

No. 17
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House Chamber, Lansing, Tuesday, February 24, 1998.

2:00 p.m.

The House was called to order by Acting Speaker Hanley.

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

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

e/d/s = entered during session

Rev. Marvin Jennings, Jr., from Grace Emmanuel Baptist Church in Flint, Michigan, offered the following invocation:

“With thanksgiving and prayer we thank God for you who have been elected and called upon by the community to serve the State of Michigan and this country. Let it be that here in the presence of God and this assembly, each representative will freely pledge faithful service, loyal love and the sincere stewardship of their gifts and talents to the ongoing and betterment of this Legislature, its committees and their communities. In God’s name we pray. Amen.”

Rep. Dobronski moved that Reps. Varga, Mans, Schermesser and Hood be excused from today’s session. The motion prevailed.

Rep. Hammerstrom moved that Rep. McManus be excused from today’s session. The motion prevailed.

Notices

February 24, 1998

In accordance with House Rule 10, I hereby designate Representative Michael Hanley, to be the Presiding Officer for all, or part of today’s session.

Sincerely,
Curtis Hertel
Speaker of the House

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5222, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 2102a.

(The bill was received from the Senate on February 17, with amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until February 18, see House Journal No. 14, p. 222.)

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

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

Roll Call No. 82

Yeas—97

Agee	DeVuyst	Jelinek	Parks
Alley	Dobb	Jellema	Perricone
Anthony	Dobronski	Johnson	Price
Baade	Emerson	Kaza	Profit
Baird	Fitzgerald	Kelly	Prusi
Bankes	Frank	Kukuk	Quarles
Basham	Freeman	LaForge	Rhead
Birkholz	Gagliardi	Law	Richner
Bobier	Galloway	Leland	Rison
Bodem	Geiger	LeTarte	Rocca
Bogardus	Gernaat	London	Schauer

Brackenridge	Gilmer	Lowe	Schroer
Brater	Gire	Martinez	Scott
Brewer	Godchaux	Mathieu	Scranton
Brown	Goschka	McBryde	Sikkema
Byl	Green	McNutt	Stallworth
Callahan	Griffin	Middaugh	Tesanovich
Cassis	Gubow	Middleton	Thomas
Cherry	Hale	Murphy	Vaughn
Ciaramitaro	Hammerstrom	Nye	Voorhees
Crissman	Hanley	Olshove	Walberg
Cropsey	Harder	Owen	Wallace
Curtis	Horton	Oxender	Wetters
Dalman	Jansen	Palamara	Wojno
DeHart			

Nays—0

In The Chair: Hanley

The House agreed to the full title.

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

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Reps. Llewellyn and Willard entered the House Chambers.

The Speaker laid before the House

House Bill No. 5279, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8126 (MCL 600.8126).

(The bill was received from the Senate on February 10, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until February 11, see House Journal No. 11, p. 166.)

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

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

Roll Call No. 83

Yeas—99

Agee	DeVuyst	Jellema	Perricone
Alley	Dobb	Johnson	Price
Anthony	Dobronski	Kaza	Profit
Baade	Emerson	Kelly	Prusi
Baird	Fitzgerald	Kukuk	Quarles
Bankes	Frank	LaForge	Rhead
Basham	Freeman	Law	Richner
Birkholz	Gagliardi	Leland	Rison
Bobier	Galloway	LeTarte	Rocca
Bodem	Geiger	Llewellyn	Schauer

Bogardus	Gernaat	London	Schroer
Brackenridge	Gilmer	Lowe	Scott
Brater	Gire	Martinez	Scranton
Brewer	Godchaux	Mathieu	Sikkema
Brown	Goschka	McBryde	Stallworth
Byl	Green	McNutt	Tesanovich
Callahan	Griffin	Middaugh	Thomas
Cassis	Gubow	Middleton	Vaughn
Cherry	Hale	Murphy	Voorhees
Ciaramitaro	Hammerstrom	Nye	Walberg
Crissman	Hanley	Olshove	Wallace
Cropsey	Harder	Owen	Wetters
Curtis	Horton	Oxender	Willard
Dalman	Jansen	Palamara	Wojno
DeHart	Jelinek	Parks	

Nays—0

In The Chair: Hanley

The House agreed to the full title.

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

Reps. Kilpatrick and Gustafson entered the House Chambers.

Third Reading of Bills

House Bill No. 4173, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending sections 1a, 17j, 19, and 31 (MCL 38.1a, 38.17j, 38.19, and 38.31), section 1a as amended by 1995 PA 176, section 17j as amended by 1989 PA 9, section 19 as amended by 1993 PA 195, and section 31 as amended by 1991 PA 48, and by adding section 17m.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Rhead moved to substitute (H-3) the bill.

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

The question being on the passage of the bill,

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

Roll Call No. 84

Yeas—99

Agee	DeVuyst	Jellema	Parks
Alley	Dobb	Johnson	Perricone
Anthony	Dobronski	Kaza	Price
Baade	Emerson	Kelly	Profit
Baird	Fitzgerald	Kilpatrick	Prusi
Bankes	Frank	Kukuk	Quarles
Basham	Freeman	LaForge	Rhead
Birkholz	Gagliardi	Law	Richner

Bobier	Galloway	Leland	Rison
Bodem	Geiger	LeTarte	Rocca
Bogardus	Gernaat	Llewellyn	Schauer
Brackenridge	Gilmer	London	Scott
Brater	Gire	Lowe	Scranton
Brewer	Godchaux	Martinez	Sikkema
Brown	Goschka	Mathieu	Stallworth
Byl	Green	McBryde	Tesanovich
Callahan	Gubow	McNutt	Thomas
Cassis	Gustafson	Middaugh	Vaughn
Cherry	Hale	Middleton	Voorhees
Ciaramitaro	Hammerstrom	Murphy	Walberg
Crissman	Hanley	Nye	Wallace
Cropsey	Harder	Olshove	Wetters
Curtis	Horton	Owen	Willard
Dalman	Jansen	Oxender	Wojno
DeHart	Jelinek	Palamara	

Nays—0

In The Chair: Hanley

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 1943 PA 240, entitled “State employees’ retirement act,” by amending sections 1a, 17j, 19, and 31 (MCL 38.1a, 38.17j, 38.19, and 38.31), section 1a as amended by 1995 PA 176, section 17j as amended by 1989 PA 9, section 19 as amended by 1996 PA 521, and section 31 as amended by 1991 PA 48, and by adding section 17m; 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.

Senate Bill No. 361, entitled

A bill to amend 1987 PA 230, entitled “Municipal health facilities corporations act,” by amending section 306 (MCL 331.1306), as amended by 1988 PA 502.

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

Roll Call No. 85**Yeas—100**

Agee	DeVuyst	Jellema	Parks
Alley	Dobb	Johnson	Perricone
Anthony	Dobronski	Kaza	Price
Baade	Emerson	Kelly	Profit
Baird	Fitzgerald	Kilpatrick	Prusi
Bankes	Frank	Kukuk	Quarles
Basham	Freeman	LaForge	Rhead
Birkholz	Gagliardi	Law	Richner
Bobier	Galloway	Leland	Rison
Bodem	Geiger	LeTarte	Rocca
Bogardus	Gernaat	Llewellyn	Schauer
Brackenridge	Gilmer	London	Schroer
Brater	Gire	Lowe	Scott

Brewer	Godchaux	Martinez	Scranton
Brown	Goschka	Mathieu	Sikkema
Byl	Green	McBryde	Stallworth
Callahan	Gubow	McNutt	Tesanovich
Cassis	Gustafson	Middaugh	Thomas
Cherry	Hale	Middleton	Vaughn
Ciaramitaro	Hammerstrom	Murphy	Voorhees
Crissman	Hanley	Nye	Walberg
Cropsey	Harder	Olshove	Wallace
Curtis	Horton	Owen	Wetters
Dalman	Jansen	Oxender	Willard
DeHart	Jelinek	Palamara	Wojno

Nays—0

In The Chair: Hanley

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

“An act to authorize certain local governmental units to incorporate municipal health facilities corporations and subsidiary municipal health facilities corporations for establishing, modifying, operating, and managing health services and acquiring, constructing, adding to, repairing, remodeling, renovating, equipping, and re-equipping hospitals and other health care facilities and related purposes; to provide for the application of this act to existing municipal hospitals and for the transfer of ownership of hospital funds and personal property; to validate and ratify the existence, organization, actions, proceedings, and board membership of existing organizations acting as county public hospitals; to provide for the appointment of trustees; to grant certain powers of a public body corporate to health facilities corporations and subsidiary health facilities corporations; to empower certain local governmental units to encumber property for the benefit of, transfer or make property available to, issue bonds to construct facilities to be used by, appropriate funds for, and levy a tax for, municipal health facilities corporations and subsidiary municipal health facilities corporations; to empower certain local governmental units to guarantee obligations of municipal health facilities corporations and subsidiary municipal health facilities corporations and to permit certain local governmental units to pledge their full faith and credit to pay such guaranties; to provide for transfer of ownership or operation of health care facilities and health services to nonprofit health care organizations; to authorize municipal health facilities corporations and subsidiary municipal health facilities corporations to borrow money and issue notes for the purposes of meeting expenses of operation and to issue corporation obligations for the purpose of acquisition, construction, repair, remodeling, equipping or re-equipping of health care facilities and for the refinancing, refunding, or refunding in advance of indebtedness of the municipal health facilities corporations or the subsidiary municipal health facilities corporations or of indebtedness of certain local governmental units undertaken on their behalf; to authorize municipal health facilities corporations and subsidiary municipal health facilities corporations to enter into mortgages, deeds of trust, and other agreements for security which may include provisions for the appointment of receivers; to exempt obligations and property of municipal health facilities corporations and subsidiary municipal health facilities corporations from taxation; and to provide other rights, powers, and duties of municipal health facilities corporations and subsidiary municipal health facilities corporations.”

The House agreed to the full title.

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

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

Rep. LaForge asked and obtained a temporary excuse from today's session.

Senate Bill No. 362, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 116 (MCL 330.1116), as amended by 1995 PA 290.

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

Roll Call No. 86**Yeas—97**

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

Nays—0

In The Chair: Hanley

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

“An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disabilities; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

Senate Bill No. 363, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of the department of social services and adoption facilitators; to provide penalties; and to repeal certain acts and parts of acts,” by amending section 5 (MCL 722.115), as amended by 1995 PA 81.

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

Roll Call No. 87**Yeas—97**

Agee	DeVuyst	Jelinek	Parks
Alley	Dobb	Jellema	Perricone

Anthony	Dobronski	Johnson	Price
Baade	Emerson	Kaza	Profit
Baird	Fitzgerald	Kelly	Prusi
Bankes	Frank	Kilpatrick	Quarles
Basham	Freeman	Kukuk	Rhead
Birkholz	Gagliardi	Law	Richner
Bobier	Galloway	Leland	Rocca
Bodem	Geiger	LeTarte	Schauer
Bogardus	Gernaat	Llewellyn	Schroer
Brackenridge	Gilmer	London	Scott
Brater	Gire	Lowe	Scranton
Brewer	Godchaux	Mathieu	Sikkema
Brown	Goschka	McBryde	Stallworth
Byl	Green	McNutt	Tesanovich
Callahan	Gubow	Middaugh	Thomas
Cassis	Gustafson	Middleton	Vaughn
Cherry	Hale	Murphy	Voorhees
Ciaramitaro	Hammerstrom	Nye	Walberg
Crissman	Hanley	Olshove	Wallace
Cropsey	Harder	Owen	Wetters
Curtis	Horton	Oxender	Willard
Dalman	Jansen	Palamara	Wojno
DeHart			

Nays—0

In The Chair: Hanley

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.

Rep. Hertel entered the House Chambers.

Senate Bill No. 364, entitled

A bill to amend 1973 PA 8, entitled "An act to provide for the construction and maintenance of sidewalks for use by handicapped persons," by amending the title and section 1 (MCL 125.1361).

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

Roll Call No. 88**Yeas—99**

Agee	DeVuyst	Jelinek	Parks
Alley	Dobb	Jellema	Perricone
Anthony	Dobronski	Johnson	Price
Baade	Emerson	Kaza	Profit
Baird	Fitzgerald	Kelly	Prusi
Bankes	Frank	Kilpatrick	Quarles
Basham	Freeman	Kukuk	Rhead
Birkholz	Gagliardi	Law	Richner

Bobier	Galloway	Leland	Rocca
Bodem	Geiger	LeTarte	Schauer
Bogardus	Gernaat	Llewellyn	Schroer
Brackenridge	Gilmer	London	Scott
Brater	Gire	Lowe	Scranton
Brewer	Godchaux	Martinez	Sikkema
Brown	Goschka	Mathieu	Stallworth
Byl	Green	McBryde	Tesanovich
Callahan	Gubow	McNutt	Thomas
Cassis	Gustafson	Middaugh	Vaughn
Cherry	Hale	Middleton	Voorhees
Ciaramitaro	Hammerstrom	Murphy	Walberg
Crissman	Hanley	Nye	Wallace
Cropsey	Harder	Olshove	Wetters
Curtis	Hertel	Owen	Willard
Dalman	Horton	Oxender	Wojno
DeHart	Jansen	Palamara	

Nays—0

In The Chair: Hanley

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.

Rep. Whyman entered the House Chambers.

Senate Bill No. 365, entitled

A bill to amend 1978 PA 59, entitled "Condominium act," by amending the title and sections 47a and 104b (MCL 559.147a and 559.204b), the title and section 104b as amended by 1982 PA 538 and section 47a as added by 1987 PA 31.

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

Roll Call No. 89**Yeas—101**

Agee	Dobb	Jellema	Perricone
Alley	Dobronski	Johnson	Price
Anthony	Emerson	Kaza	Profit
Baade	Fitzgerald	Kelly	Prusi
Baird	Frank	Kilpatrick	Quarles
Bankes	Freeman	Kukuk	Rhead
Basham	Gagliardi	Law	Richner
Birkholz	Galloway	Leland	Rison
Bobier	Geiger	LeTarte	Rocca
Bodem	Gernaat	Llewellyn	Schauer
Bogardus	Gilmer	London	Schroer
Brackenridge	Gire	Lowe	Scott
Brater	Godchaux	Martinez	Scranton

Brewer	Goschka	Mathieu	Sikkema
Brown	Green	McBryde	Stallworth
Byl	Gubow	McNutt	Tesanovich
Callahan	Gustafson	Middaugh	Thomas
Cassis	Hale	Middleton	Vaughn
Cherry	Hammerstrom	Murphy	Voorhees
Ciaramitaro	Hanley	Nye	Walberg
Crissman	Harder	Olshove	Wallace
Cropsey	Hertel	Owen	Wetters
Curtis	Horton	Oxender	Whyman
Dalman	Jansen	Palamara	Willard
DeHart	Jelinek	Parks	Wojno
DeVuyst			

Nays—0

In The Chair: Hanley

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

“An act relative to condominiums and condominium projects; to prescribe powers and duties of the administrator; to provide certain protections for certain tenants, senior citizens, and handicapped persons relating to conversion condominium projects; to provide for escrow arrangements; to provide an exemption from certain property tax increases; to impose duties on certain state departments; to prescribe remedies and penalties; and to repeal certain acts and parts of acts.”.

The House agreed to the full title.

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

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

Senate Bill No. 367, entitled

A bill to amend 1964 PA 154, entitled “Minimum wage law of 1964,” by amending sections 7 and 14 (MCL 408.387 and 408.394).

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

Roll Call No. 90**Yeas—100**

Agee	DeVuyst	Jelinek	Perricone
Alley	Dobb	Jellema	Price
Anthony	Dobronski	Johnson	Profit
Baade	Emerson	Kaza	Prusi
Baird	Fitzgerald	Kelly	Quarles
Bankes	Frank	Kukuk	Rhead
Basham	Freeman	Law	Richner
Birkholz	Gagliardi	Leland	Rison
Bobier	Galloway	LeTarte	Rocca
Bodem	Geiger	Llewellyn	Schauer
Bogardus	Gernaat	London	Schroer
Brackenridge	Gilmer	Lowe	Scott
Brater	Gire	Martinez	Scranton
Brewer	Godchaux	Mathieu	Sikkema
Brown	Goschka	McBryde	Stallworth
Byl	Green	McNutt	Tesanovich
Callahan	Griffin	Middaugh	Thomas
Cassis	Gubow	Middleton	Vaughn

Cherry	Gustafson	Murphy	Voorhees
Ciaramitaro	Hale	Nye	Walberg
Crissman	Hammerstrom	Olshove	Wallace
Cropsey	Hanley	Owen	Wetters
Curtis	Harder	Oxender	Whyman
Dalman	Horton	Palamara	Willard
DeHart	Jansen	Parks	Wojno

Nays—0

In The Chair: Hanley

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 1964 PA 154, entitled, "An act to fix minimum wages for employees within this state; to prohibit wage discrimination; to provide for the administration and enforcement of this act; and to prescribe penalties for the violation of this act," by amending section 14 (MCL 408.394).

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.

House Bill No. 5219, entitled

A bill to amend 1994 PA 358, entitled "An act to regulate the possession of ferrets; to provide for the licensing of ferrets; to provide for requirements for importation and rabies control procedures for ferrets; to provide for the powers and duties of certain governmental entities; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 2 (MCL 287.892).

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

Roll Call No. 91**Yeas—91**

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

Nays—9

Godchaux
Gustafson
Jansen

London
Perricone

Richner
Schroer

Scranton
Stallworth

In The Chair: Hanley

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. 368, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 49, 145m, 147a, 470, and 502c (MCL 750.49, 750.145m, 750.147a, 750.470, and 750.502c), section 49 as amended by 1995 PA 228, section 145m as added by 1994 PA 149, section 470 as added by 1992 PA 271, and section 502c as amended by 1995 PA 114.

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.

Senate Bill No. 369, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7d (MCL 211.7d), as amended by 1987 PA 200.

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.

Senate Bill No. 370, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 3b of chapter XI and section 19a of chapter XV (MCL 771.3b and 775.19a), section 3b of chapter XI as amended by 1994 PA 426 and section 19a of chapter XV as amended by 1982 PA 203.

The bill was read a second time.

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

Senate Bill No. 371, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 19a, 39a, 67b, 252d, 321a, 674, 675, 742, 803d, 803e, 803f, 803h, 803i, 803j, 803k, 803l, 803n, and 803o (MCL 257.19a, 257.39a, 257.67b, 257.252d, 257.321a, 257.674, 257.675, 257.742, 257.803d, 257.803e, 257.803f, 257.803h, 257.803i, 257.803j, 257.803k, 257.803l, 257.803n, and 257.803o), section 19a as amended by 1996 PA 198, section 675 as amended by 1994 PA 432, section 39a as added by 1987 PA 257, sections 67b, 674, 803e, 803f, 803i, 803j, 803k, 803l, 803n, and 803o as amended by 1994 PA 104, sections 252d and 742 as amended by 1989 PA 89, section 321a as amended by 1996 PA 493, section 803d as amended by 1984 PA 175, and section 803h as added by 1988 PA 419.

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

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

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

Senate Bill No. 372, entitled

A bill to amend 1969 PA 235, entitled "An act authorizing local units of government to regulate and control traffic in parking areas; and to provide a penalty for a violation of this act," by amending section 2a (MCL 257.942a).

The bill was read a second time.

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

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

Senate Bill No. 373, entitled

A bill to amend 1956 PA 62, entitled "An act to authorize the director of the department of state police to promulgate a uniform traffic code; to authorize a city, township, or village to adopt the uniform traffic code by reference without publication in full; and to prescribe criminal penalties and civil sanctions for violation of the code," by amending section 1 (MCL 257.951), as amended by 1993 PA 225.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Constitutional and Civil Rights (for amendment, see House Journal No. 13, p. 202),

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

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

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

Senate Bill No. 374, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending sections 102 and 304b (MCL 484.2102 and 484.2304b), section 102 as amended and section 304b as added by 1995 PA 216.

The bill was read a second time.

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

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

Senate Bill No. 375, entitled

A bill to amend 1921 PA 302, entitled "An act to provide for the supervision of private, denominational and parochial schools; to provide the manner of securing funds in payment of the expense of such supervision; to provide the qualifications of the teachers in such schools; and to provide for the endorsement of the provisions hereof," by amending section 8 (MCL 388.558).

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 376, entitled

A bill to amend 1972 PA 230, entitled "State construction code act of 1972," by amending section 2 (MCL 125.1502), as amended by 1980 PA 371.

The bill was read a second time.

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

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

Senate Bill No. 377, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 34a (MCL 791.234a), as amended by 1994 PA 427.

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

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

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

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

Senate Bill No. 381, entitled

A bill to amend 1965 PA 380, entitled "Executive organization act of 1965," by amending section 396 (MCL 16.496).

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Constitutional and Civil Rights (for amendments, see House Journal No. 13, p. 204),

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

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

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

Senate Bill No. 382, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending sections 1, 22, 32b, 44, and 44d (MCL 125.1401, 125.1422, 125.1432b, 125.1444, and 125.1444d), section 1 as amended by 1984 PA 215, sections 22, 32b, and 44 as amended by 1996 PA 475, and section 44d as added by 1987 PA 86.

The bill was read a second time.

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

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

Senate Bill No. 383, entitled

A bill to amend 1964 PA 232, entitled "Rehabilitation act of 1964," by amending section 2 (MCL 395.82).

The bill was read a second time.

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

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

Senate Bill No. 384, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 91 (MCL 38.1391), as amended by 1989 PA 193.

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

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

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

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

Senate Bill No. 385, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, 6, 504, 514, 605, 701, 1296, 1311, 1321, 1701, 1701a, 1711, 1723, 1724, 1751, 1756, 1757, and 1761 (MCL 380.4, 380.5, 380.6, 380.504, 380.514, 380.605, 380.701, 380.1296, 380.1311, 380.1321, 380.1701, 380.1701a, 380.1711, 380.1723, 380.1724, 380.1751, 380.1756, 380.1757, and 380.1761), section 5 as amended by 1995 PA 289, sections 504 and 1701a as amended and section 514 as added by 1994 PA 416, section 605 as amended by 1985 PA 86, section 1311 as amended by 1995 PA 250, section 1321 as amended by 1990 PA 163, and section 1724 as amended by 1994 PA 258.

The bill was read a second time.

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

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

Senate Bill No. 386, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 51a and 105 (MCL 388.1651a and 388.1705), as added by 1996 PA 300.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Constitutional and Civil Rights,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.
Rep. Cherry moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed, a majority of the members voting therefor.

Senate Bill No. 387, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 509b, 40102, 40103, 40107, 70103, 81101, 81123, 81127, and 81133 (MCL 324.509b, 324.40102, 324.40103, 324.40107, 324.70103, 324.81101, 324.81123, 324.81127, and 324.81133), sections 40102, 40103, and 40107 as added by 1995 PA 57 and sections 70103, 81101, 81123, 81127, and 81133 as added by 1995 PA 58.

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

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

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

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

Senate Bill No. 388, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal certain acts and parts of acts," by amending section 10e (MCL 247.660e), as amended by 1990 PA 73.

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

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

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

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

Senate Bill No. 389, entitled

A bill to amend 1986 PA 54, entitled "Building officials and inspection registration," by amending section 3 (MCL 338.2303).

The bill was read a second time.

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

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

Senate Bill No. 390, entitled

A bill to amend 1978 PA 260, entitled "An act to revise and codify the laws relating to blind persons and visually handicapped; to create a commission; to prescribe its powers and duties and those of other state agencies relative to blind persons; to provide services, education, training, and assistance to blind persons; to regulate concessions operated by blind persons; to transfer powers, duties, functions, and appropriations; and to repeal certain acts and parts of acts," by amending the title and sections 4 and 6 (MCL 393.354 and 393.356).

The bill was read a second time.

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

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

Senate Bill No. 391, entitled

A bill to amend 1984 PA 22, entitled "Michigan civilian conservation corps act," by amending section 6 (MCL 409.306), as amended by 1985 PA 30.

The bill was read a second time.

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

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

Senate Bill No. 392, entitled

A bill to amend 1978 PA 454, entitled "Truth in renting act," by amending section 3 (MCL 554.633), as amended by 1991 PA 131.

The bill was read a second time.

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

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

Senate Bill No. 393, entitled

A bill to amend 1988 PA 112, entitled "The handicapper business opportunity act," by amending the title and sections 1, 2, 3, 4, and 5 (MCL 450.791, 450.792, 450.793, 450.794, and 450.795).

The bill was read a second time.

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

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

Senate Bill No. 394, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending sections 700a, 701a, 901, 905, 911, 915, 921, and 925 (MCL 418.700a, 418.701a, 418.901, 418.905, 418.911, 418.915, 418.921, and 418.925), sections 700a and 701a as added by 1993 PA 198 and sections 921 and 925 as amended by 1985 PA 103.

The bill was read a second time.

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

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

Senate Bill No. 395, entitled

A bill to amend 1967 PA 204, entitled "Metropolitan transportation authorities act of 1967," by amending section 4a (MCL 124.404a), as added by 1988 PA 481.

The bill was read a second time.

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

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

Senate Bill No. 396, entitled

A bill to amend 1981 PA 230, entitled "Michigan economic and social opportunity act of 1981," by amending section 11 (MCL 400.1111).

The bill was read a second time.

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

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

Senate Bill No. 397, entitled

A bill to amend 1983 PA 173, entitled "An act to promote the delivery of services by community-based organizations pursuant to the job training partnership act; and to provide for criteria for the selection of service providers," by amending section 1 (MCL 421.151), as amended by 1990 PA 146.

The bill was read a second time.

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

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

Senate Bill No. 398, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5431, 5817, 9315, 20201, 21034, and 21761 (MCL 333.5431, 333.5817, 333.9315, 333.20201, 333.21034, and 333.21761), section 5431 as amended by 1992 PA 81 and sections 20201 and 21034 as amended by 1982 PA 354.

The bill was read a second time.

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

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

Senate Bill No. 399, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 13a (MCL 38.1013a), as amended by 1981 PA 123.

The bill was read a second time.

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

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

Senate Bill No. 400, entitled

A bill to amend 1984 PA 387, entitled "State food stamp distribution act," by amending sections 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 15, 16, 18, 19, and 20 (MCL 400.753, 400.754, 400.755, 400.757, 400.758, 400.759, 400.760, 400.761, 400.762, 400.763, 400.765, 400.766, 400.768, 400.769, and 400.770).

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Constitutional and Civil Rights (for amendment, see House Journal No. 13, p. 209),

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

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

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

Senate Bill No. 401, entitled

A bill to amend 1984 PA 218, entitled "Third party administrator act," by amending sections 40 and 44 (MCL 550.940 and 550.944).

The bill was read a second time.

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

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

Senate Bill No. 402, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 316, 2005, 2515, and 2518 (MCL 339.316, 339.2005, 339.2515, and 339.2518), section 2005 as amended by 1992 PA 103 and section 2515 as amended and section 1518 as added by 1993 PA 93.

The bill was read a second time.

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

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

Senate Joint Resolution I, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 8 of article VIII, to change the term "handicapped" to "disabled".

The joint resolution was read a second time.

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

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

Rep. Raczkowski entered the House Chambers.

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Local Government, by Rep. Dobronski, Chair, reported

House Bill No. 5437, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending sections 31 and 34 of chapter VIII, sections 1, 4, 5, 6, 7, 8, 9, 13, 14, 15, 16, 17, 20, 21, 22, 24, and 25 of chapter IX, sections 1, 2, 3, 4, 5, 6, 9, and 11 of chapter X, sections 1, 5, 6, 8, 9, 10, and 11 of chapter XI, sections 1, 3, 4, 5, 6, 7, 8, and 9 of chapter XII, sections 1, 2, 3, 4, and 5 of chapter XIII, and sections 3, 5, 6, 7, 18a, 19, 20, 21, and 22 of chapter XIV (MCL 68.31, 68.34, 69.1, 69.4, 69.5, 69.6, 69.7, 69.8, 69.9, 69.13, 69.14, 69.15, 69.16, 69.17, 69.20, 69.21, 69.22, 69.24, 69.25, 70.1, 70.2, 70.3, 70.4, 70.5, 70.6, 70.9, 70.11, 71.1, 71.5, 71.6, 71.8, 71.9, 71.10, 71.11, 72.1, 72.3, 72.4, 72.5, 72.6, 72.7, 72.8, 72.9, 73.1, 73.2, 73.3, 73.4, 73.5, 74.3, 74.5, 74.6, 74.7, 74.18a, 74.19, 74.20, 74.21, and 74.22), section 15 of chapter IX as amended by 1984 PA 179, sections 1 and 4 of chapter X as amended by 1985 PA 173, section 5 of chapter XII as amended by 1983 PA 44, and section 18a of chapter XIV as added by 1988 PA 33, and by adding section 7a to chapter IX, sections 13, 14, 15, 16, and 18 to chapter X, sections 12, 13, and 14 to chapter XI, and sections 18b, 18c, 18d, 18e, 18f, and 23 to chapter XIV; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

HB 5437 To Report Out:

Yeas: Reps. Dobronski, Brater, Brewer, Callahan, Brackenridge, Birkholz, Crissman, Hammerstrom,

Nays: None.

The Committee on Local Government, by Rep. Dobronski, Chair, reported

House Bill No. 5438, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending the title and sections 1, 1a, and 12 of chapter I, sections 1, 2, 4, 5, 6, 7, 11, 12, 13, 14, and 15 of chapter II, sections 2 and 7 of chapter III, sections 1, 2, 3, 5, 6, 7, 9, 10, 11, 12, and 21 of chapter IV, sections 1, 2, 3, 5, 7, and 8 of chapter V, sections 1, 3, 3a, 4, 8, 9, 11, 12, and 14 of chapter VI, and sections 1, 3, 4, 5, 6, 7, 9, 10, 12, 13, 16, 18, 19, 23, 24, 25, 26, 31, 33, 34, 38, 39, 41, 56, 57, 58, 61, 63, and 64 of chapter VII (MCL 61.1, 61.1a, 61.12, 62.1, 62.2, 62.4, 62.5, 62.6, 62.7, 62.11, 62.12, 62.13, 62.14, 62.15, 63.2, 63.7, 64.1, 64.2, 64.3, 64.5, 64.6, 64.7, 64.9, 64.10, 64.11, 64.12, 64.21, 65.1, 65.2, 65.3, 65.5, 65.7, 65.8, 66.1, 66.3, 66.3a, 66.4, 66.8, 66.9, 66.11, 66.12, 66.14, 67.1, 67.3, 67.4, 67.5, 67.6, 67.7, 67.9, 67.10, 67.12, 67.13, 67.16, 67.18, 67.19, 67.23, 67.24, 67.25, 67.26, 67.31, 67.33, 67.34, 67.38, 67.39, 67.41, 67.56, 67.57, 67.58, 67.61, 67.63, and 67.64), the title as amended by 1983 PA 44, section 1a of chapter I, sections 1 and 9 of chapter VI, and section 3 of chapter VII as amended by 1994 PA 16, section 2 of chapter II, sections 1 and 3 of chapter IV, and section 8 of chapter V as amended by 1985 PA 173, section 13 of chapter II, section 5 of chapter V, and sections 9 and 13 of chapter VII as amended by 1983 PA 205, section 21 of chapter IV as amended by 1992 PA 42, section 4 of chapter VI as amended by 1982 PA 346, and section 1 of chapter VII as amended by 1994 PA 314, and by adding sections 3 and 4 to chapter III; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

HB 5438 To Report Out:

Yeas: Reps. Dobronski, Brater, Brewer, Callahan, Brackenridge, Birkholz, Crissman, Hammerstrom,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Dobronski, Chair of the Committee on Local Government, was received and read:

Meeting held on: Tuesday, February 24, 1998, at 9:00 a.m.,

Present: Reps. Dobronski, Brater, Brewer, Callahan, Brackenridge, Birkholz, Crissman, Hammerstrom,

Absent: Rep. Mans,

Excused: Rep. Mans.

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

Senate Bill No. 747, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8132 (MCL 600.8132).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 747 To Report Out:

Yeas: Reps. Wallace, Baird, Freeman, Gubow, Schauer, Vaughn, Wojno, Nye, Cropsey, Fitzgerald, McNutt, Richner,

Nays: None.

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

Senate Bill No. 824, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 803 (MCL 600.803), as amended by 1980 PA 129.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 824 To Report Out:

Yeas: Reps. Wallace, Baird, Freeman, Gubow, Schauer, Vaughn, Wojno, Nye, Cropsey, Fitzgerald, McNutt, Richner,

Nays: None.

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

Senate Bill No. 834, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8138 (MCL 600.8138).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 834 To Report Out:

Yeas: Reps. Wallace, Baird, Freeman, Gubow, Schauer, Vaughn, Wojno, Nye, Cropsey, Fitzgerald, McNutt, Richner,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 24, 1998, at 9:00 a.m.,

Present: Reps. Wallace, Baird, Freeman, Gubow, Kilpatrick, Schauer, Vaughn, Willard, Wojno, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner,

Absent: Rep. Curtis,

Excused: Rep. Curtis.

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: Monday, February 23, 1998, at 2:00 p.m.,

Present: Reps. Gagliardi, Cherry, Brewer, DeHart, Hanley, Kilpatrick, Varga, Gustafson, DeVuyst, Fitzgerald, Richner, Voorhees,

Absent: Reps. Agee, Wallace, Wojno, Goschka, Perricone.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 24, 1998, at 9:00 a.m.,
 Present: Reps. LaForge, Bogardus, Schauer, Horton, London,
 Absent: Reps. Scott, Gire, Jelinek, McManus,
 Excused: Reps. Scott, Gire, Jelinek, McManus.

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, February 24, 1998, at 10:30 a.m.,
 Present: Reps. Anthony, Callahan, Bogardus, Brater, DeVuyst, Lowe,
 Absent: Reps. Alley, Middleton, Gernaat,
 Excused: Reps. Alley, Middleton, Gernaat.

Messages from the Senate

House Concurrent Resolution No. 54.

A concurrent resolution to request the United States Army Corps of Engineers to restore and maintain the harbor of refuge at Grand Marais.

(For text of resolution, see House Journal No. 65, p. 1766.)

The Senate has adopted the concurrent resolution and named Senator Stallings as co-sponsor.

The concurrent resolution was referred to the Clerk for record.

Senate Bill No. 181, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 476 and 525 (MCL 330.1476 and 330.1525), as amended by 1995 PA 290.

The Senate has nonconcurrent in the House amendments and appointed Senators Van Regenmorter, Rogers and Peters as conferees.

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Baird, Gubow and Scranton.

The messages were referred to the Clerk for record.

Notices

Public Hearing

Committees on Corrections and Judiciary and House Appropriations Subcommittees on Corrections and Community Health

Date: Thursday, February 26, 1998

Time: 4:30 p.m.

Place: Second Baptist Church, 441 Monroe, Detroit, Michigan

Rep. Freeman
 Chair

Agenda: Community forum on crime and substance abuse
 and any/or all business properly before the committees and subcommittees

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, February 18, for his approval of the following bills:

Enrolled Senate Bill No. 763 at 10:41 a.m.

Enrolled Senate Bill No. 792 at 10:43 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, February 18:

Senate Bill Nos. 891 897

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, February 19, for his approval of the following bill:

Enrolled House Bill No. 5223 at 3:20 p.m.

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Friday, February 20:

House Bill Nos. 5575 5576 5577 5578 5579 5581 5582 5583 5584 5585 5586
House Joint Resolution FF

The Clerk announced the enrollment printing and presentation to the Governor on Monday, February 23, for his approval of the following bills:

Enrolled House Bill No. 4382 at 2:40 p.m.

Enrolled House Bill No. 5058 at 2:42 p.m.

Enrolled House Bill No. 5220 at 2:44 p.m.

The Clerk announced that the following Senate bills had been received on Tuesday, February 24:

Senate Bill Nos. 754 855

Messages from the Governor

The following message from the Governor, approving and signing the following bill at the time designated below, was received and read:

Date: February 19, 1998
 Time: 10:45 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5120 (Public Act No. 10, I.E.), being

An act to amend 1962 PA 192, entitled “An act authorizing the creation of professional service corporations; providing definitions; providing exceptions; providing the manner and method of creating such corporations; providing for individual liability of officers, employees and agents of such corporations in certain instances; authorizing certain investments of corporate funds; regulating the issuance and transfer of capital stock; providing forfeiture of corporate franchise in certain instances; and requiring identification as a corporation,” by amending section 4 (MCL 450.224), as amended by 1997 PA 139.

(Filed with the Secretary of State February 20, 1998, at 8:45 a.m.)

Communications from State Officers

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

Notices of Filing Administrative Rules

February 13, 1998

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 1:17 P.M. this date, administrative rule (98-2-2) for the Department of Consumer and Industry Services, Occupational Health Standards Commission, entitled “*Underground Construction, Caissons, Cofferdams, and Compressed Air*”, effective 15 days hereafter.

February 13, 1998

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 1:20 P.M. this date, administrative rule (98-2-3) for the Department of Consumer and Industry Services, Occupational Health Standards Commission, entitled “*Personal Protective Equipment*”, effective 15 days hereafter.

February 13, 1998

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 1:23 P.M. this date, administrative rule (98-2-4) for the Department of Consumer and Industry Services, Occupational Health Standards Commission, entitled "*Cadmium*", effective 15 days hereafter.

February 17, 1998

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 1:35 P.M. this date, administrative rule (98-2-5) for the Department of Consumer and Industry Services, Occupational Health Standards Commission, entitled "*Lead*", effective 15 days hereafter.

February 17, 1998

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 1:38 P.M. this date, administrative rule (98-2-6) for the Department of Consumer and Industry Services, Occupational Health Standards Commission, entitled "*Methylene Chloride*", 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 Consumer & Industry Services was received and read:

February 17, 1998

Attached please find the Report on Local Telephone Interconnection required by Public Act 179 of 1991 as amended by Public Act 216 of 1995. This report was prepared by the Michigan Public Service Commission. If you have questions about this report, you are invited to call John G. Strand, Chairman of the Michigan Public Service Commission at 334-6370.

Sincerely,
John G. Strand
Chairman

The communication was referred to the Clerk.

The following communication from the Department of Civil Service was received and read:

February 19, 1998

Enclosed is the Appropriation/Fiscal Analysis Report for the Department of Civil Service for fiscal year 1996-97. This report is provided in accordance with Article XI, Section 5 of the Constitution of the State of Michigan.

Sincerely,
John F. Lopez
State Personnel Director

The communication was referred to the Clerk.

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

February 23, 1998

I am pleased to transmit the Residential Substance Abuse Treatment for State Prisoners grant application from the Office of Drug Control Policy to the U.S. Department of Justice, Office of Justice Programs, Corrections Program Office.

This application is being forwarded to your office for information and review pursuant to Section 1304 (a) 2 of the Violent Crime Control and Law Enforcement Act of 1994. This application requests \$2,065,140 which is the FY98 allocation for Michigan.

Should you have questions, please contact Ardith J. DaFoe, Director, Drug Law Enforcement Division at (517) 373-2952.

Sincerely,
Darnell Jackson, Director
Office of Drug Control Policy

The communication was referred to the Clerk.

Introduction of Bills

Reps. Scott, Vaughn, Hale, Bogardus, Murphy, Thomas, Rison, Schauer, Parks and Kilpatrick introduced

House Bill No. 5606, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1224 (MCL 500.1224), as amended by 1981 PA 1.

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

Reps. Middaugh, Alley, Brackenridge, Olshove, Dobronski, Griffin, Gernaat, Walberg, Rhead, Richner, Kukuk, Callahan, Murphy, Thomas, Leland, Profit, Palamara, Wetters, McNutt, Varga, Gagliardi, Gustafson, Kilpatrick, Sikkema, Schermesser, Birkholz, Bodem, Dobb, Raczkowski and Perricone introduced

House Bill No. 5607, entitled

A bill to require contractors to provide certain notices to governmental entities concerning improvements on real property; to allow for the modification of contracts for improvement to real property; to provide for remedies; and to repeal acts and parts of acts.

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

Rep. Gernaat moved that the House adjourn.
The motion prevailed, the time being 3:50 p.m.

Acting Speaker Hanley declared the House adjourned until Wednesday, February 25, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

