

No. 52
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House of Representatives
90th Legislature
REGULAR SESSION OF 2000

House Chamber, Lansing, Thursday, June 1, 2000.

10:00 a.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	Gieleghem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—excused	Schermesser—present
Bogardus—present	Godchaux—present	Lockwood—excused	Scott—excused
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—excused	Stallworth—present
Byl—present	Hardman—excused	Neumann—present	Stamas—present
Callahan—present	Hart—present	O’Neil—present	Switalski—present
Cassis—present	Howell—present	Pappageorge—present	Tabor—present
Caul—present	Jacobs—present	Patterson—present	Tesanovich—present
Cherry—present	Jamnick—present	Perricone—present	Thomas—present
Clark—absent	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—excused	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. Lynne Martinez, from the 69th District, offered the following invocation:

“As I stand here today, I ask all of us to acknowledge that we all pray in many different ways to one God who we call by many different names. This Spirit rules the universe and each of our hearts in a very powerful and personal way. My prayer, and I hope your prayer today, is that we all be connected so that we do the right things—personally and for the people of this state. Amen.”

Rep. DeHart moved that Reps. Hardman, Lemmons, Lockwood, Reeves and Scott be excused from today’s session. The motion prevailed.

Rep. DeWeese moved that Rep. Mortimer be excused from today’s session. The motion prevailed.

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

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

Messages from the Senate

The Speaker laid before the House
House Bill No. 4684, entitled

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

(The bill was received from the Senate on May 24, with amendment, title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 25, see House Journal No. 48, p. 1181.)

The question being on concurring in the amendment made to the bill by the Senate,

Rep. Faunce moved to amend the Senate amendment as follows:

1. Amend the Senate Amendment, page 4, following line 7, enacting section 1, after “This” by inserting “amendatory”.
2. Amend the Senate Amendment, page 4, following line 7, enacting section 1, after “effect” by striking out “90 days after the date this act is enacted” and inserting “October 1, 2000”.

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

The question being on concurring in the Senate amendment, as amended,

The Senate amendment, as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 656

Yeas—90

Allen	Frank	Koetje	Rocca
Baird	Garcia	Kowall	Sanborn
Basham	Geiger	Kuipers	Schauer
Birkholz	Gielegghem	Kukuk	Schermesser
Bisbee	Gilbert	LaSata	Scranton
Bishop	Godchaux	Law	Shackleton
Bogardus	Gosselin	Mans	Shulman
Bovin	Green	Mead	Spade
Bradstreet	Hager	Middaugh	Stallworth
Brewer	Hale	Minore	Stamas
Brown, B.	Hanley	Neumann	Switalski

Brown, C.	Hansen	O'Neil	Tabor
Byl	Hart	Pappageorge	Tesanovich
Callahan	Howell	Patterson	Thomas
Cassis	Jacobs	Perricone	Toy
Clarke, H.	Jamnack	Pestka	Van Woerkom
DeHart	Jansen	Prusi	Vander Roest
Dennis	Jelinek	Pumford	Vear
DeRossett	Jellema	Quarles	Voorhees
DeVuyst	Johnson, Rick	Raczkowski	Wojno
DeWeese	Johnson, Ruth	Richardville	Woodward
Ehardt	Julian	Richner	Woronchak
Faunce	Kelly		

Nays—10

Brater	Garza	Martinez	Sheltrown
Cherry	Kilpatrick	Price	Vaughn
Daniels	LaForge		

In The Chair: Scranton

The Speaker laid before the House

House Bill No. 5184, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 17 of chapter XVII (MCL 777.17), as amended by 1999 PA 67.

(The bill was received from the Senate on May 30, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 31, see House Journal No. 50, p. 1333.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 657**Yeas—103**

Allen	Faunce	Koetje	Rivet
Baird	Frank	Kowall	Rocca
Basham	Garcia	Kuipers	Sanborn
Birkholz	Garza	Kukuk	Schauer
Bisbee	Geiger	LaForge	Schermesser
Bishop	Gielegem	LaSata	Scranton
Bogardus	Gilbert	Law	Shackleton
Bovin	Godchaux	Mans	Sheltrown
Bradstreet	Gosselin	Martinez	Shulman
Brater	Green	Mead	Spade
Brewer	Hager	Middaugh	Stallworth
Brown, B.	Hale	Minore	Stamas
Brown, C.	Hanley	Neumann	Switalski
Byl	Hansen	O'Neil	Tabor
Callahan	Hart	Pappageorge	Tesanovich
Cassis	Howell	Patterson	Thomas
Caul	Jacobs	Perricone	Toy
Cherry	Jamnack	Pestka	Van Woerkom
Clarke, H.	Jansen	Price	Vander Roest

Daniels	Jelinek	Prusi	Vaughn
DeHart	Jellema	Pumford	Vear
Dennis	Johnson, Rick	Quarles	Voorhees
DeRossett	Johnson, Ruth	Raczkowski	Wojno
DeVuyst	Julian	Richardville	Woodward
DeWeese	Kelly	Richner	Woronchak
Ehardt	Kilpatrick	Rison	

Nays—0

In The Chair: Scranton

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 5185, entitled

A bill to amend 1979 PA 53, entitled “An act to prohibit access to computers, computer systems, and computer networks for certain fraudulent purposes; to prohibit intentional and unauthorized access, alteration, damage, and destruction of computers, computer systems, computer networks, computer software programs, and data; and to prescribe penalties,” by amending section 6 (MCL 752.796), as amended by 1996 PA 326.

(The bill was received from the Senate on May 30, with substitute (S-2) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 31, see House Journal No. 50, p. 1333.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 658**Yeas—99**

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

Nays—0

In The Chair: Scranton

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

The Speaker laid before the House

House Bill No. 5276, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

(The bill was received from the Senate on May 24, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 25, see House Journal No. 48, p. 1181.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 659**Yeas—0****Nays—100**

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

In The Chair: Scranton

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Byl, Mead and Tesanovich.

The Speaker laid before the House

House Bill No. 5186, entitled

A bill to amend 1979 PA 53, entitled "An act to prohibit access to computers, computer systems, and computer networks for certain fraudulent purposes; to prohibit intentional and unauthorized access, alteration, damage, and destruction of computers, computer systems, computer networks, computer software programs, and data; and to prescribe penalties," by amending section 7 (MCL 752.797), as amended by 1996 PA 326.

(The bill was received from the Senate on May 30, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 31, see House Journal No. 50, p. 1334.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 660

Yeas—102

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

Nays—0

In The Chair: Scranton

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

The Speaker Pro Tempore resumed the Chair.

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

The Speaker laid before the House

House Bill No. 5187, entitled

A bill to amend 1979 PA 53, entitled “An act to prohibit access to computers, computer systems, and computer networks for certain fraudulent purposes; to prohibit intentional and unauthorized access, alteration, damage, and destruction of computers, computer systems, computer networks, computer software programs, and data; and to prescribe penalties,” by amending section 2 (MCL 752.792), as amended by 1996 PA 326.

(The bill was received from the Senate on May 30, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 31, see House Journal No. 50, p. 1334.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 661

Yeas—100

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

Nays—0

In The Chair: Birkholz

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

The Speaker laid before the House

House Bill No. 5460, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20151 and 20155 (MCL 333.20151 and 333.20155), section 20155 as amended by 1996 PA 267.

(The bill was received from the Senate on May 31, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 51, p. 1415.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 662**Yeas—100**

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

Nays—0

In The Chair: Birkholz

The House agreed to the full title of the bill.

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

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

The Speaker laid before the House

House Bill No. 5653, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1999 PA 181.

(The bill was received from the Senate on May 31, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 51, p. 1415.)

The question being on concurring in the amendments made to the bill by the Senate,

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

Roll Call No. 663**Yeas—101**

Allen	Faunce	Koetje	Rivet
Baird	Frank	Kowall	Rocca

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

Nays—0

In The Chair: Scranton

The House agreed to the full title of the bill.

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

Second Reading of Bills

House Bill No. 5554, entitled

A bill to amend 1981 PA 118, entitled “An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts,” by amending sections 4 and 14 (MCL 445.1564 and 445.1574), section 14 as amended by 1998 PA 456.

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

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

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

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

Rep. Middaugh 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

House Bill No. 5554, entitled

A bill to amend 1981 PA 118, entitled “An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts,” by amending sections 4 and 14 (MCL 445.1564 and 445.1574), section 14 as amended by 1998 PA 456.

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

Roll Call No. 664

Yeas—99

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

Nays—0

In The Chair: Scranton

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

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

A bill to amend 1981 PA 118, entitled “An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts,” by amending section 4 (MCL 445.1564)

The motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 5802, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 5, 1229, 1277, and 1473 (MCL 380.5, 380.1229, 380.1277, and 380.1473), section 5 as amended by 1999 PA 23, section 1229 as added by 1995 PA 289, section 1277 as amended by 1997 PA 179, and section 1473 as added by 1996 PA 159, and by adding sections 1238, 1280b, and 1282a and part 20B.

(The bill was read a third time and postponed temporarily on May 25, see House Journal No. 49, p. 1260.)

The question being on the passage of the bill,

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

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

Second Reading of Bills

House Bill No. 5802, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 5, 1229, 1277, and 1473 (MCL 380.5, 380.1229, 380.1277, and 380.1473), section 5 as amended by 1999 PA 23, section 1229 as added by 1995 PA 289, section 1277 as amended by 1997 PA 179, and section 1473 as added by 1996 PA 159, and by adding sections 1238, 1280b, and 1282a and part 20B.

Reps. Allen and Bogardus moved to amend the bill as follows:

1. Amend page 1, line 1, by striking out all of section 1229.
2. Amend page 8, line 11, by striking out all of sections 1238, 1246 and 1277.
3. Amend page 30, line 13, after "years" by inserting "AND MAY NOT BE RENEWED".

The motion prevailed and the amendments were 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. Raczkowski 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. DeRossett be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5802, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 5, 1229, 1277, and 1473 (MCL 380.5, 380.1229, 380.1277, and 380.1473), section 5 as amended by 1999 PA 23, section 1229 as added by 1995 PA 289, section 1277 as amended by 1997 PA 179, and section 1473 as added by 1996 PA 159, and by adding sections 1238, 1280b, and 1282a and part 20B.

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. 665

Yeas—96

Allen	Frank	Kilpatrick	Rivet
Baird	Garcia	Koetje	Rocca
Basham	Garza	Kowall	Sanborn
Birkholz	Geiger	Kukuk	Schauer
Bisbee	Gielegthem	LaForge	Schermesser
Bishop	Gilbert	LaSata	Scranton

Bogardus	Godchaux	Law	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	Neumann	Switalski
Callahan	Hart	O'Neil	Tabor
Caul	Howell	Pappageorge	Tesanovich
Cherry	Jacobs	Pestka	Thomas
Clarke, H.	Jamnick	Price	Van Woerkom
Daniels	Jansen	Prusi	Vander Roest
DeHart	Jelinek	Pumford	Vaughn
Dennis	Jellema	Quarles	Vear
DeVuyst	Johnson, Rick	Raczkowski	Voorhees
DeWeese	Johnson, Ruth	Richardville	Wojno
Ehardt	Julian	Richner	Woodward
Faunce	Kelly	Rison	Woronchak

Nays—5

Bovin	Kuipers	Patterson	Toy
Cassis			

In The Chair: Scranton

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

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

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1310, 1310a, 1311a, and 1473 (MCL 380.1310, 380.1310a, 380.1311a, and 380.1473), sections 1310 and 1310a as added by 1999 PA 102, section 1311a as added by 1999 PA 104, and section 1473 as added by 1996 PA 159, and by adding sections 1280b, 1282a, and 1531e and part 20B.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 5832, entitled

A bill to amend 1961 PA 112, entitled "An act to authorize and provide for the issuance and sale of bonds and notes of the state; to provide funds for making loans to school districts for payment of principal and interest on certain school bonds; to provide for use of moneys repaid to the state by school districts; and to make an appropriation," by amending the title and sections 1 and 2 (MCL 388.981 and 388.982), the title and section 2 as amended by 1991 PA 64, and by adding sections 1a and 1b.

The bill was read a second time.

Rep. Jelinek 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. 5832, entitled

A bill to amend 1961 PA 112, entitled “An act to authorize and provide for the issuance and sale of bonds and notes of the state; to provide funds for making loans to school districts for payment of principal and interest on certain school bonds; to provide for use of moneys repaid to the state by school districts; and to make an appropriation,” by amending the title and sections 1 and 2 (MCL 388.981 and 388.982), the title and section 2 as amended by 1991 PA 64, and by adding sections 1a and 1b.

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

Roll Call No. 666

Yeas—102

Allen	Faunce	Koetje	Rison
Baird	Frank	Kowall	Rivet
Basham	Garcia	Kuipers	Rocca
Birkholz	Garza	Kukuk	Sanborn
Bisbee	Geiger	LaForge	Schauer
Bishop	Gielegem	LaSata	Schermesser
Bogardus	Gilbert	Law	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	Neumann	Stamas
Byl	Hansen	O’Neil	Switalski
Callahan	Hart	Pappageorge	Tabor
Cassis	Howell	Patterson	Tesanovich
Caul	Jacobs	Perricone	Toy
Cherry	Jamnick	Pestka	Van Woerkom
Clarke, H.	Jansen	Price	Vander Roest
Daniels	Jelinek	Prusi	Vaughn
DeHart	Jellema	Pumford	Vear
Dennis	Johnson, Rick	Quarles	Voorhees
DeRossett	Johnson, Ruth	Rackowski	Wojno
DeVuyst	Julian	Richardville	Woodward
DeWeese	Kelly	Richner	Woronchak
Ehardt	Kilpatrick		

Nays—0

In The Chair: Scranton

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. 5833, entitled

A bill to amend 1961 PA 108, entitled “An act to provide for loans by the state of Michigan to school districts for the payment of principal and interest upon school bonds; to prescribe the terms and conditions of the loans and the

conditions upon which levies for bond principal and interest shall be included in computing the amount to be so loaned by the state; to prescribe the powers and duties of the superintendent of public instruction and the state treasurer in relation to such loans; to provide for the repayment of such loans; to provide incentives for repayment of such loans; to provide for other matters in respect to such loans; and to make an appropriation," by amending the title and sections 1, 2, 3, 4, 4a, 5, 6, 7, 8, 9, 9b, 10, 10a, 11, and 12 (MCL 388.951, 388.952, 388.953, 388.954, 388.954a, 388.955, 388.956, 388.957, 388.958, 388.959, 388.959b, 388.960, 388.960a, 388.961, and 388.962), the title and sections 6 and 9 as amended and section 9b as added by 1991 PA 65, sections 2, 4, and 11 as amended by 1992 PA 228, section 3 as amended by 1985 PA 25, section 4a as amended by 1991 PA 22, section 5 as amended by 1983 PA 124, and section 10 as amended and section 10a as added by 1989 PA 6, and by adding sections 1a, 9c, 10b, 10c, and 11a; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Education (for amendments, see House Journal No. 49, p. 1269),

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

Reps. Jelinek and Allen moved to amend the bill as follows:

1. Amend page 4, line 18, after the second "THE" by striking out "CURRENT" and inserting "IMMEDIATELY PRECEDING".

2. Amend page 4, line 21, after the second "THE" by striking out "CURRENT" and inserting "IMMEDIATELY PRECEDING".

3. Amend page 6, line 11, after "MONTHS" by inserting "OR MAY IN THE FINAL QUALIFICATION OF A BOND ISSUE WAIVE THE MINIMUM MILLAGE REQUIRED BY THIS SUBSECTION TO 6 MILLS, OR MAY DO BOTH".

4. Amend page 7, line 18, after "INDEX," by inserting "PLUS 1%,".

5. Amend page 8, line 16, by striking out all of subsection (4) and inserting:

"(4) FOR BOND ISSUES APPROVED AT A REGULAR OR SPECIAL ELECTION BEFORE JULY 1, 2000, THE AMOUNT A SCHOOL DISTRICT MAY BORROW UNDER THIS ACT SHALL BE DETERMINED IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT IN EFFECT BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION. FOR BOND ISSUES APPROVED AT A REGULAR OR SPECIAL ELECTION ON OR AFTER JULY 1, 2000 BUT BEFORE OCTOBER 10, 2000, THE AMOUNT A SCHOOL DISTRICT MAY BORROW UNDER THIS ACT SHALL BE DETERMINED IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT AS IN EFFECT BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION IF THE SCHOOL DISTRICT FILES AN IRREVOCABLE WRITTEN REQUEST TO HAVE THOSE PROVISIONS APPLY WITH THE STATE TREASURER PRIOR TO THE DATE OF THE ELECTION APPROVING THE BOND ISSUE. FOR SCHOOL DISTRICTS WITH A QUALIFIED BOND ISSUE APPROVED AT A REGULAR OR SPECIAL ELECTION ON OR AFTER JULY 1, 2000 FOR WHICH THE SCHOOL DISTRICT DOES NOT FILE A WRITTEN REQUEST UNDER THE PRECEDING SENTENCE OR WITH A QUALIFIED BOND ISSUE APPROVED AT A REGULAR OR SPECIAL ELECTION ON OR AFTER OCTOBER 10, 2000, THE AMOUNT THE SCHOOL DISTRICT MAY BORROW UNDER THIS ACT WITH RESPECT TO ALL OF THE SCHOOL DISTRICT'S QUALIFIED BONDS SHALL BE DETERMINED UNDER THE PROVISIONS OF THIS ACT OTHER THAN THE PRECEDING 2 SENTENCES OF THIS SUBSECTION."

6. Amend page 9, line 7, after "instruction" by inserting "AND THE STATE TREASURER".

7. Amend page 13, line 17, after "need" by striking out the balance of the subdivision and inserting a period.

8. Amend page 16, line 9, after "COMPLETED" by striking out "CONCURRENTLY".

9. Amend page 18, line 20, after "DEVELOP" by striking out "AND" and inserting a comma.

10. Amend page 18, line 21, after "BULLETINS" by inserting a comma and "REVIEW AT LEAST ANNUALLY, OR REVISE AS NEEDED".

11. Amend page 19, line 3, after "CRITERIA" by inserting "RELEVANT TO THIS ACT THAT".

12. Amend page 19, following line 10, by inserting:

"(5) IN DETERMINING WHETHER COMPELLING JUSTIFICATION EXISTS, THE STATE TREASURER SHALL CONSIDER THE HEALTH, SAFETY, AND WELFARE OF THE SCHOOL DISTRICT AND SHALL CONSIDER THE ABILITY OF THE SCHOOL DISTRICT TO PROVIDE ADEQUATE EDUCATIONAL PROGRAMS."

13. Amend page 34, line 26, after "YEAR." by inserting "THE PRELIMINARY QUALIFICATION, IF ANY, SHALL CONTAIN A PRELIMINARY INDICATION OF THE ELIGIBILITY FOR A PROJECT GRANT AND SIZE OF PROJECT GRANT, IF ANY, UNDER THIS SECTION. IN ADDITION, SCHOOL DISTRICTS THAT DECIDE TO HAVE THE PROVISIONS OF THIS ACT AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SECTION 2(4) APPLY AND THAT APPROVE BOND ISSUES AT ELECTIONS HELD ON OR AFTER JULY 1, 2000 AND BEFORE OCTOBER 10, 2000 MAY APPLY, IN AN APPLICATION OR AMENDMENT TO AN APPLICATION RECEIVED BY THE STATE TREASURER BEFORE THE ELECTION DATE, FOR AN OPTION IN PROJECT GRANT TO BE AWARDED IN OCTOBER 2000."

- 14. Amend page 35, line 1, after “(C)” by inserting “EXCEPT FOR OPTION IN PROJECT GRANTS,”.
- 15. Amend page 35, line 7, after “AWARDED” by inserting “EXCEPT FOR OPTION IN PROJECT GRANT AWARDS WHICH SHALL BE MADE BEFORE OCTOBER 31, 2000”.
- 16. Amend page 36, line 20, by striking out “SHALL” and inserting “MAY”.
- 17. Amend page 36, line 22, after “SUBSECTION.” by inserting “IF THE STATE TREASURER DOES NOT AWARD ALL OF THE FUNDS DESCRIBED IN THIS SUBSECTION IN ANY FISCAL YEAR, THE REMAINING FUNDS SHALL NOT LAPSE AND SHALL BE AVAILABLE FOR GRANTS UNDER THIS SUBSECTION IN SUCCEEDING FISCAL YEARS.”.
- 18. Amend page 37, line 4, by striking out all of subdivision (B) and relettering the remaining subdivision.
- 19. Amend page 38, line 9, after the first “THE” by striking out “ADJUSTED”.
- 20. Amend page 38, line 10, after “LOWEST” by striking out “ADJUSTED”.
- 21. Amend page 38, line 20, by striking out “\$10,000,000.00” and inserting “THE AMOUNT APPROPRIATED FOR THE PURPOSE OF THIS SECTION”.
- 22. Amend page 39, line 1, by striking out all of subsections (4) and (5).
- 23. Amend page 41, following line 12, by inserting:
 “Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 1044 of the 90th Legislature is enacted into law and appropriates money to fund sections 10b and 10c of 1961 PA 108, MCL 388.960b and 388.960c.”.

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

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

Rep. Bogardus moved to amend the bill as follows:

- 1. Amend page 41, following line 12, by inserting:

“Enacting section 2. This amendatory act does not take effect unless House Bill No. 5069 of the 90th Legislature is enacted into law.”.

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

Rep. Bogardus demanded the yeas and nays.

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

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

Roll Call No. 667

Yeas—44

Baird	DeHart	Kilpatrick	Rivet
Basham	Dennis	Mans	Schauer
Bogardus	Frank	Martinez	Schermesser
Bovin	Garza	Minore	Sheltrown
Brater	Gielegem	Neumann	Spade
Brewer	Hale	O’Neil	Stallworth
Brown, B.	Hanley	Patterson	Switalski
Callahan	Hansen	Pestka	Tesanovich
Cherry	Jacobs	Prusi	Vaughn
Clarke, H.	Jamnick	Quarles	Wojno
Daniels	Kelly	Rison	Woodward

Nays—55

Allen	Garcia	Julian	Rocca
Birkholz	Geiger	Koetje	Sanborn

Bisbee	Gilbert	Kowall	Scranton
Bishop	Godchaux	Kuipers	Shackleton
Bradstreet	Gosselin	Kukuk	Shulman
Brown, C.	Green	LaSata	Stamas
Byl	Hager	Law	Tabor
Cassis	Hart	Mead	Toy
Caul	Howell	Middaugh	Van Woerkom
DeRossett	Jansen	Pappageorge	Vander Roest
DeVuyst	Jelinek	Perricone	Vear
DeWeese	Jellema	Pumford	Voorhees
Ehardt	Johnson, Rick	Richardville	Woronchak
Faunce	Johnson, Ruth	Richner	

In The Chair: Scranton

Rep. Jelinek 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. 5833, entitled

A bill to amend 1961 PA 108, entitled "An act to provide for loans by the state of Michigan to school districts for the payment of principal and interest upon school bonds; to prescribe the terms and conditions of the loans and the conditions upon which levies for bond principal and interest shall be included in computing the amount to be so loaned by the state; to prescribe the powers and duties of the superintendent of public instruction and the state treasurer in relation to such loans; to provide for the repayment of such loans; to provide incentives for repayment of such loans; to provide for other matters in respect to such loans; and to make an appropriation," by amending the title and sections 1, 2, 3, 4, 4a, 5, 6, 7, 8, 9, 9b, 10, 10a, 11, and 12 (MCL 388.951, 388.952, 388.953, 388.954, 388.954a, 388.955, 388.956, 388.957, 388.958, 388.959, 388.959b, 388.960, 388.960a, 388.961, and 388.962), the title and sections 6 and 9 as amended and section 9b as added by 1991 PA 65, sections 2, 4, and 11 as amended by 1992 PA 228, section 3 as amended by 1985 PA 25, section 4a as amended by 1991 PA 22, section 5 as amended by 1983 PA 124, and section 10 as amended and section 10a as added by 1989 PA 6, and by adding sections 1a, 9c, 10b, 10c, and 11a; and to repeal acts and parts of acts.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Frank moved that the bill be referred to the Committee on Appropriations.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

The motion did not prevail, a majority of the members present not voting therefor, by yeas and nays, as follows:

Roll Call No. 668

Yeas—44

Baird	Dennis	Mans	Schauer
Basham	Frank	Martinez	Schermesser
Bogardus	Gielegem	Minore	Sheltrown
Bovin	Hale	Neumann	Spade
Brater	Hanley	O'Neil	Stallworth
Brown, B.	Hansen	Pestka	Switalski

Callahan	Jacobs	Price	Tesanovich
Cherry	Jamnick	Prusi	Thomas
Clarke, H.	Kelly	Quarles	Vaughn
Daniels	Kilpatrick	Rison	Wojno
DeHart	LaForge	Rivet	Woodward

Nays—58

Allen	Garza	Koetje	Richner
Birkholz	Geiger	Kowall	Rocca
Bisbee	Gilbert	Kuipers	Sanborn
Bishop	Godchaux	Kukuk	Scranton
Bradstreet	Gosselin	LaSata	Shackleton
Brown, C.	Green	Law	Shulman
Byl	Hager	Mead	Stamas
Cassis	Hart	Middaugh	Tabor
Caul	Howell	Pappageorge	Toy
DeRossett	Jansen	Patterson	Van Woerkom
DeVuyst	Jelinek	Perricone	Vander Roest
DeWeese	Jellema	Pumford	Vear
Ehardt	Johnson, Rick	Raczkowski	Voorhees
Faunce	Johnson, Ruth	Richardville	Woronchak
Garcia	Julian		

In The Chair: Scranton

Associate Speaker Pro Tempore Patterson assumed the Chair.

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. 669**Yeas—60**

Allen	Geiger	Kowall	Rocca
Birkholz	Gilbert	Kuipers	Sanborn
Bisbee	Godchaux	Kukuk	Scranton
Bishop	Gosselin	LaSata	Shackleton
Bradstreet	Green	Law	Sheltrown
Brown, C.	Hager	Mans	Shulman
Byl	Hart	Mead	Spade
Cassis	Howell	Middaugh	Stamas
Caul	Jamnick	O'Neil	Tabor
DeRossett	Jansen	Pappageorge	Toy
DeVuyst	Jelinek	Patterson	Van Woerkom
DeWeese	Johnson, Rick	Pestka	Vander Roest
Ehardt	Johnson, Ruth	Pumford	Vear
Faunce	Julian	Richardville	Voorhees
Garcia	Koetje	Richner	Woronchak

Nays—38

Baird	Daniels	Kelly	Rivet
Basham	DeHart	Kilpatrick	Schauer
Bogardus	Dennis	LaForge	Schermesser
Bovin	Frank	Martinez	Stallworth
Brater	Garza	Minore	Switalski
Brewer	Gielegem	Neumann	Tesanovich
Brown, B.	Hale	Price	Vaughn
Callahan	Hanley	Prusi	Wojno
Cherry	Hansen	Rison	Woodward
Clarke, H.	Jacobs		

In The Chair: Patterson

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.

Reps. Schermesser, Basham, Wojno, Bob Brown, Garza and Jacobs, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on House Bill 5833 for several reasons. First, the bill was just introduced one week ago. As it affects the ability of school districts to bond, it is a highly technical bill, and I was not afforded the proper time to gather information as to how it might affect my local school districts and taxpayers.

I do know that the bill will require school districts and local taxpayers that make us of the School Bond loan fund to repay a greater percentage of principal and interest up front, which will potentially increase millage rates faster than under the current system.

House Bill 5833 also places too much power in the hands of a single state bureaucrat, the state treasurer, who will be able to create criteria and parameters on how school districts can use the fund. This unelected official will have final say on whether or not a school district and local taxpayers can go ahead with a bond proposal.

Also, I was disappointed that the Republican Majority defeated a proposal to couple this bill with another which would have provided up to \$2 million in interest payment relief to every school district in Michigan unaffected by House Bill 5833. School infrastructure is a statewide problem. Our schools deserve statewide solutions.”

Rep. Schauer, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I have repeatedly both in my district and in Lansing advocated for state support to address local school infrastructure needs. School buildings are aging, space constraints limit the ability to reduce class sizes, and outmoded facilities don't allow for the use of the latest technology in the classroom. We need to help fund and underwrite local school infrastructure needs.

However, I voted no on House Bill 5833 for several reasons. First, the bill as just introduced one week ago. As it affects the ability of school districts to bond, it is a highly technical bill, and I was not afforded the proper time to gather information as to how it might affect my local school districts and taxpayers.

I do know that the bill will require school districts and local taxpayers that make us of the School Bond loan fund to repay a greater percentage of principal and interest up front, which will potentially increase millage rates faster than under the current system.

House Bill 5833 also places too much power in the hands of a single state bureaucrat, the state treasurer, who will be able to create criteria and parameters on how school districts can use the fund. This unelected official will have final say on whether or not a school district and local taxpayers can go ahead with a bond proposal.

Also, I was disappointed that the Republican Majority defeated a proposal to couple this bill with another which would have provided up to \$2 million in interest payment relief to every school district in Michigan unaffected by House Bill 5833. School infrastructure is a statewide problem. Our schools deserve statewide solutions.”

Rep. Clarke, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

The debt service subsidy in this bill is specious and it provides no standards on how the state treasurer would allocate this subsidy.”

Second Reading of Bills

House Bill No. 5822, entitled

A bill to amend 1959 PA 243, entitled “An act to define, license and regulate trailer coach parks; to prescribe the powers and duties of the state health commissioner and other state and local officers; to provide for the levy and collection of specific taxes on occupied trailers in trailer coach parks and the disposition of the revenues therefrom; to provide remedies and penalties for the violation of this act; and to repeal certain acts and parts of acts,” by amending the title and sections 35, 41, 42, and 43 (MCL 125.1035, 125.1041, 125.1042, and 125.1043), section 42 as amended by 1994 PA 365.

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

Rep. O’Neil moved that the bill be referred to the Committee on Tax Policy.

The question being on the motion made by Rep. O’Neil,

Rep. O’Neil demanded the yeas and nays.

The demand was supported.

The question being on the motion made by Rep. O’Neil,

The motion did not prevail, a majority of the members present not voting therefor, by yeas and nays, as follows:

Roll Call No. 670

Yeas—42

Baird	DeHart	Mans	Schauer
Basham	Dennis	Martinez	Schermesser
Bogardus	Frank	Minore	Sheltrown
Bovin	Garza	Neumann	Spade
Brater	Gielegthem	O’Neil	Stallworth
Brewer	Hale	Pestka	Switalski
Brown, B.	Hanley	Price	Tesanovich
Callahan	Hansen	Prusi	Vaughn
Cherry	Jacobs	Quarles	Wojno
Clarke, H.	Jamnick	Rivet	Woodward
Daniels	Kilpatrick		

Nays—56

Allen	Garcia	Julian	Richner
Birkholz	Geiger	Koetje	Rocca
Bisbee	Gilbert	Kowall	Sanborn
Bishop	Godchaux	Kuipers	Scranton
Bradstreet	Gosselin	Kukuk	Shackleton
Brown, C.	Green	LaSata	Shulman
Byl	Hager	Law	Stamas
Cassis	Hart	Mead	Tabor
Caul	Howell	Middaugh	Toy

DeRossett	Jansen	Pappageorge	Van Woerkom
DeVuyst	Jelinek	Patterson	Vander Roest
DeWeese	Jellema	Perricone	Vear
Ehardt	Johnson, Rick	Pumford	Voorhees
Faunce	Johnson, Ruth	Richardville	Woronchak

In The Chair: Patterson

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

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

Rep. Basham moved to amend the bill as follows:

1. Amend page 2, following line 20, by inserting:

“(4) A TRAILER COACH IS SUBJECT TO ANY APPLICABLE LOCAL ORDINANCE EFFECTIVE IN THE MUNICIPALITY IN WHICH THE TRAILER COACH IS LOCATED.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Reps. Basham and O’Neil moved to amend the bill as follows:

1. Amend page 2, line 20, after “380.1212.” by inserting “EACH YEAR ON JANUARY 1, THE STATE TREASURER SHALL ESTIMATE THE REVENUE LOST FROM THE SCHOOL AID FUND BY THIS ACT AND REPLACE IT WITH GENERAL FUNDS.”.

The question being on the adoption of the amendment offered by Reps. Basham and O’Neil,

Rep. O’Neil demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Basham and O’Neil,

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

Roll Call No. 671

Yeas—45

Baird	DeRossett	Mans	Schauer
Basham	Frank	Martinez	Schermesser
Bogardus	Gielegem	Minore	Sheltrown
Bovin	Hale	Neumann	Spade
Brater	Hanley	O’Neil	Stallworth
Brewer	Hansen	Pestka	Switalski
Brown, B.	Jacobs	Price	Tesanovich
Callahan	Jamnick	Prusi	Thomas
Clarke, H.	Kelly	Quarles	Vaughn
Daniels	Kilpatrick	Rison	Wojno
DeHart	LaForge	Rivet	Woodward
Dennis			

Nays—57

Allen	Geiger	Koetje	Richner
Birkholz	Gilbert	Kowall	Rocca
Bisbee	Godchaux	Kuipers	Sanborn
Bishop	Gosselin	Kukuk	Scranton
Bradstreet	Green	LaSata	Shackleton
Brown, C.	Hager	Law	Shulman
Byl	Hart	Mead	Stamas
Cassis	Howell	Middaugh	Tabor

Caul	Jansen	Pappageorge	Toy
Cherry	Jelinek	Patterson	Van Woerkom
DeVuyst	Jellema	Perricone	Vander Roest
DeWeese	Johnson, Rick	Pumford	Vear
Ehardt	Johnson, Ruth	Raczkowski	Voorhees
Faunce	Julian	Richardville	Woronchak
Garcia			

In The Chair: Patterson

Rep. Basham moved to amend the bill as follows:

1. Amend page 2, following line 20, by inserting:

“(4) A TRAILER COACH IS SUBJECT TO ANY APPLICABLE LOCAL ORDINANCE EFFECTIVE IN THE COUNTY, TOWNSHIP, CITY, OR VILLAGE IN WHICH THE TRAILER COACH IS LOCATED.”.

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

Rep. Basham demanded the yeas and nays.

The demand was supported.

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

Point of Order

Rep. Garcia requested a ruling from the Chair regarding the germaneness of the amendment offered by Rep. Basham.

The Chair ruled that the amendment is not germane pursuant to House Rule 64. The amendment introduces a new proposition which is not germane to the subject matter of the bill as it was originally introduced and as it is currently before the House.

Rep. Basham appealed the decision of the Chair.

The question being, “Shall the judgment of the Chair stand as the judgment of the House?”

The judgment of the Chair stood as the judgment of the House, a majority of the members present and voting, voting therefor, by yeas and nays, as follows:

Roll Call No. 672

Yeas—54

Allen	Geiger	Kowall	Rocca
Bisbee	Gilbert	Kuipers	Sanborn
Bishop	Godchaux	Kukuk	Scranton
Bradstreet	Green	LaSata	Shackleton
Brown, C.	Hager	Law	Shulman
Byl	Hart	Mead	Stamas
Cassis	Howell	Middaugh	Tabor
Caul	Jansen	Patterson	Toy
DeRossett	Jelinek	Perricone	Van Woerkom
DeVuyst	Jellema	Pumford	Vander Roest
DeWeese	Johnson, Rick	Raczkowski	Vear
Ehardt	Johnson, Ruth	Richardville	Voorhees
Faunce	Julian	Richner	Woronchak
Garcia	Koetje		

Nays—42

Baird	DeHart	Mans	Schauer
Basham	Dennis	Martinez	Schermesser

Bogardus	Frank	Minore	Sheltrown
Bovin	Garza	Neumann	Spade
Brater	Gielegthem	Pestka	Stallworth
Brewer	Hale	Price	Switalski
Brown, B.	Hansen	Prusi	Tesanovich
Callahan	Jacobs	Quarles	Vaughn
Cherry	Jamnick	Rison	Wojno
Clarke, H.	Kelly	Rivet	Woodward
Daniels	Kilpatrick		

In The Chair: Patterson

Rep. Richardville moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed, a majority of the members voting therefor.

Rep. Raczkowski moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5822, entitled

A bill to amend 1959 PA 243, entitled "An act to define, license and regulate trailer coach parks; to prescribe the powers and duties of the state health commissioner and other state and local officers; to provide for the levy and collection of specific taxes on occupied trailers in trailer coach parks and the disposition of the revenues therefrom; to provide remedies and penalties for the violation of this act; and to repeal certain acts and parts of acts," by amending the title and sections 35, 41, 42, and 43 (MCL 125.1035, 125.1041, 125.1042, and 125.1043), section 42 as amended by 1994 PA 365.

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

Roll Call No. 673

Yeas—98

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

DeVuyst
DeWeeseJohnson, Ruth
Julian

Richardville

Woronchak

Nays—5Kuipers
O'Neil

Rison

Vear

Woodward

In The Chair: Patterson

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

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

A bill to amend 1959 PA 243, entitled "An act to define, license and regulate trailer coach parks; to prescribe the powers and duties of the state health commissioner and other state and local officers; to provide for the levy and collection of specific taxes on occupied trailers in trailer coach parks and the disposition of the revenues therefrom; to provide remedies and penalties for the violation of this act; and to repeal certain acts and parts of acts," by amending section 42 (MCL 125.1042), as amended by 1994 PA 365.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Birkholz, Bishop, Cameron Brown, Cassis, DeHart, DeVuyst, DeWeese, Ruth Johnson, Julian, LaSata, Pappageorge, Patterson, Raczkowski, Rocca, Schermesser, Tabor, Toy, Vander Roest, Vaughn and Voorhees were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Raczkowski moved that a respectful message be sent to the Governor requesting the return of **House Bill No. 5603**.

The motion prevailed.

Messages from the Senate**House Bill No. 5078, entitled**

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

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1995 PA 279, entitled "An act concerning unclaimed property; to provide for the reporting and disposition of unclaimed property; to make uniform the law concerning unclaimed property; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 7, 9, 10, 12, and 20 (MCL 431.307, 431.309, 431.310, 431.312, and 431.320), section 10 as amended by 1998 PA 408 and section 20 as amended by 1997 PA 73.

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

The question being on concurring in the adoption of the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 674**Yeas—101**

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

Nays—0

In The Chair: Patterson

The House agreed to the title as amended.

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

Messages from the Governor

June 1, 2000

Mr. Gary L. Randall, Clerk
House of Representatives
State Capitol Building
Lansing, Michigan 48909

Dear Mr. Randall:

Per the request of the House of Representatives, I am returning Enrolled House Bill 5603.

Sincerely,
John Engler
Governor

The communication was referred to the Clerk.

By unanimous consent the House returned to the order of

Messages from the Senate

The Senate requested the return of

House Bill No. 5603, entitled

A bill to repeal 1935 PA 147, entitled "An act authorizing the acquisition, improvement, construction, operation and maintenance of certain public works by the state; providing for the creation of the state bridge commission; authorizing

the issuance of revenue bonds of the state payable solely from earnings to pay the cost of such works; making such bonds exempt from taxation and making them eligible for certain investments; providing for the collection of fees, rents, tolls and other charges for the payment of such bonds and for the cost of maintenance, operation and repair of the works; declaring that no debt of the state shall be incurred in the exercise of any of the powers granted by this act; and providing for condemnation," (MCL 254.151 to 254.167) and to repeal parts of acts.

Rep. Raczkowski moved that the request of the Senate be granted.
The motion prevailed.

Second Reading of Bills

House Bill No. 5706, entitled

A bill to amend 1929 PA 199, entitled "An act to authorize and empower villages and townships of this state having a population not exceeding 10,000 inhabitants, to levy a tax for the maintenance or the purchase of lands and maintenance of property for a community center for the benefit of the public, provided the question of such purchase or maintenance, or both purchase and maintenance, as the case may be, is submitted to the duly qualified voters of such villages or townships and is adopted by a majority vote of those participating in said election; and to prescribe penalties and provide remedies," by amending sections 3 and 5 (MCL 123.43 and 123.45).

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

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

Rep. Cameron Brown 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. 5706, entitled

A bill to amend 1929 PA 199, entitled "An act to authorize and empower villages and townships of this state having a population not exceeding 10,000 inhabitants, to levy a tax for the maintenance or the purchase of lands and maintenance of property for a community center for the benefit of the public, provided the question of such purchase or maintenance, or both purchase and maintenance, as the case may be, is submitted to the duly qualified voters of such villages or townships and is adopted by a majority vote of those participating in said election; and to prescribe penalties and provide remedies," by amending sections 3 and 5 (MCL 123.43 and 123.45).

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

Roll Call No. 675

Yeas—100

Allen	Ehardt	Koetje	Rison
Baird	Faunce	Kowall	Rivet
Basham	Frank	Kuipers	Rocca
Birkholz	Garcia	Kukuk	Sanborn
Bisbee	Garza	LaForge	Schauer
Bishop	Gielegem	LaSata	Schermesser
Bogardus	Gilbert	Law	Scranton
Bovin	Godchaux	Mans	Shackleton
Bradstreet	Gosselin	Martinez	Sheltrown
Brater	Green	Mead	Shulman
Brewer	Hager	Middaugh	Spade
Brown, B.	Hale	Minore	Stamas
Brown, C.	Hanley	Neumann	Switalski
Byl	Hansen	O'Neil	Tabor

Callahan	Hart	Pappageorge	Tesanovich
Cassis	Howell	Patterson	Thomas
Caul	Jacobs	Perricone	Toy
Cherry	Jansen	Pestka	Van Woerkom
Clarke, H.	Jelinek	Price	Vander Roest
Daniels	Jellema	Prusi	Vaughn
DeHart	Johnson, Rick	Pumford	Vear
Dennis	Johnson, Ruth	Quarles	Voorhees
DeRossett	Julian	Raczkowski	Wojno
DeVuyst	Kelly	Richardville	Woodward
DeWeese	Kilpatrick	Richner	Woronchak

Nays—1

Jamnack

In The Chair: Patterson

The House agreed to the title of the bill.

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

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

Rep. Birkholz was named a co-sponsor of the bill.

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 937, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law therein on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to provide for a restructuring of rates for certain utilities; to encourage the utilization of resource recovery facilities; to provide for appeals; to provide appropriations; to declare the effect of this act; to prescribe penalties; and to repeal all acts contrary to this act," by amending the title and section 6l (MCL 460.6l), the title as amended by 1989 PA 2 and section 6l as added by 1982 PA 304, and by adding sections 10, 10a, 10b, 10c, 10d, 10e, 10f, 10g, 10p, 10q, 10r, 10s, 10t, 10u, 10v, 10w, 10x, 10y, 10aa, 10bb, and 10cc.

The Senate has amended the House amendment as follows:

1. Amend House Amendment No. 32, page 12, line 2, after the second "the" by striking out the balance of the amendment and inserting "section and inserting:

"(B) "COMMISSION" MEANS THE MICHIGAN PUBLIC SERVICE COMMISSION IN THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES.

(C) "ELECTRIC UTILITY" MEANS THAT TERM AS DEFINED IN SECTION 2 OF THE ELECTRIC TRANSMISSION LINE CERTIFICATION ACT, 1995 PA 30, MCL 460.562.

(D) "MERCHANT PLANT" MEANS ELECTRIC GENERATING EQUIPMENT AND ASSOCIATED FACILITIES WITH A CAPACITY OF MORE THAN 100 KILOWATTS LOCATED IN THIS STATE THAT ARE NOT OWNED AND OPERATED BY AN ELECTRIC UTILITY.

(E) "RELEVANT MARKET" MEANS EITHER THE UPPER PENINSULA OR THE LOWER PENINSULA OF THIS STATE.

(F) "RENEWABLE ENERGY SOURCE" MEANS ENERGY GENERATED BY SOLAR, WIND, GEOTHERMAL, BIOMASS, INCLUDING WASTE-TO-ENERGY AND LANDFILL GAS OR HYDROELECTRIC.

(2) A SCHOOL DISTRICT AGGREGATING ELECTRICITY FOR SCHOOL PROPERTIES OR AN EXCLUSIVE AGGREGATOR FOR PUBLIC OR PRIVATE SCHOOL PROPERTIES IS NOT AN ELECTRIC UTILITY OR A PUBLIC UTILITY FOR THE PURPOSE OF THAT AGGREGATION."."."

The Senate has concurred in the House amendments as amended, ordered that it be given immediate effect and agreed to the title as amended.

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

Rep. Raczkowski moved that Rule 45 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the adoption of the amendment made to the House amendment by the Senate,
The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 676**Yeas—67**

Allen	Geiger	Kuipers	Rocca
Birkholz	Gilbert	Kukuk	Sanborn
Bisbee	Godchaux	LaSata	Schauer
Bishop	Gosselin	Law	Scranton
Bradstreet	Green	Mans	Sheltrown
Brown, B.	Hager	Mead	Shulman
Brown, C.	Hale	Middaugh	Spade
Byl	Hart	Neumann	Stallworth
Cassis	Howell	O'Neil	Stamas
Caul	Jansen	Pappageorge	Tabor
Clarke, H.	Jelinek	Patterson	Thomas
DeRossett	Jellema	Perricone	Toy
DeVuyst	Johnson, Rick	Pestka	Van Woerkom
DeWeese	Johnson, Ruth	Pumford	Vander Roest
Ehardt	Julian	Raczkowski	Vear
Faunce	Koetje	Richardville	Voorhees
Garcia	Kowall	Richner	

Nays—33

Baird	Dennis	Kelly	Schermesser
Basham	Frank	LaForge	Shackleton
Bogardus	Garza	Martinez	Switalski
Bovin	Gielegem	Minore	Tesanovich
Brater	Hanley	Price	Vaughn
Brewer	Hansen	Prusi	Wojno
Callahan	Jacobs	Rison	Woodward
Cherry	Jamnack	Rivet	Woronchak
DeHart			

In The Chair: Patterson

By unanimous consent the House returned to the order of
Motions and Resolutions

Rep. Jacobs moved that the Committee on Health Policy be discharged from further consideration of **House Bill No. 5302**.

(For first notice see House Journal No. 51, p. 1420.)

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

Rep. Jacobs demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

Rep. Raczkowski moved that when the House adjourns today it stand adjourned until Tuesday, June 6, at 10:00 a.m. The motion prevailed.

Reps. Jelinek, Scranton, Godchaux, Hansen, Spade, Baird, Prusi, Pumford, Mead, DeVuyst, Faunce, Voorhees, LaSata, Richardville, Raczkowski, DeHart, Martinez, Vaughn, Kelly, Vander Roest, Bovin, Jacobs, Rocca, Allen, Richner, Caul, DeRossett, Sanborn, Shulman, Cassis, Julian, Koetje, Van Woerkom, Ehardt, Brater, Vear, Garcia, Bishop, Bogardus, Garza, Clarke, Pappageorge and Birkholz offered the following concurrent resolution:

House Concurrent Resolution No. 107.

A concurrent resolution supporting civic education and declaring the third Friday of September as Michigan's Legislators Back to School Day.

Whereas, Michigan was created as a representative democracy in which all governmental power is inherent in the people who exercise that power through the legislative, executive, and judicial branches; and

Whereas, In recent years, citizen interest in government and knowledge of the political system has declined in part due to a weakening belief in, and a lack of understanding of, the virtues and knowledge needed for a successful republican form of government; and

Whereas, Benjamin Rush, signer of the Declaration of Independence stated "There is but one method of rendering a republican form of government durable and that is by disseminating the seeds of virtue and knowledge through every part of the state by means of proper places and modes of education and this can be done effectively only by the aid of the legislature"; and

Whereas, The National Conference of State Legislatures (NCSL) has passed a resolution that says that the operation of the state legislatures and the roles of individual legislators are often little understood by citizens, and that public understanding of the institutions and processes of the government is critical to building public trust and confidence; and

Whereas, Civic education is a vital tool to promote greater understanding of the legislative institution and the role of legislators in a representative democracy; and

Whereas, The NCSL urges the nation's state legislatures to promote civic education about representative democracy; and

Whereas, The NSCL has established America's Legislators Back to School Day, a national day on which state legislators across the nation visit schools and classrooms to talk about the legislature and to observe activities in the schools; and

Whereas, Legislators will benefit from interacting with students, teachers, and administrators; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Michigan Legislature supports civic education to promote greater understanding of the legislative institution and the role of legislators in a representative democracy; and be it further

Resolved, That the Michigan Legislature declares that the third Friday in September shall be designated as Michigan's Legislators Back to School Day and urges all members of the legislature to visit schools on that day; and be it further

Resolved, That a copy of this resolution be transmitted to The National Conference of State Legislatures.

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.

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Allen, Chair of the Committee on Education, was received and read:

Meeting held on: Thursday, June 1, 2000, at 8:00 a.m.,

Present: Reps. Allen, Bradstreet, Hager, Hart, Van Woerkom, Voorhees, Bogardus, Daniels, Gielegem, Hansen, Scott, Spade,

Absent: Reps. Ruth Johnson, DeWeese, Rick Johnson, Kuipers, Clark,

Excused: Reps. Ruth Johnson, DeWeese, Rick Johnson, Kuipers, Clark.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members, Tuesday, May 30:

Senate Bill No. 1301

The Clerk announced that the following bill had been printed and placed upon the files of the members, Thursday, June 1:

House Bill No. 5864

The Clerk announced that the following Senate bills had been received on Thursday, June 1:

Senate Bill Nos. 1245 1246 1247 1256 1262 1275 1282

By unanimous consent the House returned to the order of

Messages from the Senate**Senate Bill No. 1245, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 7dd, 7ee, 10, 24, 24c, 27a, 27b, 27c, 31, 34, 34c, 34d, and 44 (MCL 211.7dd, 211.7ee, 211.10, 211.24, 211.24c, 211.27a, 211.27b, 211.27c, 211.31, 211.34, 211.34c, 211.34d, and 211.44), sections 7dd, 7ee, 24c, 27a, 27b, 34c, and 34d as amended and section 27c as added by 1996 PA 476, sections 10 and 24 as amended by 1994 PA 415, section 34 as amended by 1986 PA 105, and section 44 as amended by 1996 PA 57, and by adding sections 7gg and 27e; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 1246, entitled

A bill to impose a state recapture tax on the change in use of certain agricultural property; to provide for the administration of this act; to prescribe the powers and duties of certain state and local officers; to provide for the collection and distribution of the recapture tax; and to prescribe penalties and provide remedies.

The Senate has passed the bill.

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

Senate Bill No. 1247, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36101, 36111, and 36111b (MCL 324.36101, 324.36111, and 324.36111b), section 36101 as amended and section 36111b as added by 1996 PA 233 and section 36111 as amended by 1996 PA 567, and by adding part 362.

The Senate has passed the bill.

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

Senate Bill No. 1256, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law therein on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to provide for a restructuring of rates for certain utilities; to encourage the utilization of resource recovery facilities; to provide for appeals; to provide appropriations; to declare the effect of this act; to prescribe penalties; and to repeal all acts contrary to this act," (MCL 460.1 to 460.8) by adding section 10dd.

The Senate has passed the bill.

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

Senate Bill No. 1262, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1274b.

The Senate has passed the bill.

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

Senate Bill No. 1275, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 358 (MCL 18.1358).

The Senate has passed the bill.

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

Senate Bill No. 1282, entitled

A bill to amend 1961 PA 44, entitled "An act to provide for the release of misdemeanor prisoners by giving bond to the arresting officer in certain circumstances not inconsistent with public safety; and to repeal certain acts and parts of acts," by amending sections 1 and 2a (MCL 780.581 and 780.582a), section 1 as amended and section 2a as added by 1990 PA 308.

The Senate has passed the bill.

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

Notices

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 5275**, Reps. Godchaux, Kukuk and Prusi.

Communications from State Officers

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

May 30, 2000

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of
Barry County Community Mental Health Services
an Agency Under Contract with the
Department of Community Health
May 2000

May 30, 2000

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the
Oaks Correctional Facility,
Camp Pugsley, and Camp Sauble
Department of Corrections
May 2000

May 30, 2000

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of
Selected Community Colleges' Reporting of
Activities Classification Structure Data
May 2000

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

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

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

May 31, 2000

The Workforce Development Board of Northeast Michigan Consortium has prepared the final Workforce Investment Act Adult Program 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 questions or comments to Terry L. Basel, Program Coordinator. An equal opportunity program/employer. Auxiliary aids and services will be made available upon request to individuals with disabilities. Michigan Relay Center 1(800)649-3777 (Voice & TDD).

The communication was referred to the Clerk.

Introduction of Bills

Reps. Bradstreet and Green introduced

House Bill No. 5865, 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 House Oversight and Operations.

Reps. Gielegem, Wojno, Bogardus, Jamnick, Hale, Jacobs, Switalski, Woodward, Spade, Dennis, Hansen, Callahan, Bovin, Scott, Neumann, DeHart and Minore introduced

House Bill No. 5866, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1304.

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

Reps. Kuipers, Scranton, Pappageorge, Julian, DeHart, Schermesser, Stamas and Birkholz introduced

House Bill No. 5867, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 160c.

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

Reps. Scranton, Kuipers, DeHart, Julian, Pappageorge and Birkholz introduced

House Bill No. 5868, entitled

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

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

Reps. Middaugh, Cameron Brown, Julian, Pappageorge, Gilbert, LaSata, Birkholz, Vander Roest, Raczkowski, Scranton and Kuipers introduced

House Bill No. 5869, entitled

A bill to create certain prescription programs relating to the elderly; to enhance access to prescription drugs to certain elderly residents of the state; to prescribe the powers and duties of certain state departments and agencies; and to repeal acts and parts of acts.

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

Reps. Ehardt, Scranton, Patterson, Bovin, Raczkowski, Richardville, Mead, DeHart, Mortimer, Martinez, Vear, Pappageorge, Pumford, Garcia, Kukuk, LaSata, Faunce, Van Woerkom, Byl, DeRossett, Hager, Kowall, Tabor, Toy, Sanborn, Koetje, Julian, Gilbert, Law, Green, Allen, Howell, Jansen, Gosselin, Voorhees, Godchaux, Shulman, Jelinek, DeVuyst, Rivet, Frank, Hardman, Bishop, Cassis, Sheltrown, Garza, Clark, Gielegem, Minore, Wojno, Hansen, Woodward, Dennis, Spade, Mans, O'Neil, Switalski, Callahan, Jamnick, Pestka, Brewer, Cherry, Rison, Basham, Schauer, Bob Brown, Jacobs, Scott, Schermesser, Daniels, Stallworth, Prusi, Tesanovich, DeWeese, Geiger and Lemmons introduced

House Bill No. 5870, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17763 (MCL 333.17763), as amended by 1997 PA 153.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Rep. Julian moved that the House adjourn.
The motion prevailed, the time being 4:10 p.m.

Associate Speaker Pro Tempore Patterson declared the House adjourned until Tuesday, June 6, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives.