos.	5240	5241	5242	5243	5244	5245	5246	5247	5248	5249	5250	5251	5252	5253
	5254	5255	5256	5257	5258	5259	5260	5261	5262	5263	5264	5265	5266	5267
	5268													

House Joint Resolution N

The Clerk announced the enrollment printing and presentation to the Governor on Friday, February 4, for his approval of the following bills:

Enrolled House Bill No. 4187 at 9:57 a.m.

Enrolled House Bill No. 4524 at 9:59 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, February 4:

**House Bill Nos. 5269 5270 5271 5272 5290 5291 5292 5293 5294 5295 5296 5297 5298 5299
5300**

Messages from the Governor

The following message from the Governor was received February 3, 2000 and read:

EXECUTIVE ORDER

No. 2000 - 4

**Insurance Bureau
Financial Institutions Bureau
Corporation, Securities and Land Development Bureau**

Office of Financial and Insurance Services

Department of Consumer and Industry Services

Executive Reorganization

WHEREAS, Article V, Section 1, of the Constitution of the state of Michigan of 1963 vests the executive power in the Governor; and

WHEREAS, Article V, Section 2, of the Constitution of the state of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

WHEREAS, Article V, Section 8, of the Constitution of the state of Michigan of 1963 provides that each principal department shall be under the supervision of the Governor, unless otherwise provided by the Constitution; and

WHEREAS, in order to enhance competition in the financial services industry and allow U.S. companies to effectively compete in the global market, the United States Congress recently enacted the Gramm-Leach-Bliley Act of 1999 which provides for the affiliation of banks, securities firms, insurance companies and other financial services providers; and

WHEREAS, reorganizing the regulation of insurance, financial institutions and securities into one office within the Department of Consumer and Industry Services will ensure improved service and protection for consumers; and

WHEREAS, the consolidation of the regulation of insurance, financial institutions and securities will provide maximum regulatory flexibility to allow Michigan companies to compete effectively in the national and international marketplace.

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 order the following:

I. CREATION OF THE OFFICE OF FINANCIAL AND INSURANCE SERVICES

A. The Office of Financial and Insurance Services is hereby created as a Type I agency within the Department of Consumer and Industry Services. This Office shall be headed by a Commissioner of Financial and Insurance Services who shall be appointed by the Governor for a four-year term, commencing upon the effective date of this Executive Order.

II. TRANSFER OF SECURITIES FUNCTIONS OF THE CORPORATION, SECURITIES AND LAND DEVELOPMENT BUREAU

A. All the authority, powers, duties, functions and responsibilities of the Securities Administrator under the Uniform Securities Act, Act No. 265 of the Public Acts of 1964, as amended, being Section 451.501 *et seq.* of the Michigan Compiled Laws, are hereby transferred by a Type III transfer to the Office of Financial and Insurance Services, as

defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

B. All the authority, powers, duties, functions and responsibilities of the Corporations, Securities and Land Development Bureau under the Debt Management Act, Act No. 148 of the Public Acts of 1975, as amended, being Section 451.411 *et seq.* of the Michigan Compiled Laws, are hereby transferred by a Type III transfer to the Office of Financial and Insurance Services, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

C. All the authority, powers, duties, functions and responsibilities of the Corporations, Securities and Land Development Bureau under the Living Care Disclosure Act, Act No. 440 of the Public Acts of 1976, as amended, being Section 554.801 *et seq.* of the Michigan Compiled Laws, are hereby transferred by a Type III transfer to the Office of Financial and Insurance Services, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

III. TRANSFER OF INSURANCE BUREAU FUNCTIONS

A. All the authority, powers, duties, functions and responsibilities of the Commissioner of Insurance created by Chapter 2 of Act No. 218 of the Public Acts of 1956, as amended, being Section 500.200 *et seq.* of the Michigan Compiled Laws, are hereby transferred by a Type III transfer to the Commissioner of the Office of Financial and Insurance Services, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

B. All the authority, powers, duties, functions and responsibilities of the Insurance Bureau under Act No. 218 of the Public Acts of 1956, as amended, being Section 500.100 *et seq.* of the Michigan Compiled Laws, are hereby transferred by a Type III transfer to the Office of Financial and Insurance Services, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

C. The Insurance Bureau and the Commissioner of Insurance are abolished.

D. All the authority, powers, duties, functions and responsibilities of the Insurance Bureau and of the Commissioner of Insurance, including but not limited to the following, are hereby transferred by a Type III transfer to the Commissioner of the Office of Financial and Insurance Services and the Office of Financial and Insurance Services, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws, as applicable:

1. Act No. 218 of the Public Acts of 1956, as amended, being Section 500.100 *et seq.* of the Michigan Compiled Laws (known as the Insurance Code of 1956).
2. Part 210 of Act No. 368 of the Public Acts of 1978, as amended, being Section 333.21001 *et seq.* of the Michigan Compiled Laws (known as the Health Maintenance Organizations Act).
3. Act No. 317 of the Public Acts of 1969, as amended, being Section 418.101 *et seq.* of the Michigan Compiled Laws (known as the Worker's Disability Compensation Act of 1969).
4. Act No. 66 of the Public Acts of 1933, as amended, being Section 550.1 *et seq.* of the Michigan Compiled Laws.
5. Act No. 385 of the Public Acts of 1996, as amended, being Section 550.11 *et seq.* of the Michigan Compiled Laws.
6. Act No. 233 of the Public Acts of 1984, as amended, being Section 550.51 of the Michigan Compiled Laws (known as the Prudent Purchaser Act).
7. Act No. 266 of the Public Acts of 1895, as amended, being Section 550.101 *et seq.* of the Michigan Compiled Laws.
8. Act No. 143 of the Public Acts of 1935, as amended, being Section 550.231 *et seq.* of the Michigan Compiled Laws.
9. Act No. 64 of the Public Acts of 1984, as amended, being Section 550.251 *et seq.* of the Michigan Compiled Laws (known as the Coordination of Benefits Act).
10. Act No. 125 of the Public Acts of 1963, as amended, being Section 550.351 *et seq.* of the Michigan Compiled Laws.
11. Act No. 386 of the Public Acts of 1996, as amended, being Section 550.521 *et seq.* of the Michigan Compiled Laws.
12. Act No. 173 of the Public Acts of 1958, as amended, being Section 550.601 *et seq.* of the Michigan Compiled Laws (known as the Credit Insurance Act).
13. Act No. 388 of the Public Acts of 1913, as amended, being Section 550.701 *et seq.* of the Michigan Compiled Laws.
14. Act No. 218 of the Public Acts of 1984, as amended, being Section 550.901 *et seq.* of the Michigan Compiled Laws (known as the Third Party Administrator Act).
15. Act No. 252 of the Public Acts of 1986, as amended, being Section 550.1001 *et seq.* of the Michigan Compiled Laws (known as the Health Benefit Agent Act).
16. Act No. 350 of the Public Acts of 1980, as amended, being Section 550.1101 *et seq.* of the Michigan Compiled Laws (known as the Nonprofit Health Care Corporation Reform Act).

IV. TRANSFER OF FINANCIAL INSTITUTIONS BUREAU FUNCTIONS

A. All the authority, powers, duties, functions and responsibilities of the Commissioner of the Financial Institutions Bureau, created under Chapter 2 of Act No. 319 of the Public Acts of 1969, as amended, being Section 487.311 *et seq.* of the Michigan Compiled Laws, and its successor, Section 2101 of Act No. 276 of the Public Acts of 1999, being Section 487.12101 *et seq.* of the Michigan Compiled Laws, are hereby transferred by a Type III transfer to the Commissioner of the Office of Financial and Insurance Services, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

B. All the authority, powers, duties, functions and responsibilities of the Financial Institutions Bureau, created under Act No. 319 of the Public Acts of 1969, as amended, being Section 487.301 *et seq.* of the Michigan Compiled Laws, and its successor, Act No. 276 of the Public Acts of 1999, being Section 487.11101 *et seq.* of the Michigan Compiled Laws, are hereby transferred by a Type III transfer to the Office of Financial and Insurance Services, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

C. The Financial Institutions Bureau and the Commissioner of the Financial Institutions Bureau are abolished.

D. All the authority, powers, duties, functions and responsibilities of the Financial Institutions Bureau and the Commissioner of the Financial Institutions Bureau, including but not limited to the following, are hereby transferred by a Type III transfer to the Commissioner of the Office of Financial and Insurance Services and the Office of Financial and Insurance Services, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws, as applicable:

1. Act No. 319 of Public Acts of 1969, as amended, being Section 487.301 *et seq.* of the Michigan Compiled laws, and its successor, Act No. 276 of the Public Acts of 1999, being Section 487.11101 *et seq.* of the Michigan Compiled Laws.
2. Act No. 173 of the Public Acts of 1987, as amended, being Section 445.1651 *et seq.* of the Michigan Compiled Laws (known as the Mortgage, Brokers, Lenders, and Servicers Licensing Act).
3. Act No. 136 of the Public Acts of 1960, as amended, being Section 487.901 *et seq.* of the Michigan Compiled Laws (known as the Sale of Checks Act).
4. Act No. 89 of the Public Acts of 1986, as amended, being Section 487.1101 *et seq.* of the Michigan Compiled Laws (known as the Michigan BIDCO Act).
5. Act No. 161 of the Public Acts of 1988, as amended, being Section 487.2051 *et seq.* of the Michigan Compiled Laws (known as the Consumer Financial Services Act).
6. Act No. 285 of the Public Acts of 1925, as amended, being Section 490.1 *et seq.* of the Michigan Compiled Laws.
7. Act No. 41 of the Public Acts of 1968, as amended, being Section 490.51 *et seq.* of the Michigan Compiled Laws.
8. Act No. 31 of the Public Acts of 1992, as amended, being Section 490.81 *et seq.* of the Michigan Compiled Laws.
9. Act No. 307 of the Public Acts of 1980, as amended, being Section 491.102 *et seq.* of the Michigan Compiled Laws (known as the Savings and Loan Act of 1980).
10. Act No. 27 of the Public Acts of 1950, Ex Sess, as amended, being Section 492.101 *et seq.* of the Michigan Compiled Laws (known as the Motor Vehicle Sales Finance Act).
11. Act No. 21 of the Public Acts of 1939, as amended, being Section 493.1 *et seq.* of the Michigan Compiled Laws (known as the Regulatory Loan Act of 1963).
12. Act No. 125 of the Public Laws of 1981, as amended, being Section 493.51 *et seq.* of the Michigan Compiled Laws (Secondary Mortgage Loan Act).
13. Act No. 379 of the Public Laws of 1984, as amended, being Section 493.101 *et seq.* of the Michigan Compiled Laws.
14. Act No. 162 of the Public Acts of 1995, being Section 445.1851 *et seq.* of the Michigan Compiled Laws (known as the Credit Reform Act).
15. Act No. 354 of the Public Acts of 1996, being Section 487.3101 *et seq.* of the Michigan Compiled Laws (known as the Savings Bank Act).

V. MISCELLANEOUS

A. The Director of the Department of Consumer and Industry Services shall provide executive direction and supervision for the implementation of all transfers of authority under this Order.

B. The Director of the Department of Consumer and Industry Services shall immediately initiate coordination with the Commissioner of Insurance, the Commissioner of the Financial Institutions Bureau and the Securities Administrator to facilitate the transfer and develop memoranda of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved related to the authority to be transferred.

C. The Director of the Department of Consumer and Industry Services and the Commissioner of the Office of Financial and Insurance Services shall administer the assigned functions transferred by this Order in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

D. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system for the remainder of the year.

E. The Commissioner of the Office of Financial and Insurance Services may by written instrument delegate a duty or power conferred by law or this Order and the person to whom such duty or power is so delegated may perform such duty or exercise such power at the time and to the extent such duty or power is delegated by the Commissioner of the Office of Financial and Insurance Services.

F. All records and personnel affected by this Order are hereby transferred to the Office of Financial and Insurance Services.

G. All property, grants and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available for the activities, power, duties, functions and responsibilities transferred by this Order are hereby transferred to the Department of Consumer and Industry Services.

H. All rules, orders, contracts and agreements relating to the functions transferred to the Office of Financial and Insurance Services by this Order by the responsible state agency shall continue to be effective until revised, amended or rescinded.

I. Any suit, action or other proceeding lawfully commenced by, against or before any entity transferred to the Office of Financial and Insurance Services by this Order, shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.

J. The budgeting, human resource, procurement, technology, and related functions of the Office of Financial and Insurance Services shall be performed under the direction and supervision of the Director of the Department of Consumer and Industry Services.

K. The invalidity of any portion of this Order shall not affect the validity of the remainder thereof.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the state of Michigan of 1963, the provisions of this Executive Order shall take effect April 3, 2000.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 3rd day of February, in the Year of our Lord, Two Thousand.

John Engler

Governor

By the Governor:

Candice S. Miller

Secretary of State

The message was referred to the Clerk.

Communications from State Officers

The following communication from the Auditor General was received and read:

February 2, 2000

Enclosed is a copy of the annual financial statements, together with the Auditors' Report, for the Bureau of State Lottery for the period ended September 30, 1999.

If you have any questions regarding this report, please call me: Michael J. Mayhew, C.P.A., Director of Audit Operations; or Michael R. Becker, C.P.A., Audit Division Administrator for audits of the Bureau of State Lottery.

Sincerely,

Thomas H. McTavish, C.P.A.

Auditor General

The communication was referred to the Clerk and the accompanying report referred to the Committee on House Oversight and Operations.

The following communication from the Department of Community Health was received and read:

February 2, 2000

In accordance with Public Act 519 of 1997, Section 18.353, the Michigan Department of Community Health is submitting the enclosed report to the Legislature on the "Crime Victim Services Commission", conducted in Michigan during FY 1998 and FY 1999.

If you have any questions, please feel free to contact my office at 335-0267.

Cordially,
James K. Haveman, Jr.
Director

The communication was referred to the Clerk.

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

February 2, 2000

Pursuant to Section 315 of PA 122 of 1999, we are enclosing a copy of the Special Investigation Report #9C0115024 conducted on Maxey Training School - Sequoyah Center.

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

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

The communication was referred to the Clerk.

The following communication from the Northeast Michigan Consortium was received and read:

February 7, 2000

The Workforce Development Board of Northeast Michigan Consortium has prepared the final Workforce Investment Act Comprehensive 5-year/Local Plan for the program year beginning July 1, 2000. A copy of the Plan is available at Northeast Michigan Consortium, P.O. Box 711, Onaway, Michigan 49765. Please address any questions or comments to Terry L. Basel, Program Coordinator. Auxiliary aids and services will be made available upon request to individuals with disabilities.

The communication was referred to the Clerk.

Introduction of Bills

Reps. Kowall, Hager, Raczkowski, Jacobs, Gilbert, Bishop, Shulman, Richner, Richardville, Gosselin, Daniels, Garcia, Law, Ruth Johnson, Rocca, Birkholz and Lemmons introduced

House Bill No. 5301, entitled

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

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

Reps. Jacobs, Hale, Switalski, Lockwood, Woodward, Mans, Tesanovich, Hansen, Daniels, Gielegghem, Bovin, Garza, Clark, Stallworth, Price, Brater, DeWeese, Kowall, Law, O'Neil, Dennis, DeHart, Scott, Toy, LaForge, Thomas and Lemmons introduced

House Bill No. 5302, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221 and 16226 (MCL 333.16221 and 333.16226), section 16221 as amended by 1998 PA 227 and section 16226 as amended by 1998 PA 109, and by adding sections 17017, 17416, and 17517.

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

Reps. Byl, Birkholz, Vear, Rick Johnson, Jellema, Scranton, Ehardt, Martinez, Lockwood, Bovin, Clarke, Hart, Schauer, Pestka, Prusi, Scott, Hager, Van Woerkom, DeRossett, DeWeese, Minore, Hanley, Price, Thomas, Mortimer, Mead, Bradstreet, Richardville, Jansen, Mans, DeVuyst, Green, Pumford, Geiger, Tesanovich, Richner, Godchaux, Julian, Quarles, LaForge, Reeves and Lemmons introduced

House Bill No. 5303, entitled

A bill to establish the Michigan affordable housing fund in the department of treasury; to provide for the administration of the fund; to provide for the deposit of certain money in that fund; to provide for the distribution of the money in that fund and to limit the use of the money in that fund; and to prescribe the powers and duties of certain state officials.

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

Reps. Byl, Birkholz, Vear, Rick Johnson, Jellema, Ehardt, Scranton, Martinez, Lockwood, Bovin, Clarke, Hart, Schauer, Pestka, Prusi, Scott, Van Woerkom, Hager, DeRossett, DeWeese, Minore, Hanley, Price, Mortimer, Mead, Bradstreet, Richardville, Jansen, Mans, DeVuyt, Green, Pumford, Geiger, Tesanovich, Thomas, Richner, Godchaux, Julian, Quarles, LaForge, Reeves and Lemmons introduced

House Bill No. 5304, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by amending the title, as amended by 1984 PA 215, and by adding chapter 3A.

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

Reps. Gielegthem, Wojno, Bovin, Callahan, Martinez, Daniels, Jacobs, Dennis, Mans, Switalski and Lemmons introduced

House Bill No. 5305, entitled

A bill to prohibit expenditures of state funds on activities that interfere with or discourage unionization; and to prescribe penalties.

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

Reps. Gielegthem, Wojno, Bovin, Rivet, Callahan, Martinez, Schauer, Julian, Daniels, Jacobs, Dennis, Mans, Switalski and Lemmons introduced

House Bill No. 5306, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11513a.

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

Reps. Gielegthem, Wojno, Minore, Rivet, Callahan, Martinez, Schauer, Daniels, Jacobs, Dennis, Mans, Switalski and Lemmons introduced

House Bill No. 5307, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57 and 57f (MCL 400.57 and 400.57f), as added by 1995 PA 223.

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

Reps. Prusi, Hager, Martinez, Scott, Brater, Hale, DeHart, Tesanovich and Daniels introduced

House Bill No. 5308, entitled

A bill 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," (MCL 791.201 to 791.283) by adding section 68a.

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

Reps. Spade, Callahan, Bogardus, Wojno, Woodward, Lockwood, Sheltrown, Rivet, Mans, Lemmons, Bovin, DeRossett, Scranton, Jacobs, Scott, Jellema and Frank introduced

House Bill No. 5309, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 659.

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

Rep. Bisbee introduced

House Bill No. 5310, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34d (MCL 211.34d), as amended by 1996 PA 476.

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

Reps. Julian, DeRossett, Richardville, Howell, DeWeese, Gilbert, Bisbee, Woronchak, Shackleton, Kowall, DeHart, Schermesser, Cherry, Lockwood, Toy and Green introduced

House Bill No. 5311, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 227f (MCL 750.227f), as amended by 1996 PA 163.

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

Rep. Byl introduced

House Bill No. 5312, entitled

A bill to amend 1977 PA 135, entitled "An act to prohibit certain mortgage lending practices by a credit granting institution; to prescribe the powers and duties of the commissioner of the financial institutions bureau in relation to those practices; to permit the establishment of local mortgage review boards; and to provide remedies and penalties," by repealing section 6 (MCL 445.1606).

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

Reps. Daniels, Hardman, Clark, Quarles, Reeves, Gielegghem, Hansen, Jacobs, Wojno, Switalski, Kilpatrick, Brater, Prusi, Thomas, Stallworth, Frank and Lemmons introduced

House Bill No. 5313, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1344 (MCL 600.1344), as amended by 1982 PA 226.

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

Reps. Mortimer, Garcia, Gosselin, Julian and Jansen introduced

House Bill No. 5314, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 1993 PA 46.

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

Reps. Mortimer, Shackleton, Garcia, Bradstreet, Ehardt, Bishop, Geiger, Voorhees, Gosselin, Kowall, Pappageorge, Julian, Jellema and Jansen introduced

House Bill No. 5315, entitled

A bill 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 section 67 (MCL 791.267), as amended by 1996 PA 565, and by adding section 67c.

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

Reps. Jellema, Caul, Gilbert, Scranton, Stamas, Byl, DeWeese, Bovin, Tesanovich, Ehardt, Mans, Prusi, Pestka, Callahan, LaSata, Mortimer, Kuipers and Birkholz introduced

House Bill No. 5316, entitled

A bill to authorize certain governmental units to issue notes or bonds for planning for the acquisition, construction, improvement, or installation of safe drinking water facilities; to provide security for the payment of the principal of and interest on the notes or bonds; and to prescribe the powers and duties of certain governmental units.

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

Reps. Garcia, Vear, Gilbert, Gosselin, Kuipers, Richner, Voorhees, Caul, Vander Roest, Jansen and Birkholz introduced **House Bill No. 5317, entitled**

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," by amending sections 33, 35, 35a, and 36 (MCL 408.1033, 408.1035, 408.1035a, and 408.1036), section 33 as amended by 1996 PA 87 and sections 35 and 36 as amended and section 35a as added by 1991 PA 105.

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

Reps. Garcia, Birkholz, Bovin, Richner, Bob Brown, Voorhees, Mortimer, Vander Roest and Jansen introduced **House Bill No. 5318, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625 and 625m (MCL 257.625 and 257.625m), section 625 as amended by 1999 PA 73 and section 625m as amended by 1998 PA 347.

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

Reps. Garcia, Gosselin, Voorhees and Birkholz introduced

House Bill No. 5319, entitled

A bill to prohibit certain dog races; to prohibit the simulcasting of certain dog races; and to provide penalties.

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

Reps. Garcia, Mans and Jansen introduced

House Bill No. 5320, entitled

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

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

Reps. Garcia, Mortimer, Richner, Jansen and Birkholz introduced

House Bill No. 5321, entitled

A bill to amend 1959 PA 203, entitled "Emergency interim local succession act," by amending sections 4 and 5 (MCL 31.104 and 31.105).

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

Reps. Vear, Ehardt and Richner introduced

House Bill No. 5322, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 30 (MCL 211.30), as amended by 1994 PA 415.

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

Reps. Vear, Rocca, Sheltroun, Richner, Van Woerkom, Bishop, Bovin and Birkholz introduced

House Bill No. 5323, entitled

A bill to prohibit the switching of a customer's natural gas supplier without the customer's authorization; to prescribe the powers and duties of certain state agencies and officials; and to provide penalties and other remedies.

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

Reps. Vear, Rocca, Sheltroun, Richner, Van Woerkom, Bishop, Bovin and Birkholz introduced

House Bill No. 5324, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending section 505 (MCL 484.2505), as added by 1998 PA 260.

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

Reps. Vear, Rocca, Richner, Sheltroun, Van Woerkom, Bishop, Bovin and Birkholz introduced

House Bill No. 5325, entitled

A bill to prohibit the switching of a customer's electric supplier without the customer's authorization; to prescribe the powers and duties of certain state agencies and officials; and to provide penalties and other remedies.

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

Reps. Bradstreet, Gosselin, Green, Voorhees, Hart, DeWeese, Sheltroun, Reeves, Wojno, Van Woerkom, Kuipers, Bovin, Mortimer, Ehardt, Vander Roest, Bishop, Mead, Tabor, Middaugh, Allen, Gilbert, Garcia, Kukuk, Julian, Mans, Stallworth, Daniels, Howell, Patterson, Jelinek, Bisbee, Pappageorge, Jansen, Byl, DeVuyst, Geiger, Stamas, Hager, Koetje, Cameron Brown, Toy, DeRossett, Shulman, Vear, Birkholz and Lemmons introduced

House Joint Resolution O, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 4 of article I, to preserve the right to display the Ten Commandments on certain public property.

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

Rep. Bovin moved that the House adjourn.
The motion prevailed, the time being 4:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, February 9, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.

