

No. 35
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
90th Legislature
REGULAR SESSION OF 2000

House Chamber, Lansing, Tuesday, April 25, 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—present	Kukuk—present	Rivet—present
Basham—present	Garza—present	LaForge—present	Rocca—present
Birkholz—present	Geiger—present	LaSata—present	Sanborn—present
Bisbee—present	Gielegthem—present	Law—absent	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—excused	Switalski—present
Cassis—present	Howell—present	Pappageorge—present	Tabor—present
Caul—present	Jacobs—present	Patterson—present	Tesanovich—present
Cherry—present	Jamnack—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		

Rev. Ronald Coleman, Sr., Pastor of Godland Unity Church in Detroit, offered the following invocation:

“Matthew 25:35:

For I was hungry, and You gave me meat; I was thirsty, and You gave me drink; I was a stranger, and You took me in. Naked, and You clothed me; I was sick, and You visited me; I was in prison, and You came unto me. The disciple said, ‘Lord, when did we ever see You hungry, thirsty, naked, homeless or in prison?’ Jesus said unto them, ‘Verily, I say unto you, in as much as you have done this for me, you have also done this to my people as well.’

Dear God, we thank You for the privilege of being assembled here. We call upon Your Spirit to come forth, to be the one mind that we turn to in our decisions, and to be the one mind that we turn to in our deliberations. We know, God, that You are all-wise, and in the decisions we have to make, we seek Your wisdom. We know, God, that You are perfect love, and we turn to Your love to guide us. We call upon Your Spirit right now, to touch each of the legislators here and guide them in the way that is right for the people, and right for Your presence. We ask a blessing on each representative, upon their homes, and upon their families, that while they are here, Your Spirit is blessing and keeping their families and their homes blessed and safe. We thank You, God, for the privilege of serving You, not just today, but everyday. We give You all praise, we give You all honor, and we give You our most sincere thanks. Guide us, direct us, and be with us. We give thanks that this is so, right now, and always. In the name, and through the power and authority of Jesus Christ, we declare it so, and so it is. Amen.”

Rep. Scott moved that Rep. O’Neil be excused from today’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 5421, entitled

A bill to designate the part of the bypass of highway US-131 that is located between highway M-115 and Boon road in Wexford county as the “Sidney Ouwinga Memorial Bypass”; and to prescribe the duties of the state transportation department.

The bill was read a second time.

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

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

Rep. Byl 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. 5421, entitled

A bill to designate the part of the bypass of highway US-131 that is located between highway M-115 and Boon road in Wexford county as the “Sidney Ouwinga Memorial Bypass”; and to prescribe the 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. 296

Yeas—105

Allen
Baird
Basham
Birkholz
Bisbee
Bishop

Frank
Garcia
Garza
Geiger
Gielegthem
Gilbert

Koetje
Kowall
Kuipers
Kukuk
LaForge
LaSata

Rison
Rivet
Rocca
Sanborn
Schauer
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	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	Wojno
DeVuyst	Kelly	Richardville	Woodward
Ehardt	Kilpatrick	Richner	Woronchak
Faunce			

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

Rep. Byl 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. 1063, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 8707 and 8715 (MCL 324.8707 and 324.8715), section 8715 as amended by 1995 PA 61; and to repeal acts and parts of acts.

The bill was read a second time.

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

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

Rep. Vander Roest 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

Senate Bill No. 1063, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 8707 and 8715 (MCL 324.8707 and 324.8715), section 8715 as amended by 1995 PA 61; 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. 297**Yeas—106**

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

Nays—0

In The Chair: Birkholz

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts.”.

The House agreed to the full title.

Rep. Byl 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. 5193, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 80163 (MCL 324.80163), as added by 1995 PA 58.

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

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

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

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

Rep. Byl 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. 5193, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 80163 (MCL 324.80163), as added by 1995 PA 58.

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

Roll Call No. 298

Yeas—101

Allen	Ehardt	Koetje	Rison
Baird	Faunce	Kowall	Rivet
Basham	Frank	Kuipers	Rocca
Birkholz	Garcia	Kukuk	Sanborn
Bisbee	Garza	LaForge	Schauer
Bishop	Geiger	LaSata	Schermesser
Bogardus	Gielegthem	Lemmons	Scott
Bovin	Gilbert	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	Patterson	Tabor
Caul	Jacobs	Pestka	Tesanovich
Cherry	Jansen	Price	Thomas
Clark, I.	Jelinek	Prusi	Toy
Clarke, H.	Jellema	Pumford	Van Woerkom
Daniels	Johnson, Rick	Quarles	Vaughn
DeHart	Johnson, Ruth	Rackowski	Vear
Dennis	Julian	Reeves	Wojno
DeRossett	Kelly	Richardville	Woodward
DeVuyst	Kilpatrick	Richner	Woronchak
DeWeese			

Nays—4

Godchaux	Gosselin	Vander Roest	Voorhees
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In The Chair: Birkholz

The House agreed to the title of the bill.

Rep. Byl 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. 5526, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 802; 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 Conservation and Outdoor Recreation,

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

Rep. Byl 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. Byl 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. 5526, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 802; 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. 299

Yeas—107

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

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Rep. Byl 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. Gosselin, Bradstreet, DeRossett, Vear, Voorhees and Shulman offered the following resolution:

House Resolution No. 334.

A resolution to urge Michigan Attorney General Jennifer Granholm and the United States Justice Department to settle quickly the antitrust lawsuit against Microsoft Corporation.

Whereas, The computer industry is one of the most dynamic, fast-moving, and competitive industries in history. It has created tremendous wealth, jobs, and economic benefits for those engaged in it directly, for other industries that have benefited from digital technology, for citizens, and for the economy in general; and

Whereas, Throughout history, no monopoly, except for those monopolies that have been protected by the actions of the government, has survived for more than a short period of time before competitors and customers found ways to circumvent the monopolist's power; and

Whereas, Federal antitrust litigation devised in the nineteenth century is ill-suited to twenty-first century high-tech markets characterized less by competing companies than competing technologies and product life cycles measured in months; and

Whereas, The lawsuit pursued by the Michigan Attorney General, several other states, and the United States Justice Department against computer software maker Microsoft Corporation has already destroyed billions of dollars of wealth, and caused great uncertainty in the entire computer industry. This uncertainty will slow development and cause significant market distortions as companies, individual investors, and computer users are forced to make plans based on unpredictable legal outcomes instead of on sound financial and technological reasons; and

Whereas, Due to this lawsuit and the potential slowdown in the rate of growth of digital technology, the economic expansion that has been driven in part by technological innovation could be jeopardized, thereby threatening the economic well-being of all citizens, not just those involved in the computer hardware and software industries; and

Whereas, Due to these potential unintended consequences, the danger of Michigan Attorney General Jennifer Granholm and the United States Department of Justice failing to settle the antitrust suit against Microsoft quickly and without damaging the company is far greater than any possible benefits of breaking up what is likely to be a very temporary market advantage enjoyed by Microsoft Corporation, if indeed any actual advantage does exist; now, therefore, be it

Resolved by the House of Representatives, That we urge Michigan Attorney General Jennifer Granholm and the United States Department of Justice to desist from further interference in the orderly development of the computer hardware and software industry by quickly settling the legal action against software maker Microsoft Corporation in a manner that does not cause harm to the company; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Michigan Attorney General and to the United States Department of Justice.

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

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 91.

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 the Board of Control of Saginaw Valley State University relative to the Saginaw Valley State University Classroom Facility.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Control of Saginaw Valley State University (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Saginaw Valley State University Classroom Facility (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Saginaw Valley State University Classroom Facility shall not exceed \$25,000,000 (the Authority share is \$18,749,900, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$6,250,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$18,749,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$1,800,000 and \$3,200,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of the Board of Control of Saginaw Valley State University and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 92.

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 North Central Michigan College relative to the North Central Michigan College Multipurpose Educational Facility and General Campus Renovations.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of North Central Michigan College (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the North Central Michigan College Multipurpose Educational Facility and General Campus Renovations (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the North Central Michigan College Multipurpose Educational Facility and General Campus Renovations shall not exceed \$11,474,500 (the Authority share is \$3,967,400, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$7,507,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$3,967,400, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$390,000 and \$680,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of North Central Michigan College and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

Announcement by the Clerk of Printing and Enrollment

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

House Bill Nos. 5664 5665 5666 5667 5668 5669 5670 5671 5672 5673 5674

The Clerk announced the enrollment printing and presentation to the Governor on Monday April 24, for his approval of the following bills:

Enrolled House Bill No. 4414 at 3:24 p.m.

Enrolled House Bill No. 5196 at 3:26 p.m.

Communications from State Officers

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

April 20, 2000

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

Financial Related Audit of the
Child Support Accrual Methodology
Family Independence Agency
For the Fiscal Year Ended September 30, 1999

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 Local Government Claims Review Board was received and read:

April 24, 2000

The Local Government Claims Review Board was established by Public Act No. 101 of 1979. Section 10(8) of Public Act No. 101 of 1979 requires that the board report to the legislature and the governor the number and amount

of the claims the board has approved or rejected on appeal. Pursuant to the requirements of Sec. 21.240 (8) of the Michigan Compiled Laws, enclosed are the 1998 and 1999 Annual Reports.

Sincerely,
Kelly Bartlett
Executive Secretary

The communication was referred to the Clerk.

Introduction of Bills

Reps. Raczkowski, Bovin, DeRossett, Sanborn, Bishop, Caul, Vear, Van Woerkom and Gosselin introduced

House Bill No. 5675, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 675a, 675b, and 675c (MCL 257.675a, 257.675b, and 257.675c), sections 675a and 675b as amended and section 675c as added by 1980 PA 518.

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

Rep. Hart introduced

House Bill No. 5676, entitled

A bill to designate an official bird of this state; 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.

Reps. Garcia, Van Woerkom, Faunce, Richardville, Kowall, DeRossett, Birkholz, Bisbee, Lockwood, Bob Brown and Mans introduced

House Bill No. 5677, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411r.

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

Reps. DeWeese, Hart, Kuipers, Birkholz, Bradstreet, Shackleton, Julian, Tabor, Garcia, Voorhees, Gilbert, Kukuk, Van Woerkom and Ehardt introduced

House Bill No. 5678, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2848 and 13811 (MCL 333.2848 and 333.13811), section 13811 as added by 1990 PA 21, and by adding sections 16268 and 20185.

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

Reps. DeWeese, Gosselin, Kuipers, Birkholz, Bradstreet, Shackleton, Garcia, Voorhees, Gilbert, Van Woerkom, Ehardt and Richardville introduced

House Bill No. 5679, entitled

A bill to prohibit the state or a political subdivision of the state from imposing a substantial burden on a person's exercise of religion; to provide a claim or defense to persons whose exercise of religion is substantially burdened by the state or a political subdivision of the state; and to provide remedies.

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

Reps. DeWeese, Kuipers, Richardville, Birkholz, Voorhees, Julian, Gilbert, Richner, Ehardt and Schauer introduced

House Bill No. 5680, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 27a and 34d (MCL 211.27a and 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. Kowall, Cassis, Gilbert, Koetje, Gosselin, Allen, Voorhees, Shulman, Rick Johnson, Vear, Patterson, Faunce, Jamnick, Price and Lockwood introduced

House Bill No. 5681, entitled

A bill to amend 1905 PA 282, entitled "An act to provide for the assessment of the property, by whomsoever owned, operated or conducted, of railroad companies, union station and depot companies, telegraph companies, telephone companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight companies, and all other companies owning, leasing, running or operating any freight,

stock, refrigerator, or any other cars, not being exclusively the property of any railroad company paying taxes upon its rolling stock under the provisions of this act, over or upon the line or lines of any railroad or railroads in this state, and for the levy of taxes thereon by a state board of assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act,” (MCL 207.1 to 207.21) by adding section 13a.

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

Reps. Vear, Scranton, LaSata, Geiger, Quarles and Bogardus introduced

House Bill No. 5682, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16621 (MCL 333.16621), as amended by 1998 PA 436.

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

House Bill No. 4621, entitled

A bill to amend 1974 PA 154, entitled “Michigan occupational safety and health act,” (MCL 408.1001 to 408.1094) by adding section 24a.

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

HB 4621 To Report Out:

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

Nays: None.

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

House Bill No. 4780, entitled

A bill to amend 1974 PA 154, entitled “Michigan occupational safety and health act,” (MCL 408.1001 to 408.1094) by adding section 24a.

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 4780 To Report Out:

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

Nays: None.

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

House Bill No. 5252, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20155 (MCL 333.20155), as amended by 1996 PA 267.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5252 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 20, 2000, at 10:30 a.m.,

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

Absent: Reps. Law, Raczkowski, Reeves,

Excused: Reps. Law, Raczkowski, Reeves.

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

House Bill No. 4427, entitled

A bill to define, develop, and regulate captive cervidae as an agricultural enterprise in this state; to provide powers and duties of certain state agencies and departments; and to provide for certain penalties and remedies.

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 4427 To Report Out:

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

Nays: Rep. Bradstreet.

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

House Bill No. 4428, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40103, 40106, 40107, 40109, and 41102 (MCL 324.40103, 324.40106, 324.40107, 324.40109, and 324.41102), sections 40103 and 40107 as amended by 1998 PA 86 and sections 40106, 40109, and 41102 as added by 1995 PA 57.

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 4428 To Report Out:

Yeas: Reps. Green, Julian, Bradstreet, DeRossett, DeVuyst, Howell, Rick Johnson, Koetje, Vear, Brater, Bogardus, Hansen, LaForge, Rivet, Sheltroun, 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: Tuesday, April 25, 2000, at 9:00 a.m.,

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

Absent: Rep. Ehardt,

Excused: Rep. Ehardt.

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

Senate Bill No. 658, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1704.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 658 To Report Out:

Yeas: Reps. Allen, Ruth Johnson, Bradstreet, DeWeese, Hager, Hart, Rick Johnson, Kuipers, Van Woerkom, Voorhees, Bogardus, Clark, Gielegthem, 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, April 25, 2000, at 10:30 a.m.,

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

Absent: Rep. Daniels,

Excused: Rep. Daniels.

The Committee on Constitutional Law and Ethics, by Rep. Bishop, Chair, reported

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.

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 5139 To Report Out:

Yeas: Reps. Bishop, Patterson, Bradstreet, Green, Rocca, Vaughn, Brater,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bishop, Chair of the Committee on Constitutional Law and Ethics, was received and read:

Meeting held on: Tuesday, April 25, 2000, at 12:00 Noon,

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

Absent: Reps. Garza, Lemmons,

Excused: Reps. Garza, Lemmons.

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

House Bill No. 5507, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 1997 PA 173.

The committee recommended that the bill be referred to the Committee on Appropriations.

Favorable Roll Call

HB 5507 To Report Out:

Yeas: Reps. Hart, Cassis, Shulman, LaForge, Gielegthem,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Appropriations.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 25, 2000, at 11:30 a.m.,

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

Absent: Rep. Law,

Excused: Rep. Law.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

House Bill No. 4664, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 10.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4664 To Report Out:

Yeas: Reps. Cassis, Allen, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Quarles, Basham, Jamnick, Minore, Switalski,

Nays: None.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

House Bill No. 5106, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86; 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 5106 To Report Out:

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

Nays: None.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

Senate Bill No. 585, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 11.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 585 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 25, 2000, at 9:00 a.m.,

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

Absent: Reps. Garza, O'Neil,

Excused: Reps. Garza, O'Neil.

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

Senate Bill No. 269, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 38g.

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

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

Favorable Roll Call

SB 269 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 25, 2000, at 9:00 a.m.,

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

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, April 25, 2000, at 10:30 a.m.,

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

Absent: Rep. O'Neil,

Excused: Rep. O'Neil.

Rep. Godchaux moved that the House adjourn.

The motion prevailed, the time being 5:00 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, April 26, at 2:00 p.m.

GARY L. RANDALL

Clerk of the House of Representatives.

