

No. 62
JOURNAL OF THE HOUSE

House Chamber, Lansing, Tuesday, July 1, 1997.

10:00 a.m.

The House was called to order by the Speaker.

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

| | | | |
|----------------------|---------------------|--------------------|---------------------|
| Agee—present | Emerson—present | Kaza—present | Price—present |
| Alley—present | Fitzgerald—present | Kelly—present | Profit—present |
| Anthony—present | Frank—present | Kilpatrick—present | Prusi—present |
| Baade—present | Freeman—present | Kukuk—present | Quarles—present |
| Baird—present | Gagliardi—present | LaForge—present | Raczkowski—present |
| Bankes—present | Galloway—present | Law—present | Rhead—excused |
| Basham—present | Geiger—present | Leland—present | Richner—present |
| Birkholz—present | Gernaat—present | LeTarte—present | Rison—present |
| Bobier—present | Gilmer—present | Llewellyn—present | Rocca—present |
| Bodem—present | Gire—present | London—present | Schauer—present |
| Bogardus—present | Godchaux—present | Lowe—present | Schermesser—present |
| Brackenridge—present | Goschka—present | Mans—present | Schroer—present |
| Brater—present | Green—present | Martinez—present | Scott—present |
| Brewer—present | Griffin—present | Mathieu—present | Scranton—present |
| Brown—present | Gubow—present | McBryde—present | Sikkema—present |
| Byl—present | Gustafson—present | McManus—present | Stallworth—present |
| Callahan—present | Hale—present | McNutt—present | Tesanovich—present |
| Cassis—present | Hammerstrom—present | Middaugh—present | Thomas—present |
| Cherry—present | Hanley—present | Middleton—present | Varga—present |
| Ciaramitaro—present | Harder—present | Murphy—e/d/s | Vaughn—present |
| Crissman—present | Hertel—present | Nye—present | Voorhees—present |
| Cropsey—present | Hood—e/d/s | Olshove—present | Walberg—present |
| Curtis—present | Horton—present | Owen—present | Wallace—present |
| Dalman—present | Jansen—present | Oxender—present | Wetters—present |
| DeHart—present | Jaye—present | Palamara—present | Whyman—present |
| DeVuyst—present | Jelinek—present | Parks—present | Willard—present |
| Dobb—present | Jellema—present | Perricone—present | Wojno—present |
| Dobronski—present | Johnson—present | | |

e/d/s = entered during session

The Rev. Steven Smallegan, Pastor, Westwood Reformed Church, Muskegon, offered the following invocation:

“Almighty God, Heavenly Father, We approach Your presence in prayer this day, July 1, 1997, at the beginning of this session of the House of Representatives of the sovereign State of Michigan. We come before You, remembering these words of Benjamin Franklin, ‘If a sparrow cannot fall to the ground with His notice, is it probable that an empire can rise without His aid. Except the Lord builds the house, they who build it labor in vain.’ It is for this very reason we come before You in prayer. I ask, O Lord, that You will build the house, this House, so that those here gathered might not, even for a moment, labor in vain.

We acknowledge this day the three great institutions ordained by Your hand: the family, the church, and the government of the people. You have granted a portion of Your authority to each, as together they work for Your good in the lives of Your children. We acknowledge the authority of parents, mothers, and fathers. May they be our truest legislators and lawmakers in this great land as they rule and govern according to Your leaders, priests, rabbis, and ministers of the Word. May they continually remind us that there is a higher law, and a Supreme Judge. We acknowledge then, too, the authority of those who govern. We honor those entrusted to lead who make decisions that affect our lives together: Senators, Representatives, Governor, and beyond. May those who govern understand that they rule at and by the willingness of Your hand. May each seek to serve counties and communities because they have first of all humbled themselves before You.

Almighty God, You Yourself saw the need to establish laws, rules, and regulations. Moses went up upon the mountain of God and returned with legislation that You proposed, and that You passed by consensus. For these many years, Your people have been guided, protected, and able to live productive lives because Your system of governing is best and Your laws and commandments fair and just. May our laws and rules and our governing imitate and emulate You and Yours.

I pray for these men and women that they will possess and model an unquestionable integrity. I pray that they will be true servants of God to and for and in the lives of the people of this great state. I pray that they will possess conviction and compassion, that they might govern with purpose and serve with tenderness. Make them wise to see the issues, to understand the times, the needs, and the seasons. Cause them to be men and women whose ears and hearts and whose thoughts and words are tuned to Your will and Your voice. May they understand that Your principles and precepts enter into the affairs of men and women through Your people, especially through those called to govern. May the laws of this state be wise and discerning because those who make such laws are pure and holy before You. Hear these our words, O Lord, and grant us this day and every day Your presence, Your joy, Your strength, and Your peace. Amen.”

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

Reports of Standing Committees

The Speaker laid before the House

Senate Concurrent Resolution No. 14.

A concurrent resolution to express support for the American Forest and Paper Association’s Sustainable Forestry Initiative.

(For text of resolution, see House Journal No. 26, p. 495.)

(The concurrent resolution was reported by the Committee on Forestry and Mineral Rights on June 25, consideration of which was postponed until June 26 under the rules.)

The question being on the adoption of the concurrent resolution,

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

The Speaker laid before the House

Senate Concurrent Resolution No. 32.

A concurrent resolution to increase the total project cost of the Wayne State University Undergraduate Library project.

(For text of resolution, see House Journal No. 55, p. 1213.)

(The concurrent resolution was reported by the Committee on Appropriations on June 26, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,
Rep. Gagliardi demanded the yeas and nays.
The demand was supported.

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

Roll Call No. 655**Yeas—102**

| | | | |
|--------------|-------------|------------|-------------|
| Agee | Dobb | Johnson | Price |
| Alley | Dobronski | Kaza | Profit |
| Anthony | Fitzgerald | Kelly | Prusi |
| Baade | Frank | Kilpatrick | Raczkowski |
| Baird | Freeman | Kukuk | Richner |
| Banks | Gagliardi | LaForge | Rison |
| Basham | Galloway | Law | Rocca |
| Birkholz | Geiger | Leland | Schauer |
| Bobier | Gernaat | LeTarte | Schermesser |
| Bodem | Gilmer | Llewellyn | Schroer |
| Bogardus | Gire | London | Scott |
| Brackenridge | Godchaux | Lowe | Scranton |
| Brater | Goschka | Mans | Sikkema |
| Brewer | Green | Martinez | Stallworth |
| Brown | Gubow | McBryde | Tesanovich |
| Byl | Gustafson | McManus | Thomas |
| Callahan | Hale | McNutt | Varga |
| Cassis | Hammerstrom | Middaugh | Vaughn |
| Cherry | Hanley | Middleton | Voorhees |
| Ciaramitaro | Harder | Nye | Walberg |
| Crissman | Hertel | Olshove | Wallace |
| Cropsey | Horton | Owen | Wetters |
| Curtis | Jansen | Oxender | Whyman |
| Dalman | Jaye | Palamara | Willard |
| DeHart | Jelinek | Perricone | Wojno |
| DeVuyst | Jellema | | |

Nays—0

In The Chair: Gire

The Speaker laid before the House
Senate Concurrent Resolution No. 33.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Jackson Parole Camp.

(For text of resolution, see House Journal No. 55, p. 1213.)

(The resolution was reported by the Committee on Appropriations on June 26, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 656**Yeas—105**

| | | | |
|--------------|-------------|------------|-------------|
| Agee | Dobronski | Johnson | Price |
| Alley | Fitzgerald | Kaza | Profit |
| Anthony | Frank | Kelly | Prusi |
| Baade | Freeman | Kilpatrick | Quarles |
| Baird | Gagliardi | Kukuk | Rackowski |
| Bankes | Galloway | LaForge | Richner |
| Basham | Geiger | Law | Rison |
| Birkholz | Gernaat | Leland | Rocca |
| Bobier | Gilmer | LeTarte | Schauer |
| Bodem | Gire | Llewellyn | Schermesser |
| Bogardus | Godchaux | London | Schroer |
| Brackenridge | Goschka | Lowe | Scott |
| Brater | Green | Mans | Scranton |
| Brewer | Griffin | Martinez | Sikkema |
| Brown | Gubow | Mathieu | Stallworth |
| Byl | Gustafson | McBryde | Tesanovich |
| Callahan | Hale | McManus | Thomas |
| Cassis | Hammerstrom | McNutt | Varga |
| Cherry | Hanley | Middaugh | Vaughn |
| Ciaramitaro | Harder | Middleton | Voorhees |
| Crissman | Hertel | Nye | Walberg |
| Cropsey | Horton | Olshove | Wallace |
| Curtis | Jansen | Owen | Wetters |
| Dalman | Jaye | Oxender | Whyman |
| DeHart | Jelinek | Palamara | Willard |
| DeVuyst | Jellema | Perricone | Wojno |
| Dobb | | | |

Nays—0

In The Chair: Gire

Rep. Murphy entered the House Chambers.

The Speaker laid before the House

Senate Concurrent Resolution No. 34.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections State Prison of Southern Michigan Reorganization (Phase I).

(For text of resolution, see House Journal No. 55, p. 1214.)

(The resolution was reported by the Committee on Appropriations on June 26, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 657**Yeas—106**

| | | | |
|--------------|-------------|------------|-------------|
| Agee | Dobronski | Johnson | Price |
| Alley | Emerson | Kaza | Profit |
| Anthony | Fitzgerald | Kelly | Prusi |
| Baade | Frank | Kilpatrick | Quarles |
| Baird | Freeman | Kukuk | Raczkowski |
| Bankes | Gagliardi | Law | Richner |
| Basham | Galloway | Leland | Rison |
| Birkholz | Geiger | LeTarte | Rocca |
| Bobier | Gernaat | Llewellyn | Schauer |
| Bodem | Gilmer | London | Schermesser |
| Bogardus | Gire | Lowe | Schroer |
| Brackenridge | Godchaux | Mans | Scott |
| Brater | Goschka | Martinez | Scranton |
| Brewer | Green | McBryde | Sikkema |
| Brown | Griffin | McManus | Stallworth |
| Byl | Gubow | McNutt | Tesanovich |
| Callahan | Gustafson | Middaugh | Thomas |
| Cassis | Hale | Middleton | Varga |
| Cherry | Hammerstrom | Murphy | Vaughn |
| Ciaramitaro | Hanley | Nye | Voorhees |
| Crissman | Harder | Olshove | Walberg |
| Cropsey | Hertel | Owen | Wallace |
| Curtis | Horton | Oxender | Wetters |
| Dalman | Jansen | Palamara | Whyman |
| DeHart | Jaye | Parks | Willard |
| DeVuyst | Jelinek | Perricone | Wojno |
| Dobb | Jellema | | |

Nays—0

In The Chair: Gire

The Speaker laid before the House

Senate Concurrent Resolution No. 35.

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 Western Michigan University relative to the Western Michigan University Power Plant Renovation.

(For text of resolution, see House Journal No. 55, p. 1214.)

(The resolution was reported by the Committee on Appropriations on June 26, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 658**Yeas—106**

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|-------|-----------|---------|--------|
| Agee | Dobronski | Johnson | Price |
| Alley | Emerson | Kaza | Profit |

| | | | |
|--------------|-------------|-----------|-------------|
| Anthony | Fitzgerald | Kelly | Prusi |
| Baade | Frank | Kukuk | Quarles |
| Baird | Freeman | LaForge | Raczkowski |
| Bankes | Gagliardi | Law | Richner |
| Basham | Galloway | Leland | Rison |
| Birkholz | Geiger | LeTarte | Rocca |
| Bobier | Gernaat | Llewellyn | Schauer |
| Bodem | Gilmer | London | Schermesser |
| Bogardus | Gire | Lowe | Schroer |
| Brackenridge | Godchaux | Mans | Scott |
| Brater | Goschka | Martinez | Scranton |
| Brewer | Green | McBryde | Sikkema |
| Brown | Griffin | McManus | Stallworth |
| Byl | Gubow | McNutt | Tesanovich |
| Callahan | Gustafson | Middaugh | Thomas |
| Cassis | Hale | Middleton | Varga |
| Cherry | Hammerstrom | Murphy | Vaughn |
| Ciaramitaro | Hanley | Nye | Voorhees |
| Crissman | Harder | Olshove | Walberg |
| Cropsey | Hertel | Owen | Wallace |
| Curtis | Horton | Oxender | Wetters |
| Dalman | Jansen | Palamara | Whyman |
| DeHart | Jaye | Parks | Willard |
| DeVuyst | Jelinek | Perricone | Wojno |
| Dobb | Jellema | | |

Nays—0

In The Chair: Gire

Rep. Hood entered the House Chambers.

The Speaker resumed the Chair.

Second Reading of Bills

Senate Bill No. 569, entitled

A bill to amend the Initiated Law of 1996, entitled “Michigan gaming control and revenue act,” by amending the title and sections 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, and 15 (MCL 432.202, 432.203, 432.204, 432.205, 432.206, 432.208, 432.209, 432.210, 432.211, 432.212, 432.213, 432.214, and 432.215) and by adding sections 4a, 4b, 4c, 4d, 6a, 6b, 7a, 7b, 7c, 8a, 8b, 8c, 9a, 9b, 9c, 9d, 12a, 13a, 17, 18, 19, 20, 21, 22, 23, 24, and 25; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Jaye moved to amend the bill as follows:

1. Amend page 54, following line 16, by inserting:

“(J) THE APPLICANT IS A FEDERALLY RECOGNIZED INDIAN TRIBE THAT DOES OR ALLOWS ANY OF ITS MEMBERS TO DO ANY OF THE FOLLOWING WHILE ENGAGING IN RECREATIONAL OR COMMERCIAL FISHING ON THE WATERS OF THIS STATE:

(i) SNAGGING OR ENGAGE IN ANY OTHER FISHING METHOD THAT IS PROHIBITED IN THIS STATE BY STATUTE OR RULE OF THE DEPARTMENT OF NATURAL RESOURCES.

(ii) EMPLOY ANY FISHING METHOD OTHER THAN A METHOD THAT ANY OTHER MICHIGAN RESIDENT IS ALLOWED TO USE.

(iii) EXCEED THE CATCH LIMITS THAT ARE IMPOSED ON MICHIGAN RESIDENTS WHO ARE NOT MEMBERS OF AN INDIAN TRIBE.

(iv) FAIL TO PAY FISHING RELATED FEES THAT ARE IMPOSED ON MICHIGAN RESIDENTS WHO ARE NOT MEMBERS OF AN INDIAN TRIBE.

(v) ENGAGE IN FISHING DURING A TIME OR A SEASON DURING WHICH A MICHIGAN RESIDENT WHO IS NOT A MEMBER OF AN INDIAN TRIBE IS PROHIBITED FROM FISHING.

(vi) SELL GAME FISH IN A MANNER WHICH IS ILLEGAL FOR MICHIGAN RESIDENTS.”.

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

Point of Order

Rep. Gagliardi requested the Chair to rule on the question of whether or not the amendment offered by Rep. Jaye was germane.

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

Rep. Jaye 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. 659

Yeas—57

| | | | |
|-------------|-----------|------------|-------------|
| Agee | Dobronski | Kilpatrick | Rison |
| Alley | Emerson | LaForge | Schauer |
| Anthony | Frank | Leland | Schermesser |
| Baade | Freeman | Mans | Schroer |
| Baird | Gagliardi | Martinez | Scott |
| Basham | Gire | Mathieu | Stallworth |
| Bogardus | Griffin | Murphy | Tesanovich |
| Brater | Gubow | Olshove | Thomas |
| Brewer | Hale | Palamara | Varga |
| Brown | Hanley | Parks | Vaughn |
| Callahan | Harder | Price | Wallace |
| Cherry | Hertel | Profit | Wetters |
| Ciaramitaro | Hood | Prusi | Willard |
| Curtis | Kelly | Quarles | Wojno |
| DeHart | | | |

Nays—49

| | | | |
|--------------|----------|---------|-----------|
| Bankes | Geiger | Jellema | Middleton |
| Bobier | Gernaat | Johnson | Nye |
| Bodem | Gilmer | Kaza | Oxender |
| Brackenridge | Godchaux | Kukuk | Perricone |
| Byl | Goschka | LeTarte | Rackowski |

| | | | |
|------------|-------------|-----------|----------|
| Cassis | Green | Llewellyn | Richner |
| Crissman | Gustafson | London | Rocca |
| Cropsey | Hammerstrom | Lowe | Scranton |
| Dalman | Horton | McBryde | Sikkema |
| DeVuyst | Jansen | McManus | Voorhees |
| Dobb | Jaye | McNutt | Walberg |
| Fitzgerald | Jelinek | Middaugh | Whyman |
| Galloway | | | |

In The Chair: Hertel

Rep. Gagliardi moved to amend the bill as follows:

1. Amend page 65, line 10, after "THIS" by inserting "AMENDATORY".

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 108, following line 22, by inserting:

"SEC. 25A. A PERSON CHARGED WITH A CRIMINAL OFFENSE THAT IS SUBJECT TO THE JURISDICTION OF A TRIBAL COURT HAS A RIGHT TO APPOINTED COUNSEL TO THE SAME EXTENT AS IF THE OFFENSE WERE BEING PROSECUTED IN A COURT OF THIS STATE."

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 108, following line 22, by inserting:

"SEC. 25A. A PERSON WHO SUFFERS INJURY OR DAMAGE WHILE ON NATIVE AMERICAN LAND HAS A RIGHT TO A TRIAL BY JURY IN A CIVIL ACTION ARISING OUT OF THAT INJURY OR DAMAGE, TO THE SAME EXTENT AS THE PERSON WOULD HAVE IF THE INJURY OR DAMAGE HAD OCCURRED OUTSIDE OF NATIVE AMERICAN LAND."

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

Point of Order

Rep. Gagliardi requested the Chair to rule on the question of whether or not the amendment offered by Rep. Jaye was germane.

The Chair ruled that the amendment was not germane to the extent that it attempted to amend federal law by reference.

Rep. Fitzgerald moved to amend the bill as follows:

1. Amend page 88, line 1, after the first "THE" by inserting "TOTAL".
2. Amend page 88, line 4, after "TOTAL" by inserting "ANNUAL".
3. Amend page 88, line 5, after the first "THE" by inserting "ANNUAL".
4. Amend page 88, line 14, after "TOTAL" by inserting "ANNUAL".
5. Amend page 88, line 15, after "TOTAL" by inserting "ANNUAL".

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

Reps. Goschka and Lowe moved to amend the bill as follows:

1. Amend page 74, following line 3, by inserting:

"(17) NOTHING IN THIS ACT SHALL PRECLUDE EMPLOYEES FROM EXERCISING THEIR LEGAL RIGHTS TO ORGANIZE THEMSELVES INTO COLLECTIVE BARGAINING UNITS."

The question being on the adoption of the amendment offered by Reps. Goschka and Lowe, Rep. Goschka demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Goschka and Lowe,

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

Roll Call No. 660**Yeas—106**

| | | | |
|--------------|-------------|-----------|-------------|
| Agee | Emerson | Johnson | Price |
| Alley | Fitzgerald | Kaza | Profit |
| Anthony | Frank | Kelly | Prusi |
| Baade | Freeman | Kukuk | Quarles |
| Baird | Gagliardi | Law | Raczkowski |
| Bankes | Galloway | Leland | Richner |
| Basham | Geiger | LeTarte | Rison |
| Birkholz | Gernaat | Llewellyn | Rocca |
| Bobier | Gilmer | London | Schauer |
| Bodem | Gire | Lowe | Schermesser |
| Bogardus | Godchaux | Mans | Schroer |
| Brackenridge | Goschka | Martinez | Scott |
| Brater | Green | Mathieu | Scranton |
| Brewer | Griffin | McBryde | Sikkema |
| Brown | Gubow | McManus | Stallworth |
| Byl | Gustafson | McNutt | Tesanovich |
| Callahan | Hale | Middaugh | Thomas |
| Cassis | Hammerstrom | Middleton | Varga |
| Cherry | Hanley | Murphy | Vaughn |
| Ciaramitaro | Harder | Nye | Voorhees |
| Crissman | Hertel | Olshove | Walberg |
| Cropsey | Hood | Owen | Wallace |
| Curtis | Horton | Oxender | Wetters |
| Dalman | Jansen | Palamara | Whyman |
| DeHart | Jaye | Parks | Willard |
| DeVuyst | Jelinek | Perricone | Wojno |
| Dobb | Jellema | | |

Nays—0

In The Chair: Hertel

Rep. Richner moved to amend the bill as follows:

1. Amend page 86, following line 6, by inserting:

“(viii) ROAD REPAIRS AND IMPROVEMENTS.”.

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

Rep. Richner demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 661**Yeas—102**

| | | | |
|---------|---------|-------|--------|
| Agee | Frank | Kaza | Price |
| Anthony | Freeman | Kelly | Profit |

| | | | |
|--------------|-------------|-----------|-------------|
| Baade | Gagliardi | Kukuk | Prusi |
| Basham | Galloway | LaForge | Quarles |
| Birkholz | Geiger | Law | Raczkowski |
| Bobier | Gernaat | Leland | Richner |
| Bodem | Gilmer | LeTarte | Rison |
| Bogardus | Gire | Llewellyn | Rocca |
| Brackenridge | Godchaux | London | Schauer |
| Brater | Goschka | Lowe | Schermesser |
| Brewer | Green | Mans | Schroer |
| Brown | Griffin | Mathieu | Scott |
| Byl | Gubow | McBryde | Scranton |
| Callahan | Gustafson | McManus | Sikkema |
| Cassis | Hale | McNutt | Stallworth |
| Cherry | Hammerstrom | Middaugh | Tesanovich |
| Ciaramitaro | Hanley | Middleton | Thomas |
| Crissman | Harder | Murphy | Varga |
| Cropsey | Hertel | Nye | Vaughn |
| Curtis | Hood | Olshove | Voorhees |
| Dalman | Horton | Owen | Wallace |
| DeHart | Jansen | Oxender | Wetters |
| DeVuyst | Jaye | Palamara | Whyman |
| Dobb | Jelinek | Parks | Willard |
| Dobronski | Jellema | Perricone | Wojno |
| Fitzgerald | Johnson | | |

Nays—0

In The Chair: Hertel

Reps. Fitzgerald and Jaye moved to amend the bill as follows:

1. Amend page 52, line 16, after “city.” by inserting “A LICENSE SHALL NOT BE ISSUED FOR A CASINO TO BE LOCATED ON NATIVE AMERICAN LAND OR LAND HELD IN TRUST BY THE UNITED STATES FOR A FEDERALLY RECOGNIZED INDIAN TRIBE.”.

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

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 82, following line 17, by inserting:

“(12) GAMING MAY TAKE PLACE IN LICENSED CASINOS ONLY ON MONDAY THROUGH SATURDAY BETWEEN THE HOURS OF 7 A.M. AND 12 MIDNIGHT.”.

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

Rep. Fitzgerald moved to amend the bill as follows:

1. Amend page 52, line 16, after “ON” by striking out “NATIVE AMERICAN LAND OR”.

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

Rep. Fitzgerald moved to amend the bill as follows:

1. Amend page 53, line 26, after “OFFICE” by striking out the balance of the line through “GOVERNMENT.” on page 54, line 1, and inserting “OF A GOVERNMENTAL UNIT OF THIS STATE, ANOTHER STATE, OR THE FEDERAL GOVERNMENT, OR IS A MEMBER OF OR EMPLOYED BY A GAMING REGULATORY BODY OF A GOVERNMENTAL UNIT IN THIS STATE, ANOTHER STATE, OR THE FEDERAL GOVERNMENT, OR IS EMPLOYED BY A GOVERNMENTAL UNIT OF THIS STATE.”.

2. Amend page 59, line 16, after “OFFICE” by striking out the balance of the line through “GOVERNMENT.” on line 18, and inserting “OF A GOVERNMENTAL UNIT OF THIS STATE, ANOTHER STATE, OR THE FEDERAL GOVERNMENT, OR IS A MEMBER OF OR EMPLOYED BY A GAMING REGULATORY BODY OF A GOVERNMENTAL UNIT IN THIS STATE, ANOTHER STATE, OR THE FEDERAL GOVERNMENT, OR IS EMPLOYED BY A GOVERNMENTAL UNIT OF THIS STATE.”.

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

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 83, line 24, after "A LIEN" by inserting "OR TITLE".
2. Amend page 83, line 25, after "DEBT." by inserting "A PERSON WHO HOLDS A CASINO LICENSE SHALL NOT GARNISH A WAGERER'S INCOME FOR PAYMENT OF A DEBT.".

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

Rep. Cropsey demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 662

Yeas—40

| | | | |
|--------------|----------|-----------|-----------|
| Anthony | Geiger | Johnson | Oxender |
| Banks | Gernaat | Kukuk | Palamara |
| Birkholz | Gire | LaForge | Perricone |
| Bobier | Godchaux | Llewellyn | Price |
| Bodem | Goschka | London | Profit |
| Brackenridge | Green | Lowe | Rocca |
| Cropsey | Horton | Mans | Voorhees |
| Dalman | Jansen | McBryde | Walberg |
| Frank | Jaye | McManus | Whyman |
| Galloway | Jelinek | Nye | Willard |

Nays—67

| | | | |
|-------------|-------------|------------|-------------|
| Agee | DeVuyst | Kelly | Richner |
| Alley | Dobb | Kilpatrick | Rison |
| Baade | Dobronski | Law | Schauer |
| Baird | Emerson | Leland | Schermesser |
| Basham | Fitzgerald | LeTarte | Schroer |
| Bogardus | Freeman | Martinez | Scott |
| Brater | Gagliardi | Mathieu | Scranton |
| Brewer | Gilmer | McNutt | Sikkema |
| Brown | Gubow | Middaugh | Stallworth |
| Byl | Gustafson | Middleton | Tesanovich |
| Callahan | Hale | Murphy | Thomas |
| Cassis | Hammerstrom | Olshove | Varga |
| Cherry | Hanley | Owen | Vaughn |
| Ciaramitaro | Harder | Parks | Wallace |
| Crissman | Hertel | Prusi | Wetters |
| Curtis | Jellema | Quarles | Wojno |
| DeHart | Kaza | Raczkowski | |

In The Chair: Hertel

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 83, line 27, after "beverages" by striking out the balance of the sentence and inserting "AND FOOD SHALL NOT BE ALLOWED OR SOLD IN A CASINO.".

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

Rep. Cropsey demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 663**Yeas—24**

| | | | |
|----------|-----------|-----------|------------|
| Birkholz | Griffin | London | Perricone |
| Cropsey | Horton | Lowe | Raczkowski |
| Dalman | Jaye | McBryde | Richner |
| Geiger | Johnson | McManus | Voorhees |
| Gernaat | Kukuk | Middleton | Walberg |
| Green | Llewellyn | Nye | Whyman |

Nays—83

| | | | |
|--------------|-------------|------------|-------------|
| Agee | DeHart | Jelinek | Profit |
| Alley | DeVuyst | Jellema | Prusi |
| Anthony | Dobb | Kaza | Quarles |
| Baade | Dobronski | Kelly | Rison |
| Baird | Fitzgerald | Kilpatrick | Rocca |
| Bankes | Frank | LaForge | Schauer |
| Basham | Freeman | Law | Schermesser |
| Bobier | Gagliardi | Leland | Schroer |
| Bodem | Galloway | LeTarte | Scott |
| Bogardus | Gilmer | Mans | Scranton |
| Brackenridge | Gire | Martinez | Sikkema |
| Brater | Godchaux | Mathieu | Stallworth |
| Brewer | Goschka | McNutt | Tesanovich |
| Brown | Gubow | Middaugh | Thomas |
| Byl | Gustafson | Murphy | Varga |
| Callahan | Hale | Olshove | Vaughn |
| Cassis | Hammerstrom | Owen | Wallace |
| Cherry | Hanley | Oxender | Wetters |
| Ciaramitaro | Harder | Palamara | Willard |
| Crissman | Hertel | Parks | Wojno |
| Curtis | Jansen | Price | |

In The Chair: Hertel

Rep. Richner moved to amend the bill as follows:

1. Amend page 86, line 6, after "IMPROVEMENTS" by inserting a comma and "EXCEPT NEW RUNWAYS OR LENGTHENING ANY EXISTING RUNWAYS AT DETROIT CITY AIRPORT".

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

Rep. Richner demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 664**Yeas—50**

| | | | |
|--------------|------------|-----------|------------|
| Bankes | Fitzgerald | Jelinek | Nye |
| Birkholz | Galloway | Jellema | Olshove |
| Bobier | Geiger | Johnson | Oxender |
| Bodem | Gernaat | Kukuk | Perricone |
| Brackenridge | Godchaux | Llewellyn | Raczkowski |

| | | | |
|----------|-------------|-----------|----------|
| Byl | Goschka | London | Richner |
| Callahan | Green | Lowe | Rocca |
| Cassis | Griffin | McBryde | Sikkema |
| Crissman | Gustafson | McManus | Voorhees |
| Cropsey | Hammerstrom | McNutt | Walberg |
| Dalman | Horton | Middaugh | Whyman |
| DeVuyst | Jansen | Middleton | Wojno |
| Dobb | Jaye | | |

Nays—48

| | | | |
|-----------|------------|----------|-------------|
| Agee | Emerson | LaForge | Schermesser |
| Alley | Frank | Leland | Schroer |
| Anthony | Freeman | LeTarte | Scott |
| Baade | Gagliardi | Martinez | Scranton |
| Basham | Gubow | Mathieu | Stallworth |
| Bogardus | Hale | Murphy | Tesanovich |
| Brater | Hanley | Parks | Thomas |
| Brown | Harder | Price | Varga |
| Cherry | Hertel | Prusi | Vaughn |
| Curtis | Kaza | Quarles | Wallace |
| DeHart | Kelly | Rison | Wetters |
| Dobronski | Kilpatrick | Schauer | Willard |

In The Chair: Hertel

Rep. Gagliardi moved to amend the bill as follows:

1. Amend page 108, following line 22, by inserting:

“SEC. 26. FOR PURPOSES OF SECTIONS 5, 6, AND 7A, THE OWNERSHIP AND DISCLOSURE THRESHOLD AS TO ANY COMPANY WHOSE STOCK IS WIDELY HELD, PUBLICLY TRADED, AND REGULATED BY THE SECURITIES AND EXCHANGE COMMISSION SHALL BE BENEFICIAL OWNERSHIP OF MORE THAN A 5% INTEREST IN THE COMPANY, PROVIDED, HOWEVER, THE BOARD SHALL HAVE THE AUTHORITY, BY RULE OR ORDER, TO ESTABLISH A REPORTING THRESHOLD BELOW 5% IF THE COMPANY KNEW OR SHOULD HAVE KNOWN THE IDENTITY OF THE PERSON HOLDING THE INTEREST BELOW 5%.”.

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

Rep. Fitzgerald moved to amend the bill as follows:

1. Amend page 16, line 5, after “A” by striking out “6-YEAR TERM” and inserting “4-YEAR TERM THAT SHALL EXPIRE ON DECEMBER 31, 2000, AND EVERY 4 YEARS THEREAFTER.”.

2. Amend page 16, line 7, after “SHALL” by striking out the balance of the line through “VOTE” on line 8 and inserting “BE WITH THE ADVICE AND CONSENT OF THE SENATE”.

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 665**Yeas—46**

| | | | |
|----------|------------|------------|-----------|
| Banks | Fitzgerald | Jellema | Middaugh |
| Birkholz | Galloway | Johnson | Middleton |
| Bobier | Geiger | Kilpatrick | Nye |

| | | | |
|--------------|-------------|-----------|-----------|
| Bodem | Gernaat | Kukuk | Oxender |
| Brackenridge | Gilmer | Law | Perricone |
| Byl | Godchaux | LeTarte | Richner |
| Cassis | Green | Llewellyn | Rocca |
| Crissman | Gustafson | London | Scranton |
| Cropsey | Hammerstrom | Lowe | Sikkema |
| Dalman | Horton | McManus | Walberg |
| DeVuyst | Jansen | McNutt | Whyman |
| Dobb | Jelinek | | |

Nays—63

| | | | |
|-------------|-----------|------------|-------------|
| Agee | Emerson | LaForge | Rison |
| Alley | Frank | Leland | Schauer |
| Anthony | Freeman | Mans | Schermesser |
| Baade | Gagliardi | Martinez | Schroer |
| Baird | Gire | Mathieu | Scott |
| Basham | Goschka | McBryde | Stallworth |
| Bogardus | Griffin | Murphy | Tesanovich |
| Brater | Gubow | Olshove | Thomas |
| Brewer | Hale | Owen | Varga |
| Brown | Hanley | Palamara | Vaughn |
| Callahan | Harder | Parks | Voorhees |
| Cherry | Hertel | Price | Wallace |
| Ciaramitaro | Hood | Profit | Wetters |
| Curtis | Jaye | Prusi | Willard |
| DeHart | Kaza | Quarles | Wojno |
| Dobronski | Kelly | Raczkowski | |

In The Chair: Hertel

Rep. Jaye moved to amend the bill as follows:

1. Amend page 108, following line 22, by inserting:

“SEC. 25D. A BUSINESS ENTERPRISE CONDUCTED ON NATIVE AMERICAN LAND IS SUBJECT TO ALL STATE AND LOCAL TAXES APPLICABLE TO ANY BUSINESS ENTERPRISE IN THIS STATE, INCLUDING, BUT NOT LIMITED TO, SALES TAX, TAXES ON THE SALE OF ALCOHOLIC BEVERAGES, AND THE SINGLE BUSINESS TAX, UNLESS ALL GOODS OR SERVICES SOLD BY THAT BUSINESS ENTERPRISE ARE SOLD ONLY TO MEMBERS OF AN INDIAN TRIBE.”.

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

Point of Order

Rep. Gagliardi requested the Chair to rule on the question of whether or not the amendment offered by Rep. Jaye was germane.

The Chair ruled that the amendment was not germane to the extent that it attempts to amend federal and state law by reference.

Rep. Fitzgerald moved to amend the bill as follows:

1. Amend page 3, line 10, after "SECTIONS" by striking out "5, 6, AND 7A" and inserting "4A(1)(A), 5(1), 5(2), 5(3), 5(4), 6(3), 6(4), 6(5), 6(9), 7A(4), 7A(5), AND 7A(11)".

2. Amend page 3, line 13, after "APPLICANT." by inserting "AS USED IN THIS SUBDIVISION, AFFILIATE AND AFFILIATED COMPANY DO NOT INCLUDE A PARTNERSHIP, A JOINT VENTURE RELATIONSHIP, A CO-SHAREHOLDER OF A CORPORATION, A CO-MEMBER OF A LIMITED LIABILITY COMPANY, OR A CO-PARTNER IN A LIMITED LIABILITY PARTNERSHIP THAT HAS LESS THAN 1% DIRECT INTEREST IN THE APPLICANT AND IS NOT INVOLVED IN THE CASINO OR CASINO ENTERPRISE APPLICATION AS DEFINED IN RULES PROMULGATED BY THE BOARD."

3. Amend page 9, following line 15, by inserting:

"(Z) "INSTITUTIONAL INVESTOR" MEANS ANY RETIREMENT FUND ADMINISTERED BY A PUBLIC AGENCY FOR THE EXCLUSIVE BENEFIT OF FEDERAL, STATE, OR LOCAL PUBLIC EMPLOYEES, AN EMPLOYEE BENEFIT PLAN, OR PENSION FUND THAT IS SUBJECT TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974, AS AMENDED, AN INVESTMENT COMPANY REGISTERED UNDER THE INVESTMENT COMPANY ACT OF 1940, TITLE I OF CHAPTER 686, 54 STAT. 789, 15 U.S.C. 80a-1 TO 80a-3 AND 80a-4 TO 80a-64, A COLLECTIVE INVESTMENT TRUST ORGANIZED BY A BANK UNDER PART 9 OF THE RULES OF THE COMPTROLLER OF THE CURRENCY, A CLOSED END INVESTMENT TRUST, A CHARTERED OR LICENSED LIFE INSURANCE COMPANY OR PROPERTY AND CASUALTY INSURANCE COMPANY, A CHARTERED OR LICENSED FINANCIAL INSTITUTION, AN INVESTMENT ADVISOR REGISTERED UNDER THE INVESTMENT ADVISERS ACT OF 1940, TITLE II OF CHAPTER 686, 54 STAT. 847, 15 U.S.C. 80b-1 TO 80b-21, OR ANY OTHER PERSON AS THE BOARD MAY DETERMINE FOR REASONS CONSISTENT WITH THIS ACT." and relettering the remaining subdivisions.

4. Amend page 26, line 22, after "THE" by striking out "REMEDIES" and inserting "AUTHORITY".

5. Amend page 58, following line 11, by inserting:

"SEC. 6C. (1) UNLESS THE BOARD DETERMINES THAT AN INSTITUTIONAL INVESTOR MAY BE FOUND UNQUALIFIED, AN INSTITUTIONAL INVESTOR HOLDING EITHER UNDER 10% OF THE EQUITY SECURITIES OR DEBT SECURITIES OF A CASINO LICENSEE'S AFFILIATE OR AFFILIATED COMPANY WHICH IS RELATED IN ANY WAY TO THE FINANCING OF THE CASINO LICENSEE, IF THE SECURITIES REPRESENT A PERCENTAGE OF THE OUTSTANDING DEBT OF THE AFFILIATE OR AFFILIATED COMPANY NOT EXCEEDING 20%, OR A PERCENTAGE OF ANY ISSUE OF THE OUTSTANDING DEBT OF THE AFFILIATE OR AFFILIATED COMPANY NOT EXCEEDING 50%, SHALL BE GRANTED A WAIVER OF THE ELIGIBILITY AND SUITABILITY REQUIREMENTS OF SECTION 6 IF SUCH SECURITIES ARE THOSE OF A PUBLICLY TRADED CORPORATION AND ITS HOLDINGS OF SUCH SECURITIES WERE PURCHASED FOR INVESTMENT PURPOSES ONLY AND, IF REQUESTED BY THE BOARD, FILES WITH THE BOARD A CERTIFIED STATEMENT THAT IT HAS NO INTENTION OF INFLUENCING OR AFFECTING THE AFFAIRS OF THE ISSUER, THE CASINO LICENSEE, OR ITS AFFILIATE OR AFFILIATED COMPANY.

(2) THE BOARD MAY GRANT A WAIVER UNDER THIS SECTION TO AN INSTITUTIONAL INVESTOR HOLDING A HIGHER PERCENTAGE OF SECURITIES AS ALLOWED IN SUBSECTION (1), UPON A SHOWING OF GOOD CAUSE AND IF THE CONDITIONS SPECIFIED IN SUBSECTION (1) ARE MET.

(3) AN INSTITUTIONAL INVESTOR GRANTED A WAIVER UNDER THIS SECTION THAT SUBSEQUENTLY INTENDS TO INFLUENCE OR AFFECT THE AFFAIRS OF THE ISSUER SHALL PROVIDE NOTICE TO THE BOARD AND FILE AN APPLICATION FOR A DETERMINATION OF ELIGIBILITY AND SUITABILITY BEFORE TAKING ANY ACTION THAT MAY INFLUENCE OR AFFECT THE AFFAIRS OF THE ISSUER.

(4) NOTWITHSTANDING ANY PROVISIONS OF THIS ACT, AN INSTITUTIONAL INVESTOR MAY VOTE ON ALL MATTERS THAT ARE PUT TO THE VOTE OF THE OUTSTANDING SECURITY HOLDERS OF THE ISSUER.

(5) IF AN INSTITUTIONAL INVESTOR CHANGES ITS INVESTMENT INTENT OR IF THE BOARD FINDS THAT THE INSTITUTIONAL INVESTOR MAY BE FOUND UNQUALIFIED, NO ACTION OTHER THAN DIVESTITURE OF THE SECURITY HOLDINGS SHALL BE TAKEN UNTIL THERE HAS BEEN COMPLIANCE WITH THIS ACT.

(6) THE CASINO LICENSEE OR AN AFFILIATE OR AFFILIATED COMPANY OF THE CASINO LICENSEE SHALL IMMEDIATELY NOTIFY THE BOARD OF ANY INFORMATION CONCERNING AN INSTITUTIONAL INVESTOR HOLDING ITS EQUITY OR DEBT SECURITIES WHICH MAY IMPACT THE ELIGIBILITY AND SUITABILITY OF THE INSTITUTIONAL INVESTOR FOR A WAIVER UNDER THIS SECTION.

(7) IF THE BOARD FINDS THAT AN INSTITUTIONAL INVESTOR HOLDING ANY SECURITY OF AN AFFILIATE OR AFFILIATED COMPANY OF A CASINO LICENSEE THAT IS RELATED IN ANY WAY TO THE FINANCING OF THE CASINO LICENSEE FAILS TO COMPLY WITH THE REQUIREMENTS OF THIS

SECTION, OR IF AT ANY TIME THE BOARD FINDS THAT, BY REASON OF THE EXTENT OR NATURE OF ITS HOLDINGS, AN INSTITUTIONAL INVESTOR IS IN A POSITION TO EXERCISE A SUBSTANTIAL IMPACT UPON THE CONTROLLING INTERESTS OF A CASINO LICENSEE, THE BOARD MAY TAKE ANY NECESSARY ACTION TO PROTECT THE PUBLIC INTEREST, INCLUDING REQUIRING THIS INSTITUTIONAL INVESTOR TO SATISFY THE ELIGIBILITY AND SUITABILITY REQUIREMENTS UNDER SECTION 6.”

6. Amend page 59, line 21, by striking out all of subdivision (F) and relettering the remaining subdivisions.

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

Rep. Gagliardi moved to amend the bill as follows:

1. Amend page 3, line 4, after “BOARD” by inserting a comma and “THE STATE POLICE, OR ATTORNEY GENERAL”.

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

Reps. Lowe and Cropsey moved to amend the bill as follows:

1. Amend page 82, following line 17, by inserting:

“(12) A CASINO SHALL NOT BE LOCATED WITHIN 1,000 FEET OF ANY OF THE FOLLOWING:

(A) A CHURCH OR OTHER PLACE OF WORSHIP.

(B) A SCHOOL, COLLEGE, OR UNIVERSITY.

(C) A FINANCIAL INSTITUTION OR A BRANCH OF A FINANCIAL INSTITUTION.

(D) A PAWNSHOP.

(13) AS USED IN SUBSECTION (12), “FINANCIAL INSTITUTION” MEANS A STATE OR NATIONALLY CHARTERED BANK, A STATE OR FEDERALLY CHARTERED SAVINGS AND LOAN ASSOCIATION, A STATE OR FEDERALLY CHARTERED SAVINGS BANK, A STATE OR FEDERALLY CHARTERED CREDIT UNION, OR ANY ENTITY THAT PROVIDES CHECK-CASHING SERVICES.”

The question being on the adoption of the amendment offered by Reps. Lowe and Cropsey,

Rep. Gagliardi moved to amend the Lowe and Cropsey amendment as follows:

1. Amend the Lowe and Cropsey amendment, page 82, following line 17, subsection (13), after “(13)” by inserting “UNLESS APPROVED BY THE CITY,”.

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

The question being on the adoption of the amendment offered previously by Reps. Lowe and Cropsey,

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

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 82, following line 17, following subsection (13), by inserting:

“(14) A CASINO LICENSEE SHALL NOT EMPLOY AN INDIVIDUAL WHO HAS BEEN CONVICTED OF A FELONY IN THE PREVIOUS 5 YEARS TO WORK IN A CASINO OR CASINO ENTERPRISE.”.

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

Rep. Gagliardi moved to amend the Cropsey amendment as follows:

1. Amend the Cropsey amendment, page 82, following line 17, subsection (14), after “INDIVIDUAL” by inserting “AS A MANAGERIAL EMPLOYEE”.

2. Amend the Cropsey amendment, page 82, following line 17, subsection (14), after the second “CASINO” by striking out the balance of the amendment and inserting a period.

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

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

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

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 82, following line 17, by inserting:

“(17) A CASINO LICENSEE SHALL NOT OPERATE OR ALLOW ANY OTHER PERSON TO OPERATE A FINANCIAL INSTITUTION OR BRANCH OF A FINANCIAL INSTITUTION WITHIN A CASINO OR CASINO ENTERPRISE. AS USED IN THIS SUBSECTION, “FINANCIAL INSTITUTION” MEANS A STATE OR NATIONALLY CHARTERED BANK, A STATE OR FEDERALLY CHARTERED SAVINGS AND LOAN ASSOCIATION, A STATE OR FEDERALLY CHARTERED SAVINGS BANK, A STATE OR FEDERALLY CHARTERED CREDIT UNION, OR ANY ENTITY THAT PROVIDES CHECK-CASHING SERVICES.”.

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

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 666**Yeas—54**

| | | | |
|--------------|-------------|-----------|------------|
| Alley | Fitzgerald | Jellema | Middleton |
| Bankes | Freeman | Johnson | Nye |
| Birkholz | Geiger | Kukuk | Oxender |
| Bobier | Gernaat | Law | Perricone |
| Bodem | Gilmer | LeTarte | Raczkowski |
| Brackenridge | Godchaux | Llewellyn | Rocca |
| Brewer | Goschka | London | Schauer |
| Byl | Green | Lowe | Sikkema |
| Cassis | Griffin | Mans | Voorhees |
| Crissman | Hammerstrom | McBryde | Walberg |
| Cropsey | Horton | McManus | Wetters |
| Dalman | Jansen | McNutt | Whyman |
| DeVuyst | Jaye | Middaugh | Willard |
| Dobb | Jelinek | | |

Nays—50

| | | | |
|-------------|------------|----------|-------------|
| Agee | Frank | LaForge | Richner |
| Anthony | Gagliardi | Martinez | Rison |
| Baade | Galloway | Mathieu | Schermesser |
| Baird | Gire | Murphy | Scott |
| Basham | Gubow | Olshove | Scranton |
| Bogardus | Hale | Owen | Stallworth |
| Brater | Hanley | Palamara | Tesanovich |
| Brown | Harder | Parks | Thomas |
| Callahan | Hertel | Price | Varga |
| Cherry | Hood | Profit | Vaughn |
| Ciaramitaro | Kaza | Prusi | Wallace |
| Curtis | Kelly | Quarles | Wojno |
| Dobronski | Kilpatrick | | |

In The Chair: Hertel

Rep. Curtis moved that Rep. Murphy be excused temporarily from today's session.
The motion prevailed.

Rep. Fitzgerald moved to amend the bill as follows:

1. Amend page 16, line 7, after "REQUIRE" by striking out "THE APPROVAL OF THE SENATE BY A RECORD ROLL CALL VOTE" and inserting "ADVICE AND CONSENT OF THE SENATE".

The question being on the adoption of the amendment offered by Rep. Fitzgerald,
Rep. Fitzgerald demanded the yeas and nays.

The demand was supported.

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

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—35**

| | | | |
|----------|------------|--------|--------|
| Bankes | Dobb | Horton | McNutt |
| Birkholz | Fitzgerald | Jansen | Nye |

| | | | |
|--------------|-------------|---------|-----------|
| Bodem | Galloway | Jelinek | Oxender |
| Brackenridge | Geiger | Jellema | Perricone |
| Byl | Gernaat | Johnson | Richner |
| Cassis | Gilmer | Kukuk | Scranton |
| Crissman | Godchaux | Law | Sikkema |
| Cropsey | Gustafson | London | Walberg |
| Dalman | Hammerstrom | McBryde | |

Nays—71

| | | | |
|-------------|------------|------------|-------------|
| Agee | Freeman | LeTarte | Rison |
| Alley | Gagliardi | Llewellyn | Rocca |
| Anthony | Gire | Lowe | Schauer |
| Baade | Goschka | Mans | Schermesser |
| Baird | Green | Martinez | Schroer |
| Basham | Griffin | Mathieu | Scott |
| Bogardus | Gubow | McManus | Stallworth |
| Brater | Hale | Middaugh | Tesanovich |
| Brewer | Hanley | Middleton | Thomas |
| Brown | Harder | Olshove | Varga |
| Callahan | Hertel | Owen | Vaughn |
| Cherry | Hood | Palamara | Voorhees |
| Ciaramitaro | Jaye | Parks | Wallace |
| Curtis | Kaza | Price | Wetters |
| DeHart | Kelly | Profit | Whyman |
| DeVuyst | Kilpatrick | Prusi | Willard |
| Dobronski | LaForge | Quarles | Wojno |
| Frank | Leland | Raczkowski | |

In The Chair: Hertel

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 82, line 21, after "CASINO" by striking out the balance of the sentence and inserting a period.

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

Rep. Cropsey demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 668**Yeas—45**

| | | | |
|--------------|-----------|-----------|------------|
| Alley | Geiger | Johnson | Oxender |
| Birkholz | Gernaat | Kukuk | Perricone |
| Bobier | Godchaux | LeTarte | Raczkowski |
| Bodem | Goschka | London | Rocca |
| Brackenridge | Green | Lowe | Schroer |
| Brewer | Gustafson | McBryde | Sikkema |
| Byl | Horton | McManus | Voorhees |
| Cassis | Jansen | McNutt | Walberg |
| Crissman | Jaye | Middaugh | Wetters |
| Cropsey | Jelinek | Middleton | Whyman |
| Dalman | Jellema | Nye | Willard |
| Freeman | | | |

Nays—55

| | | | |
|-------------|------------|------------|-------------|
| Agee | Dobb | Kelly | Richner |
| Anthony | Dobronski | Kilpatrick | Rison |
| Baird | Fitzgerald | LaForge | Schauer |
| Bankes | Frank | Leland | Schermesser |
| Basham | Gagliardi | Martinez | Scott |
| Bogardus | Galloway | Murphy | Scranton |
| Brater | Gilmer | Olshove | Stallworth |
| Brown | Gubow | Owen | Tesanovich |
| Callahan | Hale | Palamara | Thomas |
| Cherry | Hanley | Parks | Varga |
| Ciaramitaro | Harder | Price | Vaughn |
| Curtis | Hertel | Profit | Wallace |
| DeHart | Hood | Prusi | Wojno |
| DeVuyst | Kaza | Quarles | |

In The Chair: Hertel

Rep. Richner, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

While I am reluctant to make access to cash easier and more convenient for the compulsive gambler, I believe that banning ATM machines or bank branches from within or near casinos may in some cases pose unworkable and unacceptable logistical problems for members of the public desiring to patronize casinos. I am particularly concerned about public safety risks such a ban might pose.”

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 569, entitled**

A bill to amend the Initiated Law of 1996, entitled “Michigan gaming control and revenue act,” by amending the title and sections 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, and 15 (MCL 432.202, 432.203, 432.204, 432.205, 432.206, 432.208, 432.209, 432.210, 432.211, 432.212, 432.213, 432.214, and 432.215) and by adding sections 4a, 4b, 4c, 4d, 6a, 6b, 7a, 7b, 7c, 8a, 8b, 8c, 9a, 9b, 9c, 9d, 12a, 13a, 17, 18, 19, 20, 21, 22, 23, 24, and 25; and to repeal acts and parts of acts.

Was read a third time and passed, 3/4 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 669**Yeas—93**

| | | | |
|----------|------------|------------|------------|
| Agee | Dobronski | Kaza | Price |
| Anthony | Fitzgerald | Kelly | Profit |
| Baade | Frank | Kilpatrick | Prusi |
| Baird | Freeman | LaForge | Quarles |
| Bankes | Gagliardi | Law | Raczkowski |
| Basham | Galloway | Leland | Richner |
| Birkholz | Geiger | LeTarte | Rison |

| | | | |
|--------------|-------------|-----------|-------------|
| Bobier | Gilmer | Llewellyn | Rocca |
| Bodem | Gire | London | Schauer |
| Bogardus | Godchaux | Martinez | Schermesser |
| Brackenridge | Goschka | Mathieu | Schroer |
| Brater | Green | McBryde | Scott |
| Brewer | Gubow | McManus | Scranton |
| Brown | Gustafson | McNutt | Sikkema |
| Byl | Hale | Middaugh | Stallworth |
| Callahan | Hammerstrom | Middleton | Tesanovich |
| Cassis | Hanley | Murphy | Varga |
| Cherry | Harder | Olshove | Vaughn |
| Ciaramitaro | Hertel | Owen | Voorhees |
| Crissman | Hood | Oxender | Wallace |
| Curtis | Jansen | Palamara | Wetters |
| DeHart | Jelinek | Parks | Willard |
| DeVuyst | Jellema | Perricone | Wojno |
| Dobb | | | |

Nays—12

| | | | |
|---------|---------|---------|---------|
| Alley | Gernaat | Johnson | Nye |
| Cropsey | Horton | Kukuk | Walberg |
| Dalman | Jaye | Lowe | Whyman |

In The Chair: Hertel

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

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

A bill to amend the Initiated Law of 1996, entitled “An act providing for the licensing and control of casino gaming operations, manufacturers and distributors of gaming devices and gaming employees; providing for the distribution of revenue for public education, public safety and economic development; authorizing limited casino operations within the State of Michigan; and vesting authority for the regulation of casino gaming in a gaming control board,” by amending the title and sections 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, and 15 (MCL 432.202, 432.203, 432.204, 432.205, 432.206, 432.208, 432.209, 432.210, 432.211, 432.212, 432.213, 432.214, and 432.215) and by adding sections 4a, 4b, 4c, 4d, 6a, 6b, 6c, 7a, 7b, 7c, 8a, 8b, 8c, 9a, 9b, 9c, 9d, 12a, 13a, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Thomas, under Rule 32(b), made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 669 because of a possible conflict of interest. I support the intent of SB 569 (S-2). However, before running for the House of Representatives, a business partnership of which I own 1/6, made a small investment in the Atwater casino group now competing for a Detroit casino license equal to 1/2 of 1%. Because of Atwater’s preferential status under Proposal E, and this bill’s reference to the preference issue, I have determined that it would be inappropriate for me to cast a vote for this bill.”

Rep. Jaye, 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:

This Michigan Citizens Bill of Rights was rejected as amendments to the Detroit Casino authorization bills:

Right to a jury of their peers: Anyone who is hurt, has their civil rights violated, is sexually harassed or gets into any dispute on Indian grounds, including casinos, is tried by an Indian tribal council, with no appeal.

Right to elect Indian Judges: Indians can vote to elect Michigan local, county and state judges and all other Michigan politicians, but Michigan citizens cannot vote to elect Indian tribal judges nor other Indian politicians.

Right to equal school and police taxation: Indians are exempt from all property taxes which fund local schools and essential local services like police, fire, ambulance, seniors.

Right to equal business taxation: Indian run hotels, restaurants, golf courses, party stores, grocery stores, gas stations are exempt from all sales tax, liquor tax, cigarette tax, business tax and property taxes and income taxes. Require Indian run businesses which compete with privately run businesses pay the same state taxes, or only sell to members of the Indian tribes and their dependents, like the military PX stores.

Right to equal road taxes: Currently Indians are exempt from all state gas taxes and truck and vehicle registration fees.

Right to enjoy fishing resources: “No fish, No chips” Currently Indians have unlimited fishing preferences including highly destructive gill nets which kill all the fish, no catch limits, no season, no licenses and snagging.

Right to equal college scholarships: Indians, regardless of income or merit, get preference for \$12 million in free college education since 1976.

Right to open government: All Indian trials, Indian political meetings, Indian bureaucrat rule making and all other Indian government operations are exempt from Michigan’s open meetings act.

Accountable government: Right to accountable government: All Indian politician meetings, Indian bureaucrat rules, government records, tax information and tribal decision are not subject to Michigan’s freedom of information act.

Right to an attorney: if you cannot afford one, paid for by Indian Casino profits. Indians, unlike every other American court system, are not required to provide you an attorney in tribal courts if you cannot afford one.

It is ironic that on July 1, 1997, the day that communist China took over Hong Kong, that the Michigan House rejected my attempts to extend civil, legal and employee rights to U.S. citizens when they are at Indian Casinos and reservations. Hong Kong citizens have more rights including the right to a jury trial and attorney, than U.S. citizens do today in Indian casinos. The Democrat lead Michigan House appears to be siding with special interest and casino money. All my amendments are indeed germane as conditions on receiving the privilege of a Detroit casino. The Michigan Legislature has negotiating powers with the sovereign nation Indians just like the U.S. Congress compels other sovereign nations, like Red China, to voluntarily agree to environmental, safety, practice of religion rights in exchange for the tariff, tax break and import privileges that most ‘favored nation’ status confers to foreign nations. The only time that the State Legislature has any influence over Indian tribes is when Indians want something, like a Detroit Casino.”

Rep. Kukuk, 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 voted ‘No’ on this legislation because it expands gambling in Michigan at the expense of businesses, taxpayers and families.

Studies have shown that introducing casinos into an economy will have a negative effect on many existing businesses. Money spent in casinos is not ‘new’ money, but rather is money that citizens would have otherwise spent at other, existing entertainment venues. Movie theaters, theme parks, musical and dramatic presentations and other quality entertainment establishments will lose revenue with each dollar spent at a casino. When you hear about casinos generating ‘new’ jobs, ask why we aren’t told about the lost jobs and revenues that has occurred at competing businesses due to casinos.

Taxpayers and families are losers under this bill. Many studies have shown that casinos operate much like a regressive tax, costing the neediest citizens the most. Increases in alcoholism, gambling addictions and family strife facilitated by casinos proves that the social costs of casinos outweigh any tax or economic ‘benefits’ associated with casino operation or development.

This bill is a bad deal for Michigan families, taxpayers and businesses.”

Second Reading of Bills

Senate Bill No. 284, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” (MCL 169.201 to 169.282) by adding section 30.

The bill was read a second time.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 284, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 30.

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

Roll Call No. 670

Yeas—108

| | | | |
|--------------|-------------|------------|-------------|
| Agee | Dobronski | Johnson | Perricone |
| Alley | Fitzgerald | Kaza | Price |
| Anthony | Frank | Kelly | Profit |
| Baade | Freeman | Kilpatrick | Prusi |
| Baird | Gagliardi | Kukuk | Quarles |
| Banks | Galloway | LaForge | Raczkowski |
| Basham | Geiger | Law | Richner |
| Birkholz | Gernaat | Leland | Rison |
| Bobier | Gilmer | LeTarte | Rocca |
| Bodem | Gire | Llewellyn | Schauer |
| Bogardus | Godchaux | London | Schermesser |
| Brackenridge | Goschka | Lowe | Schroer |
| Brater | Green | Mans | Scott |
| Brewer | Griffin | Martinez | Scranton |
| Brown | Gubow | Mathieu | Sikkema |
| Byl | Gustafson | McBryde | Stallworth |
| Callahan | Hale | McManus | Tesanovich |
| Cassis | Hammerstrom | McNutt | Thomas |
| Cherry | Hanley | Middaugh | Varga |
| Ciaramitaro | Harder | Middleton | Vaughn |
| Crissman | Hertel | Murphy | Voorhees |
| Cropsey | Hood | Nye | Walberg |
| Curtis | Horton | Olshove | Wallace |
| Dalman | Jansen | Owen | Wetters |
| DeHart | Jaye | Oxender | Whyman |
| DeVuyst | Jelinek | Palamara | Willard |
| Dobb | Jellema | Parks | Wojno |

Nays—0

In The Chair: Hertel

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

"An act to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; to require campaign statements and reports; to regulate anonymous contributions; to regulate campaign advertising and literature; to provide for segregated funds for political purposes; to provide for the use of public funds for political purposes; to create certain funds; to provide for reversion, retention, or refunding of unexpended balances in certain funds; to require other statements and reports; to regulate acceptance of certain gifts, payments, and

reimbursements; to prescribe the powers and duties of certain state departments and state and local officials and employees; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts.”

The House agreed to the full title of the bill.

Rep. Gagliardi 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. 570, entitled

A bill to create the compulsive gaming prevention fund; to impose duties on certain licensed entities; to prescribe the duties of certain state officials; and to impose penalties.

The bill was read a second time.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 570, entitled

A bill to create the compulsive gaming prevention fund; to impose duties on certain licensed entities; to prescribe the duties of certain state officials; and to impose penalties.

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

Roll Call No. 671

Yeas—107

| | | | |
|--------------|-------------|------------|-------------|
| Agee | Dobronski | Jellema | Perricone |
| Alley | Emerson | Johnson | Price |
| Anthony | Fitzgerald | Kaza | Profit |
| Baade | Frank | Kelly | Prusi |
| Baird | Freeman | Kilpatrick | Quarles |
| Banks | Gagliardi | Kukuk | Raczkowski |
| Basham | Galloway | LaForge | Richner |
| Birkholz | Geiger | Law | Rison |
| Bobier | Gernaat | Leland | Rocca |
| Bodem | Gilmer | LeTarte | Schauer |
| Bogardus | Gire | Llewellyn | Schermesser |
| Brackenridge | Godchaux | London | Schroer |
| Brater | Goschka | Lowe | Scott |
| Brewer | Green | Mans | Scranton |
| Brown | Griffin | Martinez | Sikkema |
| Byl | Gubow | Mathieu | Stallworth |
| Callahan | Gustafson | McBryde | Tesanovich |
| Cassis | Hale | McManus | Thomas |
| Cherry | Hammerstrom | McNutt | Varga |
| Ciaramitaro | Hanley | Middaugh | Vaughn |
| Crissman | Harder | Middleton | Voorhees |
| Cropsey | Hertel | Murphy | Walberg |
| Curtis | Hood | Olshove | Wallace |
| Dalman | Horton | Owen | Wetters |
| DeHart | Jansen | Oxender | Willard |
| DeVuyst | Jaye | Palamara | Wojno |
| Dobb | Jelinek | Parks | |

Nays—2

Nye

Whyman

In The Chair: Hertel

The House agreed to the title of the bill.

Rep. Gagliardi 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. 571, entitled**

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending sections 16, 41, and 43 (MCL 432.16, 432.41, and 432.43), section 16 as added and sections 41 and 43 as amended by 1996 PA 167.

The bill was read a second time.

Rep. Voorhees moved to amend the bill as follows:

1. Amend page 3, line 24, after "(4)" by striking out the balance of the line through "10%" on line 25 and inserting "TEN PERCENT".

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 571, entitled**

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending sections 16, 41, and 43 (MCL 432.16, 432.41, and 432.43), section 16 as added and sections 41 and 43 as amended by 1996 PA 167.

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

Roll Call No. 672**Yeas—103**

| | | | |
|--------------|------------|------------|-------------|
| Agee | Emerson | Kaza | Price |
| Alley | Fitzgerald | Kelly | Profit |
| Anthony | Frank | Kilpatrick | Prusi |
| Baade | Freeman | Kukuk | Quarles |
| Baird | Gagliardi | LaForge | Raczkowski |
| Bankes | Galloway | Law | Richner |
| Basham | Geiger | Leland | Rison |
| Birkholz | Gernaat | LeTarte | Rocca |
| Bobier | Gilmer | Llewellyn | Schauer |
| Bodem | Gire | London | Schermesser |
| Bogardus | Godchaux | Lowe | Schroer |
| Brackenridge | Goschka | Mans | Scott |
| Brewer | Green | Martinez | Scranton |
| Brown | Griffin | Mathieu | Sikkema |
| Byl | Gubow | McBryde | Stallworth |

| | | | |
|-------------|-------------|-----------|------------|
| Callahan | Gustafson | McManus | Tesanovich |
| Cassis | Hale | McNutt | Thomas |
| Cherry | Hammerstrom | Middaugh | Varga |
| Ciaramitaro | Hanley | Middleton | Vaughn |
| Crissman | Harder | Murphy | Voorhees |
| Cropsey | Hertel | Olshove | Walberg |
| Curtis | Horton | Owen | Wallace |
| DeHart | Jansen | Oxender | Wetters |
| DeVuyst | Jaye | Palamara | Willard |
| Dobb | Jelinek | Parks | Wojno |
| Dobronski | Jellema | Perricone | |

Nays—4

| | | | |
|--------|---------|-----|--------|
| Dalman | Johnson | Nye | Whyman |
|--------|---------|-----|--------|

In The Chair: Hertel

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

“An act to establish and operate a state lottery and to allow state participation in certain lottery-related joint enterprises with other sovereignties; to create a bureau of state lottery and to prescribe its powers and duties; to prescribe certain powers and duties of other state departments and agencies; to license and regulate certain sales agents; to create the state lottery fund; to provide for the distribution of lottery revenues and earnings for certain purposes; to provide for an appropriation; and to provide for remedies and penalties.”

The House agreed to the full title of the bill.

Rep. Gagliardi 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. 572, entitled**

A bill to amend 1995 PA 279, entitled “Horse racing law of 1995,” by amending section 20 (MCL 431.320) and by adding section 9a.

The bill was read a second time.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 572, entitled**

A bill to amend 1995 PA 279, entitled “Horse racing law of 1995,” by amending section 20 (MCL 431.320) and by adding section 9a.

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—105**

| | | | |
|-------|------------|---------|-----------|
| Agee | Emerson | Jellema | Perricone |
| Alley | Fitzgerald | Johnson | Price |

| | | | |
|--------------|-------------|------------|-------------|
| Anthony | Frank | Kaza | Profit |
| Baade | Freeman | Kelly | Prusi |
| Baird | Gagliardi | Kilpatrick | Quarles |
| Bankes | Galloway | Kukuk | Raczkowski |
| Basham | Geiger | LaForge | Richner |
| Birkholz | Gernaat | Law | Rison |
| Bobier | Gilmer | Leland | Rocca |
| Bodem | Gire | LeTarte | Schauer |
| Bogardus | Godchaux | London | Schermesser |
| Brackenridge | Goschka | Lowe | Schroer |
| Brater | Green | Mans | Scott |
| Brewer | Griffin | Martinez | Scranton |
| Brown | Gubow | Mathieu | Sikkema |
| Byl | Gustafson | McBryde | Stallworth |
| Callahan | Hale | McManus | Tesanovich |
| Cassis | Hammerstrom | McNutt | Thomas |
| Cherry | Hanley | Middaugh | Varga |
| Ciaramitaro | Harder | Middleton | Vaughn |
| Crissman | Hertel | Murphy | Voorhees |
| Cropsey | Hood | Olshove | Walberg |
| Curtis | Horton | Owen | Wallace |
| Dalman | Jansen | Oxender | Wetters |
| DeHart | Jaye | Palamara | Willard |
| Dobb | Jelinek | Parks | Wojno |
| Dobronski | | | |

Nays—3

Llewellyn

Nye

Whyman

In The Chair: Hertel

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

“An act to license and regulate the conducting of horse race meetings in this state with pari-mutuel wagering on the results of horse races and persons involved in horse racing and pari-mutuel gaming activities at such race meetings; to create the office of racing commissioner; to prescribe the powers and duties of the racing commissioner; to prescribe certain powers and duties of the department of agriculture and the director of the department of agriculture; to provide for the promulgation of rules; to provide for the imposition of taxes and fees and the disposition of revenues; to impose certain taxes; to create funds; to legalize and permit the pari-mutuel method of wagering on the results of live and simulcast races at licensed race meetings in this state; to appropriate the funds derived from pari-mutuel wagering on the results of horse races at licensed race meetings in this state; to prescribe remedies and penalties; and to repeal acts and parts of acts.”

The House agreed to the full title of the bill.

Rep. Gagliardi 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. 574, entitled

A bill to regulate persons having certain gaming interests; to require registration of persons having certain gaming interests and their agents; to require the filing of reports; to prescribe the powers and duties of the department of state; and to prescribe penalties.

The bill was read a second time.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 574, entitled

A bill to regulate persons having certain gaming interests; to require registration of persons having certain gaming interests and their agents; to require the filing of reports; to prescribe the powers and duties of the department of state; and to prescribe penalties.

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

Roll Call No. 674

Yeas—107

| | | | |
|--------------|-------------|------------|-------------|
| Agee | Dobronski | Jellema | Price |
| Alley | Emerson | Kaza | Profit |
| Anthony | Fitzgerald | Kelly | Prusi |
| Baade | Frank | Kilpatrick | Quarles |
| Baird | Freeman | Kukuk | Raczkowski |
| Bankes | Gagliardi | LaForge | Richner |
| Basham | Galloway | Law | Rison |
| Birkholz | Geiger | Leland | Rocca |
| Bobier | Gernaat | LeTarte | Schauer |
| Bodem | Gilmer | Llewellyn | Schermesser |
| Bogardus | Gire | London | Schroer |
| Brackenridge | Godchaux | Lowe | Scott |
| Brater | Goschka | Mans | Scranton |
| Brewer | Green | Martinez | Sikkema |
| Brown | Griffin | Mathieu | Stallworth |
| Byl | Gubow | McBryde | Tesanovich |
| Callahan | Gustafson | McManus | Thomas |
| Cassis | Hale | McNutt | Varga |
| Cherry | Hammerstrom | Middaugh | Vaughn |
| Ciaramitaro | Hanley | Middleton | Voorhees |
| Crissman | Harder | Nye | Walberg |
| Cropsey | Hertel | Olshove | Wallace |
| Curtis | Hood | Owen | Wetters |
| Dalman | Horton | Oxender | Whyman |
| DeHart | Jansen | Palamara | Willard |
| DeVuyst | Jaye | Parks | Wojno |
| Dobb | Jelinek | Perricone | |

Nays—0

In The Chair: Hertel

The House agreed to the title of the bill.

Rep. Gagliardi 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. 592, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g and 411j (MCL 750.159g and 750.411j), section 159g as added by 1995 PA 187 and section 411j as amended by 1996 PA 80.

The bill was read a second time.

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

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

—

Rep. Brown moved that Rep. Callahan 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. 592, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g and 411j (MCL 750.159g and 750.411j), section 159g as added by 1995 PA 187 and section 411j as amended by 1996 PA 80.

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—106

| | | | |
|--------------|-------------|------------|-------------|
| Agee | Fitzgerald | Kelly | Price |
| Alley | Frank | Kilpatrick | Profit |
| Anthony | Freeman | Kukuk | Prusi |
| Baade | Gagliardi | LaForge | Quarles |
| Baird | Galloway | Law | Raczkowski |
| Banks | Geiger | Leland | Richner |
| Basham | Gernaat | LeTarte | Rison |
| Birkholz | Gilmer | Llewellyn | Rocca |
| Bobier | Gire | London | Schauer |
| Bodem | Godchaux | Lowe | Schermesser |
| Bogardus | Goschka | Mans | Schroer |
| Brackenridge | Green | Martinez | Scott |
| Brater | Griffin | Mathieu | Scranton |
| Brewer | Gubow | McBryde | Sikkema |
| Brown | Gustafson | McManus | Stallworth |
| Byl | Hale | McNutt | Tesanovich |
| Cassis | Hammerstrom | Middaugh | Thomas |
| Cherry | Hanley | Middleton | Varga |
| Ciaramitaro | Harder | Murphy | Vaughn |
| Crissman | Hood | Nye | Voorhees |
| Cropsey | Horton | Olshove | Walberg |
| Curtis | Jansen | Owen | Wallace |
| Dalman | Jaye | Oxender | Wetters |
| DeHart | Jelinek | Palamara | Whyman |
| DeVuyst | Jellema | Parks | Willard |
| Dobb | Johnson | Perricone | Wojno |
| Dobronski | Kaza | | |

Nays—0

In The Chair: Hertel

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

“An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title of the bill.

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

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

Second Reading of Bills

Pending the second reading of

Senate Bill No. 593, entitled

A bill to authorize certain interceptions of communications and the use of interception devices for certain offenses; to provide for and regulate the application, issuance, and execution of interception orders; to prescribe the powers and duties of certain agencies, officers, and employees; to regulate the use and disclosure of communications and evidence intercepted or obtained under this act; to provide remedies and exemptions from liability; to prescribe penalties; and to repeal acts and parts of acts.

Rep. Gagliardi moved that the bill be referred to the Committee on Judiciary.

The question being on the motion by Rep. Gagliardi,

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Gagliardi,

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

Roll Call No. 676**Yeas—73**

| | | | |
|-------------|------------|------------|-------------|
| Agee | Dobronski | LaForge | Rison |
| Alley | Frank | Leland | Rocca |
| Anthony | Freeman | Lowe | Schauer |
| Baade | Gagliardi | Mans | Schermesser |
| Baird | Gire | Martinez | Schroer |
| Basham | Godchaux | Mathieu | Scott |
| Bodem | Green | Middleton | Stallworth |
| Bogardus | Griffin | Murphy | Tesanovich |
| Brater | Gubow | Nye | Thomas |
| Brewer | Hale | Olshove | Varga |
| Brown | Hanley | Owen | Vaughn |
| Callahan | Harder | Palamara | Voorhees |
| Cassis | Hertel | Parks | Walberg |
| Cherry | Jaye | Price | Wallace |
| Ciaramitaro | Kaza | Profit | Wetters |
| Crissman | Kelly | Prusi | Whyman |
| Curtis | Kilpatrick | Quarles | Willard |
| DeHart | Kukuk | Raczkowski | Wojno |
| Dobb | | | |

Nays—34

| | | | |
|----------|----------|---------|---------|
| Bankes | Galloway | Jelinek | McManus |
| Birkholz | Geiger | Jellema | McNutt |

| | | | |
|--------------|-------------|-----------|-----------|
| Bobier | Gernaat | Johnson | Middaugh |
| Brackenridge | Gilmer | Law | Oxender |
| Byl | Goschka | LeTarte | Perricone |
| Cropsey | Gustafson | Llewellyn | Richner |
| Dalman | Hammerstrom | London | Scranton |
| DeVuyst | Horton | McBryde | Sikkema |
| Fitzgerald | Jansen | | |

In The Chair: Hertel

Notices

Rep. Fitzgerald moved that the Committee on House Oversight and Ethics be discharged from further consideration of **House Bill No. 4714**.

(For second notice see House Journal No. 57, p. 1289.)

The question being on the motion by Rep. Fitzgerald,
Rep. Fitzgerald withdrew the motion.

Rep. Goschka moved that the Committee on Judiciary be discharged from further consideration of **House Joint Resolution C**.

(For first notice see House Journal No. 61, p. 1505.)

The question being on the motion by Rep. Goschka,
The motion did not prevail.

Rep. Cropsey moved to reconsider the vote by which the House passed **House Bill No. 4066**.

(For first notice see House Journal No. 61, p. 1505.)

The question being on the motion by Rep. Cropsey,
Rep. Cropsey demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Cropsey,

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

Roll Call No. 677

Yeas—35

| | | | |
|-----------|-------------|-----------|------------|
| Birkholz | Hammerstrom | Lowe | Quarles |
| Cassis | Horton | Mathieu | Raczkowski |
| Cropsey | Jansen | McBryde | Richner |
| Dalman | Jaye | McManus | Rocca |
| DeVuyst | Kaza | Middaugh | Sikkema |
| Geiger | Kukuk | Nye | Voorhees |
| Goschka | Law | Owen | Walberg |
| Green | Llewellyn | Perricone | Whyman |
| Gustafson | London | Profit | |

Nays—73

| | | | |
|---------|-----------|---------|-------|
| Agee | Curtis | Hertel | Parks |
| Alley | DeHart | Hood | Price |
| Anthony | Dobb | Jelinek | Prusi |
| Baade | Dobronski | Jellema | Rison |

| | | | |
|--------------|------------|------------|-------------|
| Baird | Fitzgerald | Johnson | Schauer |
| Bankes | Frank | Kelly | Schermesser |
| Basham | Freeman | Kilpatrick | Schroer |
| Bobier | Gagliardi | LaForge | Scott |
| Bodem | Galloway | Leland | Scranton |
| Bogardus | Gernaat | LeTarte | Stallworth |
| Brackenridge | Gilmer | Mans | Tesanovich |
| Brater | Gire | Martinez | Thomas |
| Brewer | Godchaux | McNutt | Varga |
| Brown | Griffin | Middleton | Vaughn |
| Byl | Gubow | Murphy | Wallace |
| Callahan | Hale | Olshove | Wetters |
| Cherry | Hanley | Oxender | Willard |
| Ciaramitaro | Harder | Palamara | Wojno |
| Crissman | | | |

In The Chair: Hertel

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Martinez, Baird, Wojno, Anthony, Dobronski, Freeman, Varga, Brater, Gire, Goschka, LaForge, Profit, Parks, Tesanovich, Kelly, Murphy, Scott, Vaughn, Bodem and Dobb offered the following resolution:

House Resolution No. 115.

A resolution honoring Loney Gordon.

Whereas, Loney (Clinton) Gordon is a citizen of the State of Michigan who is worthy of our highest praise and esteem for the extraordinary contribution she has made to the lives of millions of people through her work in developing an effective vaccine against pertussis, the disease known as whooping cough; and

Whereas, Our communities, our State, and our world are made better every day by the works of thousands of unsung heroes, who are so committed to their work that they don't waste time on publicity regarding their efforts. Occasionally, this legislative body has the privilege of honoring a person who has made an outstanding contribution to the lives of the people of our State; and

Whereas, In the early 1940's, Loney Gordon was a trained dietician and chemist, with a bachelor of science degree from Michigan State University, when Grace Eldering and Pearl Kendrick asked her to join their research in developing a vaccine against this disease which killed 6,000 people annually, 95% of them children. She went to work growing thousands of strains of the disease organism in her effort to identify and cultivate the most virulent strains for inoculation; and

Whereas, Loney Gordon's research was a key component in developing a successful vaccine, which was proved by the British Medical Research Council, in tests conducted from 1946 to 1950, to be several times stronger than the best one that Grace Eldering and Pearl Kendrick had been able to develop; now, therefore, be it

Resolved by the House of Representatives, That we hereby express our sincere appreciation and acknowledgment to Loney Gordon for the contribution that she has made to the health of the citizens of our State, our nation, and the world through her work in the development of a vaccine against whooping cough; and be it further

Resolved, That copies of this resolution be transmitted to Loney Gordon, on the occasion of Women's History Month 1997, as we wish to record forever in the Journals of this State's history this acknowledgment of our esteem and gratitude to Loney Gordon, that all may know from this day forward of her heroic work and accomplishment.

Pending the reference of the resolution to a committee,

Rep. Gagliardi 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,

Rep. Gagliardi demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

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

Roll Call No. 678**Yeas—103**

| | | | |
|--------------|-------------|------------|-------------|
| Agee | Fitzgerald | Kaza | Profit |
| Anthony | Frank | Kelly | Prusi |
| Baade | Freeman | Kilpatrick | Quarles |
| Baird | Gagliardi | Kukuk | Raczkowski |
| Banks | Galloway | LaForge | Richner |
| Basham | Geiger | Law | Rison |
| Birkholz | Gernaat | Leland | Rocca |
| Bobier | Gilmer | LeTarte | Schauer |
| Bodem | Gire | Llewellyn | Schermesser |
| Bogardus | Godchaux | London | Schroer |
| Brackenridge | Goschka | Lowe | Scott |
| Brewer | Green | Mans | Scranton |
| Brown | Gubow | Martinez | Sikkema |
| Byl | Gustafson | Mathieu | Stallworth |
| Callahan | Hale | McBryde | Tesanovich |
| Cassis | Hammerstrom | McManus | Thomas |
| Cherry | Hanley | McNutt | Varga |
| Ciaramitaro | Harder | Middaugh | Vaughn |
| Crissman | Hertel | Middleton | Voorhees |
| Cropsey | Hood | Murphy | Walberg |
| Curtis | Horton | Nye | Wallace |
| Dalman | Jansen | Olshove | Wetters |
| DeHart | Jaye | Oxender | Whyman |
| DeVuyst | Jelinek | Parks | Willard |
| Dobb | Jellema | Perricone | Wojno |
| Dobronski | Johnson | Price | |

Nays—0

In The Chair: Hertel

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

Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Wednesday, July 2, at 10:00 a.m. The motion prevailed.

Reports of Standing Committees

The Committee on Judiciary, by Rep. Wallace, Chair, reported

House Bill No. 4667, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 626 (MCL 330.1626).

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

Favorable Roll Call**HB 4667 To Report Out:**

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Schauer, Nye, Dalman, McNutt, Richner,

Nays: None.

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, July 1, 1997, at 9:45 a.m.,

Present: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Schauer, Nye, Dalman, McNutt, Richner,

Absent: Reps. Kilpatrick, Vaughn, Willard, Wojno, Cropsey, Fitzgerald, Law,

Excused: Reps. Kilpatrick, Vaughn, Willard, Wojno, Cropsey, Fitzgerald, Law.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

Senate Bill No. 121, entitled

A bill to amend 1968 PA 173, entitled "An act naming certain state buildings," by amending section 1 (MCL 19.131), as amended by 1982 PA 229.

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

1. Amend page 1, line 1, after "Sec. 1." by inserting "(1)".

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

"(2) THE PORTION OF THE MICHIGAN LIBRARY AND HISTORICAL CENTER COMPLEX THAT HOUSES THE LIBRARY OF MICHIGAN SHALL BE DESIGNATED AND KNOWN AS THE WILLIAM FAUST MEMORIAL LIBRARY OF MICHIGAN."

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

Favorable Roll Call

SB 121 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Gustafson, DeVuyst, Goschka,

Nays: None.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Concurrent Resolution No. 48.

A concurrent resolution to establish a sister-state relationship with Egypt and to encourage Detroit city officials to establish a sister-city partnership with Luxor, Egypt.

(For text of resolution, see House Journal No. 61, p. 1502.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 48 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, DeVuyst,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gagliardi, Chair of the Committee on House Oversight and Ethics, was received and read:

Meeting held on: Tuesday, July 1, 1997, at 9:30 a.m.,

Present: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Gustafson, DeVuyst, Goschka,

Absent: Reps. Wallace, Wojno, Fitzgerald, Perricone, Richner, Voorhees,

Excused: Reps. Wallace, Wojno, Fitzgerald, Perricone, Richner, Voorhees.

The Committee on Advanced Technology and Computer Development, by Rep. Brewer, Chair, reported

House Bill No. 4997, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 375.

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 4997 To Report Out:

Yeas: Reps. Brewer, Brown, Kaza, Hammerstrom, Whyman,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Brewer, Chair of the Committee on Advanced Technology and Computer Development, was received and read:

Meeting held on: Tuesday, July 1, 1997, at 8:30 a.m.,
Present: Reps. Brewer, Brown, Kaza, Hammerstrom, Whyman,
Absent: Reps. Anthony, Baird, Quarles, Walberg,
Excused: Reps. Anthony, Quarles.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Anthony, Chair of the Committee on Forestry and Mineral Rights, was received and read:

Meeting held on: Tuesday, July 1, 1997, at 9:00 a.m.,
Present: Reps. Anthony, Callahan, Bogardus, Brater, DeVuyst, Gernaat, Lowe,
Absent: Reps. Alley, Middleton,
Excused: Reps. Alley, Middleton.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, July 1, 1997, at 8:30 a.m.,
Present: Reps. Profit, Quarles, Agee, Freeman, Gubow, Wallace, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton, Whyman,
Absent: Reps. Hanley, Palamara, Wetters, Wojno.

Messages from the Senate**Senate Bill No. 619, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 75 (MCL 421.75), as amended by 1995 PA 25.

The Senate has passed the bill.

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Constitutional and Civil Rights from further consideration of **House Joint Resolution W**.

Rep. Kaza

Public Hearings

Committee on Public Utilities

Date: Tuesday, July 8, 1997

Time: 7:00 p.m.

Place: Roosevelt Park City Hall, Council Chambers, 900 Oakridge Road, Roosevelt Park, Michigan
Rep. Olshove, Chair

Agenda: Public testimony on electric deregulation
and any/or all business properly before this committee

Committee on Public Utilities

Date: Monday, July 14, 1997

Time: 12:00 Noon

Place: Henry Ford Centennial Library, 16301 Michigan Avenue, Dearborn, Michigan

Rep. Olshove, Chair

Agenda: Public testimony on electric deregulation
and any/or all business properly before this committee

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, Friday, June 27:
House Bill No. 4997

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, June 30:

House Bill Nos. 4947 4948 4949 4951 4952 4953 4954 4955 4956 4957 4958 4959 4960 4961

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, July 1, for his approval of the following bills:

Enrolled House Bill No. 4392 at 11:03 a.m.

Enrolled House Bill No. 4394 at 11:05 a.m.

Enrolled House Bill No. 4520 at 11:07 a.m.

Enrolled House Bill No. 4636 at 11:09 a.m.

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

**House Bill Nos. 4962 4963 4964 4965 4966 4967 4968 4969 4972 4973 4974 4975 4976 4977
4978 4979 4980 4981 4982 4983 4984 4985 4986 4987 4988 4989 4990 4991
4992 4993 4994 4995 4996 4998 4999 5000 5001**

The Clerk announced that the following Senate bills had been received on Tuesday, July 1:

Senate Bill Nos. 494 619

Messages from the Governor

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

Date: June 30, 1997

Time: 10:40 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4101 (Public Act No. 34), being

An act to amend 1982 PA 249, entitled “An act to establish the state children’s trust fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the trust fund,” by amending section 1 (MCL 21.171).

(Filed with the Secretary of State June 30, 1997, at 2:08 p.m.)

Date: June 30, 1997

Time: 10:42 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4587 (Public Act No. 35, I.E.), being

An act to amend 1978 PA 53, entitled “An act to define the rights and obligations of parties and financial institutions in connection with funds on deposit therein in which 2 or more persons have an interest by way of right of withdrawal or ownership,” by amending section 4 (MCL 487.714).

(Filed with the Secretary of State June 30, 1997, at 2:10 p.m.)

Date: June 30, 1997

Time: 10:44 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4588 (Public Act No. 36, I.E.), being

An act to amend 1965 PA 114, entitled “An act relating to dry, edible beans; to create a bean commission and prescribe its functions; to levy and collect assessments on bean production; and to provide penalties for violation of this act,” by amending section 7 (MCL 290.557).

(Filed with the Secretary of State June 30, 1997, at 2:12 p.m.)

Date: June 30, 1997

Time: 10:46 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4589 (Public Act No. 37, I.E.), being

An act to amend 1915 PA 59, entitled “An act to provide for the construction, improvement and maintenance of highways; for the levying, spreading and collecting of taxes and of special assessments therefor; to authorize the borrowing of money and the issuance of bonds under certain restrictions, regulations and limitations; to prescribe the powers and duties of certain officers with reference thereto; and to validate certain proceedings heretofore taken,” by amending section 25 (MCL 247.425).

(Filed with the Secretary of State June 30, 1997, at 2:14 p.m.)

Date: June 30, 1997

Time: 10:48 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4590 (Public Act No. 38, I.E.), being

An act to amend 1925 PA 381, entitled “An act to authorize certain counties to combine for the purpose of planning systems of inter-county highways, super-highways and limited access highways; to define the terms “super-highways” and “limited access highways”; to authorize the establishment of inter-county highway commissions; to prescribe their powers and duties; to provide for the appropriation of funds therefor; and to empower counties to legislate with respect thereto,” by amending section 6 (MCL 252.6).

(Filed with the Secretary of State June 30, 1997, at 2:16 p.m.)

Date: June 30, 1997

Time: 10:55 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4591 (Public Act No. 39, I.E.), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 26c (MCL 774.26c), as amended by 1980 PA 506.

(Filed with the Secretary of State June 30, 1997, at 2:18 p.m.)

Date: June 30, 1997

Time: 10:58 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4592 (Public Act No. 40, I.E.), being

An act to amend 1972 PA 239, entitled “An act to establish and operate a state lottery and to allow state participation in certain lottery-related joint enterprises with other sovereignties; to create a bureau of state lottery and to prescribe its powers and duties; to prescribe certain powers and duties of other state departments and agencies; to license and regulate certain sales agents; to create the state lottery fund; to provide for the distribution of lottery revenues and earnings for certain purposes; to provide for an appropriation; and to provide for remedies and penalties,” by amending section 35 (MCL 432.35).

(Filed with the Secretary of State June 30, 1997, at 2:20 p.m.)

Date: June 30, 1997

Time: 11:00 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4593 (Public Act No. 41, I.E.), being

An act to amend 1954 PA 70, entitled “An act relative to agreements providing for the final disposition of a dead human body; and to prescribe penalties for violations of the provisions of this act,” by amending section 1 (MCL 328.201), as amended by 1982 PA 366.

(Filed with the Secretary of State June 30, 1997, at 2:22 p.m.)

Date: June 30, 1997

Time: 11:02 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4594 (Public Act No. 42, I.E.), being

An act to amend 1965 PA 314, entitled “An act to authorize the investment of assets of public employee retirement systems or plans created and established by the state or any political subdivision; to provide for the payment of certain costs and investment expenses; to authorize investment in variable rate interest loans; to define and limit the investments which may be made by an investment fiduciary with the assets of a public employee retirement system; and to prescribe the powers and duties of investment fiduciaries and certain state departments and officers,” by amending section 20c (MCL 38.1140c), as amended by 1996 PA 485.

(Filed with the Secretary of State June 30, 1997, at 2:24 p.m.)

Date: June 30, 1997

Time: 11:04 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4595 (Public Act No. 43, I.E.), being

An act to amend 1909 PA 99, entitled “An act authorizing the county board of commissioners or the board of auditors in those counties having a board of county auditors, to designate a depository or depositories of public moneys received by county treasurers; prescribing the duties of certain officers; and prescribing penalties,” by amending sections 1, 2, 3, 4, 6, 6a, and 10 (MCL 129.31, 129.32, 129.33, 129.34, 129.36, 129.36a, and 129.40).

(Filed with the Secretary of State June 30, 1997, at 2:26 p.m.)

Date: June 30, 1997

Time: 11:06 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4597 (Public Act No. 44, I.E.), being

An act to amend 1943 PA 20, entitled “An act relative to the investment of surplus funds of political subdivisions of the state; and to validate certain investments,” by amending section 1 (MCL 129.91), as amended by 1988 PA 239.

(Filed with the Secretary of State June 30, 1997, at 2:28 p.m.)

Date: June 30, 1997

Time: 11:08 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4598 (Public Act No. 45, I.E.), being

An act to amend 1909 PA 321, entitled “An act to provide for the depositing and safeguarding of public moneys belonging to villages within the state of Michigan,” by amending sections 1 and 3 (MCL 129.41 and 129.43) and by adding section 5.

(Filed with the Secretary of State June 30, 1997, at 2:30 p.m.)

Date: June 30, 1997

Time: 11:10 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4599 (Public Act No. 46, I.E.), being

An act to amend 1934 (1st Ex Sess) PA 23, entitled “An act authorizing the investment in bonds of the home owners’ loan corporation and bonds of federal home loan banks by the state and all its departments and political subdivisions, including municipal corporations, and instrumentalities, and by any insurance company, building and loan association or company, savings and loan association or company, bank, trust company or other financial institution, and by any executor, administrator, guardian, trustee or fiduciary; authorizing the use of such bonds as security by any depository of funds; and authorizing certain deposits with the state treasurer to be in such bonds,” by amending section 1 (MCL 129.81).

(Filed with the Secretary of State June 30, 1997, at 2:32 p.m.)

Date: June 30, 1997

Time: 11:14 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4600 (Public Act No. 47, I.E.), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 622, 1221, and 1223 (MCL 380.622, 380.1221, and 380.1223), sections 622 and 1223 as amended by 1986 PA 132 and section 1221 as amended by 1994 PA 416.

(Filed with the Secretary of State June 30, 1997, at 2:34 p.m.)

Date: June 30, 1997

Time: 11:16 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4602 (Public Act No. 48, I.E.), being

An act to amend 1982 PA 367, entitled “An act relative to the investment of surplus funds of local units of government of this state in investment pools; to permit the establishment of investment pools by financial institutions; to permit local units of government to invest in investment pools; and to prescribe certain powers and duties of certain local units of government and their officers,” by amending section 2 (MCL 129.112).

(Filed with the Secretary of State June 30, 1997, at 2:36 p.m.)

Date: June 30, 1997

Time: 11:20 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4603 (Public Act No. 49, I.E.), being

An act to amend 1969 PA 319, entitled “An act to revise and codify the laws relating to banks, industrial banks, foreign banks, trust companies, and safe and collateral deposit companies; to provide for their incorporation, regulation, and supervision; to authorize the granting of trust powers to banks and to regulate the exercise of those powers; to create, within the department of commerce, a financial institutions bureau and to prescribe its powers and duties; to prescribe penalties for violations of this act; and to repeal certain acts and parts of acts,” by amending sections 171 and 231 (MCL 487.471 and 487.531), section 171 as amended by 1996 PA 405 and section 231 as amended by 1991 PA 12.

(Filed with the Secretary of State June 30, 1997, at 2:38 p.m.)

Date: June 30, 1997

Time: 11:24 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4604 (Public Act No. 50, I.E.), being

An act to amend 1996 PA 354, entitled “An act to codify the laws relating to savings banks; to provide for incorporation, regulation, supervision, and internal administration of savings banks; to prescribe the rights, powers, and immunities of savings banks; to prescribe the powers and duties of certain state agencies and officials; to provide for remedies; and to prescribe penalties,” by amending section 508 (MCL 487.3508) and by adding section 302a.

(Filed with the Secretary of State June 30, 1997, at 2:40 p.m.)

Date: June 30, 1997

Time: 11:26 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4605 (Public Act No. 51, I.E.), being

An act to amend 1980 PA 307, entitled “An act to revise and codify the laws relating to savings and loan associations; to provide for the incorporation, regulation, supervision, and internal administration of associations; to prescribe the rights, powers, and immunities of associations; to provide for voluntary and involuntary changes in the corporate structure of associations; to prescribe the powers, rights, and duties of certain state agencies in relation to associations; to require certain reports and examinations of associations; to prescribe remedies and penalties for violations of this act; and to repeal certain acts and parts of acts,” by amending section 606 (MCL 491.606), as amended by 1987 PA 106, and by adding section 300a.

(Filed with the Secretary of State June 30, 1997, at 2:42 p.m.)

Communications from State Officers

The following communications from the Secretary of State were received and read:

Notices of Filing Administrative Rules

June 18, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:40 a.m. this date, administrative rule (97-6-13) for the Michigan Department of Community Public Health Agency, Division of Services to Crippled Children, entitled “*Hospital and Medical Treatment For Crippled Children*”, effective 15 days hereafter.

June 18, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:42 a.m. this date, administrative rule (97-6-14) for the Michigan Department of Community Public Health Agency, Crippled Children Commission, entitled “*Procedure for Conducting Hearings*”, effective 15 days hereafter.

June 18, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:44 a.m. this date, administrative rule (97-6-15) for the Michigan Department of State Police, State Fire Safety Board, entitled "*Radioactive Material Transportation*", effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Helen Kruger, Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

The following communication from the Department of State Police was received and read:

June 25, 1997

Enclosed is a second set of revision pages to the 1996 Annual Report for the Secondary Road Patrol and Traffic Accident Prevention Program.

After the revision pages were distributed, a formula error was found within one table which also affected another table and the summary report. So that your annual report is correct, we are sharing these corrected pages with you.

We regret any inconvenience these errors may have caused and believe that you now have a complete, corrected report. Should you have any questions about these corrected pages, please contact Ms. Sherry Casler at (517) 333-5305.

Sincerely,
BETTY J. MERCER
Division Director
Office of Highway Safety Planning

The communication was referred to the Clerk.

The following communication from the Bureau of State Lottery was received and read:

June 26, 1997

Public 167 of 1996 directed that "the commissioner shall conduct a study of compulsive gambling and the extent to which persons with compulsive gambling disorders participate in gambling activities." A written summary of the findings of the study is to be submitted to the Clerk of the House of Representatives and the Secretary of the Senate.

In September 1996, the State of Michigan, through the Bureau of State Lottery, contracted with Western Michigan University to conduct a compulsive gambling prevalence study. The study was conducted by a partnership of Western Michigan University's The Evaluation Center and Leonard C. Kercher Center for Social Research. It included three key elements: an extensive literature review of the subject, focus groups including individuals with gambling problems and treatment providers, and a state-wide telephone survey of 3,942 adults. This approach provided the most complete and expansive state-wide examination ever done on the issue of compulsive gambling in Michigan.

Enclosed is a copy of the report's Executive Summary as directed by Public Act 167. Copies of the entire report are also available from my office.

Sincerely,
Bill Martin
Lottery Commissioner

The communication was referred to the Clerk.

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

June 27, 1997

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

Financial Audit Including the Provisions of
the Single Audit Act
Department of Mental Health

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 Ethics.

Introduction of Bills

Reps. DeVuyst, Goschka, Jellema, Horton, McManus, McBryde, Rhead, Voorhees, Jelinek, Bodem, Green, Hammerstrom, Dalman, Raczkowski, McNutt, Jaye, Walberg, Mans, Kilpatrick, LeTarte, Geiger, Oxender, Middleton and Gernaat introduced

House Bill No. 5002, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43514 (MCL 324.43514), as added by 1995 PA 57; and to repeal acts and parts of acts.

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

Reps. Walberg, Cropsey, Nye, Lowe, Voorhees, Whyman, Horton, Hammerstrom, Baade, Raczkowski, DeHart, DeVuyst, Leland and Perricone introduced

House Bill No. 5003, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1165.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Bogardus offered the following resolution:

House Resolution No. 121.

A resolution to urge the Department of Natural Resources to refrain from conducting September lease sales of mineral rights on state-owned land pending legislative review of procedures.

Whereas, Serious financial irregularities have come to public attention regarding the way in which the oil and gas industry has been reporting revenue and production from natural gas wells on state land; and

Whereas, These irregularities may have led to the loss to state taxpayers of substantial revenues that should be directed to the Natural Resources Trust Fund; and

Whereas, Weak state oversight may be contributing to these irregularities; now, therefore, be it

Resolved by the House of Representatives, That we strongly urge the Department of Natural Resources to refrain from conducting September lease sales of mineral rights on state-owned land pending legislative review of the procedures for overseeing these revenue calculations and the system for calculating moneys owed to the states; and be it further

Resolved, That a copy of this resolution be transmitted to the Department of Natural Resources.

The resolution was referred to the Committee on Forestry and Mineral Rights.

Messages from the Governor

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

Date: June 30, 1997

Time: 6:40 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4606 (Public Act No. 52, I.E.), being

An act to amend 1993 PA 23, entitled "An act to provide for the organization and regulation of limited liability companies; to prescribe their duties, rights, powers, immunities, and liabilities; to prescribe the powers and duties of certain state departments and agencies; and to provide for penalties and remedies," by amending sections 102, 103, 201, 202, 203, 204, 206, 207, 213, 301, 302, 303, 304, 305, 307, 308, 401, 402, 403, 404, 405, 501, 502, 503, 506, 509, 603, 701, 702, 703, 704, 705, 706, 801, 901, 902, 903, 904, 909, 910, 1002, and 1101 (MCL 450.4102, 450.4103, 450.4201, 450.4202, 450.4203, 450.4204, 450.4206, 450.4207, 450.4213, 450.4301, 450.4302, 450.4303, 450.4304, 450.4305, 450.4307, 450.4308, 450.4401, 450.4402, 450.4403, 450.4404, 450.4405, 450.4501, 450.4502, 450.4503, 450.4506, 450.4509, 450.4603, 450.4701, 450.4702, 450.4703, 450.4704, 450.4705, 450.4706, 450.4801, 450.4901, 450.4902, 450.4903, 450.4904, 450.4909, 450.4910, 450.5002, and 450.5101), sections 701, 702, 703, 705, and 706 as amended by 1994 PA 410, and by adding sections 214, 515, 705a, and 707.

(Filed with the Secretary of State July 1, 1997, at 1:20 p.m.)

Date: June 30, 1997

Time: 6:45 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4329 (Public Act No. 53, I.E.), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 1284 (MCL 380.1284), as amended by 1995 PA 289.

(Filed with the Secretary of State July 1, 1997, at 1:22 p.m.)

Date: July 1, 1997

Time: 9:10 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4391 (Public Act No. 55, I.E.), being

An act to authorize a political subdivision to enact an ordinance allowing certain electrically powered vehicles to be operated on a highway within the political subdivision's boundaries; to require certain equipment for electrically powered vehicles; to provide for restrictions and limitations; to provide for exceptions; and to define terms.

(Filed with the Secretary of State July 1, 1997, at 1:26 p.m.)

Date: July 1, 1997

Time: 9:12 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4766 (Public Act No. 56, I.E.), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 33 (MCL 257.33), as amended by 1995 PA 140.

(Filed with the Secretary of State July 1, 1997, at 1:28 p.m.)

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 4872, entitled**

A bill to amend 1927 PA 150, entitled “An act to prescribe a privilege tax for the use of the public highways by owners and drivers of motor vehicles by imposing a specific tax upon the sale or use, within the state of Michigan, of motor fuel; to prescribe the manner and the time of paying this tax and the duties of officials and others respecting the payment and collection of this tax; to provide for the licensing of wholesale distributors, certain retail dealers, exporters, and suppliers as defined in this act; to fix a time when this tax and interest and penalties thereon become a

lien upon the property of persons, firms, partnerships, associations, or corporations, subject to the payment of this tax; to provide for the enforcement of this lien; to permit the inspection and testing of petroleum products; to provide for certain exemptions and refunds and for the disposition of the proceeds of this tax; and to prescribe penalties for the violation of this act," by amending the title and sections 2 and 22 (MCL 207.102 and 207.122), section 2 as amended by 1992 PA 225 and section 22 as amended by 1995 PA 52, and by adding chapter 7; and to repeal acts and parts of acts.

The Senate has amended the bill as follows:

1. Amend page 9, line 6, after "OR" by striking out "12,000" and inserting "11,815".
2. Amend page 9, line 9, after "OR" by striking out "12,000" and inserting "11,815".
3. Amend page 12, line 5, after "DEPARTMENT" by striking out "MAY" and inserting "SHALL".
4. Amend page 14, line 2, after "THAN" by striking out "\$5,000.00" and inserting "\$6,500.00".
5. Amend page 16, line 4, after "DECALS" by inserting "IF THE AMOUNT OF THE FEE IS ESTABLISHED BY RULES PROMULGATED BY THE DEPARTMENT".

The Senate has passed the bill as amended.

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

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Rep. Vaughn moved that the House adjourn.

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

The Speaker declared the House adjourned until Wednesday, July 2, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

