

No. 27
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House of Representatives
89th Legislature
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House Chamber, Lansing, Wednesday, March 18, 1998.

2:00 p.m.

The House was called to order by Acting Speaker DeHart.

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—present	Prusi—present
Anthony—present	Frank—present	Kukuk—present	Quarles—present
Baade—present	Freeman—present	LaForge—present	Raczkowski—present
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—present	Rocca—present
Bobier—present	Gilmer—present	London—present	Sanborn—present
Bodem—present	Gire—present	Lowe—present	Schauer—present
Bogardus—present	Godchaux—present	Mans—present	Schermesser—present
Brackenridge—present	Goschka—present	Martinez—present	Schroer—present
Brater—present	Green—present	Mathieu—present	Scott—present
Brewer—present	Griffin—present	McBryde—present	Scranton—present
Brown—present	Gubow—present	McManus—excused	Sikkema—present
Byl—present	Gustafson—present	McNutt—present	Stallworth—present
Callahan—present	Hale—present	Middaugh—present	Tesanovich—present
Cassis—present	Hammerstrom—present	Middleton—present	Thomas—present
Cherry—present	Hanley—present	Murphy—present	Varga—present
Ciaramitaro—present	Harder—present	Nye—present	Vaughn—present
Crissman—present	Hertel—present	Olshove—present	Voorhees—present
Cropsey—present	Hood—present	Owen—present	Walberg—present
Curtis—excused	Horton—present	Oxender—present	Wallace—present
Dalman—present	Jansen—present	Palamara—present	Wetters—present
DeHart—present	Jelinek—present	Parks—present	Whyman—present
DeVuyst—present	Jellema—present	Perricone—present	Willard—present
Dobb—present	Johnson—present	Price—present	Wojno—present
Dobronski—present	Kaza—present		

e/d/s = entered during session

Rep. Sharon Gire, from the 31st District, offered the following invocation:

“Dear God, thank You for the wonderful resources of this state, and of our citizens. But also help us to work together to resolve the problems we face in this state, domestic violence, child abuse, substance abuse, environmental concerns and particularly problems that keep our families from being whole and healthy. Give us the strength to put aside our partisan differences and work for the good of the families of this great state.”

Rep. Dobronski moved that Rep. Curtis 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

March 18, 1998

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

Sincerely,
Curtis Hertel
Speaker of the House

Rep. Dalman asked and obtained a temporary excuse from today’s session.

The Speaker assumed the Chair.

By unanimous consent the House returned to the order of
Second Reading of Bills

House Bill No. 5056, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 12917. (The bill was read a second time, committee substitute (H-4) adopted and reconsidered, and bill postponed temporarily on March 5, see House Journal No. 22, p. 393.)

The question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Consumer Protection,

The substitute (H-4) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 167

Yeas—0

Nays—102

Alley
Anthony
Baade

Freeman
Gagliardi
Galloway

Kilpatrick
Kukuk
LaForge

Prusi
Quarles
Raczkowski

Baird	Geiger	Law	Rhead
Bankes	Gernaat	Leland	Richner
Basham	Gilmer	LeTarte	Rison
Birkholz	Gire	Llewellyn	Rocca
Bobier	Godchaux	London	Sanborn
Bodem	Goschka	Lowe	Schauer
Bogardus	Green	Mans	Schermesser
Brackenridge	Griffin	Martinez	Schroer
Brater	Gubow	Mathieu	Scranton
Brewer	Gustafson	McBryde	Sikkema
Brown	Hale	McNutt	Stallworth
Byl	Hammerstrom	Middaugh	Tesanovich
Callahan	Hanley	Middleton	Thomas
Cassis	Harder	Murphy	Varga
Cherry	Hertel	Nye	Vaughn
Ciaramitaro	Hood	Olshove	Voorhees
Crissman	Horton	Owen	Walberg
Cropsey	Jansen	Oxender	Wallace
DeHart	Jelinek	Palamara	Wetters
Dobb	Jellema	Perricone	Whyman
Dobronski	Johnson	Price	Willard
Fitzgerald	Kaza	Profit	Wojno
Frank	Kelly		

In The Chair: Hertel

Rep. Basham moved to substitute (H-8) the bill.

The question being on the adoption of the substitute (H-8) offered by Rep. Basham,

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-8) offered by Rep. Basham,

Point of Order

Rep. Gustafson requested a ruling on the germaneness of the substitute (H-8) offered by Rep. Basham. The Chair ruled that the substitute was germane. It is not a change of purpose and therefore was consistent with the Rules of the House.

The question being on the adoption of the substitute (H-8) offered previously by Rep. Basham,

The substitute (H-8) was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 168

Yeas—62

Agee	Emerson	Leland	Rocca
Alley	Frank	LeTarte	Schauer
Anthony	Freeman	Mans	Schermesser
Baade	Gagliardi	Martinez	Schroer
Baird	Gire	Mathieu	Scott
Basham	Goschka	Murphy	Scranton
Bobier	Griffin	Olshove	Stallworth

Bogardus	Gubow	Owen	Tesanovich
Brater	Hale	Palamara	Thomas
Brewer	Hanley	Parks	Varga
Brown	Harder	Price	Vaughn
Callahan	Hertel	Profit	Wallace
Cherry	Hood	Prusi	Wetters
Ciaramitaro	Kelly	Quarles	Willard
DeHart	Kilpatrick	Rison	Wojno
Dobronski	LaForge		

Nays—44

Bankes	Galloway	Jellema	Nye
Birkholz	Geiger	Johnson	Oxender
Bodem	Gernaat	Kaza	Perricone
Brackenridge	Gilmer	Kukuk	Raczkowski
Byl	Godchaux	Llewellyn	Rhead
Cassis	Green	London	Richner
Crissman	Gustafson	Lowe	Sanborn
Cropsey	Hammerstrom	McBryde	Sikkema
DeVuyst	Horton	McNutt	Voorhees
Dobb	Jansen	Middaugh	Walberg
Fitzgerald	Jelinek	Middleton	Whyman

In The Chair: Hertel

Acting Speaker DeHart resumed the Chair.

Rep. Crissman moved to substitute (H-9) the bill.

The question being on the adoption of the substitute (H-9) offered by Rep. Crissman,

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-9) offered by Rep. Crissman,

The substitute (H-9) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 169**Yeas—47**

Bankes	Fitzgerald	Jellema	Nye
Birkholz	Galloway	Johnson	Oxender
Bobier	Geiger	Kukuk	Perricone
Bodem	Gernaat	Law	Raczkowski
Brackenridge	Gilmer	LeTarte	Rhead
Byl	Godchaux	Llewellyn	Richner
Cassis	Green	London	Sanborn
Crissman	Gustafson	Lowe	Scranton
Cropsey	Hammerstrom	McBryde	Sikkema
Dalman	Horton	McNutt	Voorhees
DeVuyst	Jansen	Middaugh	Walberg
Dobb	Jelinek	Middleton	

Nays—54

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

In The Chair: DeHart

Rep. Basham 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

House Bill No. 5056, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 12917.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 170**Yeas—64**

Agee	Dobronski	Kilpatrick	Quarles
Alley	Emerson	LaForge	Rison
Anthony	Frank	Leland	Rocca
Baade	Freeman	LeTarte	Schauer
Baird	Gagliardi	Llewellyn	Schermesser
Basham	Gire	Mans	Schroer
Birkholz	Goschka	Martinez	Scott
Bobier	Griffin	Mathieu	Scranton
Bogardus	Hale	Middaugh	Tesanovich
Brater	Hammerstrom	Murphy	Thomas
Brewer	Hanley	Olshove	Varga
Brown	Harder	Owen	Vaughn
Callahan	Hertel	Parks	Wallace
Cherry	Hood	Price	Wetters
Ciaramitaro	Jelinek	Profit	Willard
DeHart	Kelly	Prusi	Wojno

Nays—40

Bankes	Fitzgerald	Jellema	Oxender
Bodem	Galloway	Johnson	Perricone

Brackenridge	Geiger	Kaza	Rackowski
Byl	Gernaat	Kukuk	Rhead
Cassis	Gilmer	London	Richner
Crissman	Godchaux	Lowe	Sanborn
Cropsey	Green	McBryde	Sikkema
Dalman	Gustafson	McNutt	Voorhees
DeVuyst	Horton	Middleton	Walberg
Dobb	Jansen	Nye	Whyman

In The Chair: DeHart

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 require food service establishments to give notice of certain charges; and to prescribe penalties for a violation of this act.

The motion prevailed.

The House agreed to the title as amended.

Rep. Kaza, 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:

There is no need for a law to require small businesses to tell individuals how their charges are being distributed in restaurants.

A restaurant that charges fees or gratuities without informing customers in a forthright manner will not stay in business long. In a free market, consumers decide which restaurant they wish to patronize: those who charge gratuities or those establishments that do not. This bill is not needed.”

Rep. London, 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:

Rep. Basham’s HB 5056 (H-8), creates a free standing act that creates consumer notice requirement, but places the burden of enforcement on the local prosecutors to seek civil fines of \$500 or \$1,000 for repeat violations. This approach has several problems:

- While we appreciate the fact that the bill sponsor and committee chair have removed the local health inspectors’ enforcement role from this bill, we don’t believe that the local prosecutor should now be the enforcement entity. Local prosecutors should continue to focus their efforts on serious crime like: child molestation, child abuse, domestic abuse, drunken drivers, rape and murder. Like the public health inspectors, prosecutors are not the appropriate officials for disputes over a bill at a restaurant.
- A fine of \$500 dollars is the same as the fine for domestic abuse under this substitute. While we are in agreement that a restaurant’s wait staff should receive all tips and gratuities earmarked to them by a restaurant patron, should the penalty imposed against an owner of a restaurant be the same as a fine against an individual guilty of domestic abuse? We do not think so, but that is exactly what this bill would do.
- The Attorney General, under the auspices of the Consumer Protection Act, is the appropriate enforcing agent for consumer protection issues like those identified in this bill. The Attorney General has a specialized unit dedicated to consumer protection, and enforcement of the Consumer Protection Act, where we think this bill should reside. This is not unlike the Attorney General Kelley’s role in enforcing the Item Pricing Issue. Local prosecutors’ limited resources should not be diverted from prosecuting serious violent crimes.
- Lastly, this bill does not afford individuals the ability to recover their damages. Instead, they must ask the prosecutor to bring suit, and then the \$500 fine get retained by government. This is a typical democratic, ‘government knows best’ bill. Individuals should be able to recover their damages, plus reasonable attorney fees. People should get their money back; their money should not be siphoned off by government.”

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 143.

A resolution to memorialize the Congress of the United States to enact legislation to create a moratorium on new national, state, and local taxes on the Internet.

(For text of resolution, see House Journal No. 73 of 1997, p. 1974.)

(The resolution was reported by the Committee on Tax Policy on March 11, with substitute (H-1), consideration of which was postponed until March 12 under the rules.)

(For substitute, see House Journal No. 24, p. 429.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee on Tax Policy, The substitute (H-1) was adopted, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

Rep. Gubow moved to amend the resolution as follows:

1. Amend the title, line 1, after the second "to" by striking out the balance of the title and inserting "authorize the states to tax Internet sales."

2. Amend the first Resolving clause, line 2, after "to" by striking out the balance of the clause and inserting "authorize the states to tax Internet sales; and be it further".

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

Rep. Gagliardi moved that consideration of the resolution be postponed temporarily.

The motion prevailed.

The Speaker laid before the House

House Resolution No. 211.

A resolution to memorialize the Congress of the United States to enact legislation to raise the cap on mortgage revenue bonds.

(For text of resolution, see House Journal No. 11, p. 162.)

(The resolution was reported by the Committee on Urban Policy and Economic Development on March 12, consideration of which was postponed until March 17 under the rules.)

The question being on the adoption of the resolution,

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

The Speaker laid before the House

House Resolution No. 212.

A resolution to memorialize the Congress of the United States to enact legislation to increase the cap on low-income housing credits.

(For text of resolution, see House Journal No. 11, p. 162.)

(The resolution was reported by the Committee on Urban Policy and Economic Development on March 12, consideration of which was postponed until March 17 under the rules.)

The question being on the adoption of the resolution,

Rep. Cassis moved to substitute (H-1) the resolution as follows:

House Resolution No. 212.

A resolution to memorialize the Congress of the United States to enact legislation to increase the cap on low-income housing credits.

Whereas, Housing credits are the primary state-federal tool for making affordable rental housing available for low-income people. Since 1987, state agencies have allocated housing credits that have helped finance nearly 900,000 apartments for low-income families; and

Whereas, The cap on the amount of housing credits was set ten years ago. Over the past decade, less and less housing is becoming available. As a result of the impact of inflation, demand for this highly successful program exceeds supply by a three-to-one ratio; and

Whereas, The Congress of the United States is considering two bills that would rectify the problem of inadequate housing credits by adjusting the cap to reflect inflationary growth. These bills, H.R. 2990 and S. 1252, will reopen doors to more low-income housing. In Michigan, it is estimated that the legislation will result in enough credit authority to create another 1,000 units of much-needed housing. Another key to the bills is a provision to index the cap for housing credits to reflect inflationary change. This is an appropriate strategy to ensure the continuing availability of low-income housing; and

Whereas, The state would benefit from having further flexibility in administering the low-income housing credit to target areas of critical need in urban centers; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to increase the cap on low-income housing credits; and be it further

Resolved, That we memorialize Congress to consider legislation that grants the states increased flexibility to use the low-income housing credit to target urban areas where affordable housing is needed most; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The question being on the adoption of the substitute (H-1) offered by Rep. Cassis,

Rep. Gagliardi moved that consideration of the resolution be postponed temporarily.

The motion prevailed.

The Speaker laid before the House

House Resolution No. 223.

A resolution to urge the Department of Natural Resources to expand the scope and national marketing of the Michigan Natural Resources Magazine.

(For text of resolution, see House Journal No. 21, p. 370.)

(The resolution was reported by the Committee on Conservation, Environment and Recreation on March 12, consideration of which was postponed until March 17 under the rules.)

The question being on the adoption of the resolution,

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

The Speaker laid before the House

House Concurrent Resolution No. 88.

A concurrent resolution to urge the Governor to declare a state of disaster for the Ecorse Creek basin communities of Ecorse, Dearborn Heights, Allen Park, Inkster, Taylor, and Westland.

(For text of resolution, see House Journal No. 21, p. 370.)

(The resolution was reported by the Committee on Conservation, Environment and Recreation on March 12, with substitute (H-1), consideration of which was postponed until March 17 under the rules.)

(For substitute, see House Journal No. 25, p. 448.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee on Conservation, Environment and Recreation,

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

The question being on the adoption of the concurrent resolution,

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

Messages from the Senate

Senate Bill No. 717, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 1996 PA 576.

(The bill was passed on December 10, 1997, see House Journal No. 96, p. 2643; returned from the Senate per House request, motion made to reconsider the passage and motion postponed for the day on January 14, 1998, see House Journal No. 1, p. 12.)

The question being on the motion made previously by Rep. Gagliardi,

The motion prevailed, a majority of the members present 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.

Third Reading of Bills

Senate Bill No. 717, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 1996 PA 576.

(The bill was read a third time and passed on December 10, 1997, see House Journal No. 96, p. 2643; returned from the Senate per House request on January 14, 1998, see House Journal No. 1, p. 12, passage reconsidered on March 18, see today's Journal, p. 478.)

The question being on the passage of the bill,

Rep. Profit moved to amend the bill as follows:

1. Amend page 4, line 19, after "DECEMBER 31," by striking out "1991" and inserting "1994".

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

The question being on the passage of the bill,

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

The motion prevailed.

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Rep. Gagliardi moved that Rep. Hertel be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5237, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 19 (MCL 29.19).

(The bill was received from the Senate on March 5, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until March 10, see House Journal No. 22, p. 399.)

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

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

Roll Call No. 171

Yeas—104

Agee	Dobronski	Kaza	Prusi
Alley	Emerson	Kelly	Quarles
Anthony	Fitzgerald	Kukuk	Rackowski
Baade	Frank	LaForge	Rhead
Baird	Freeman	Law	Richner
Bankes	Gagliardi	Leland	Rison
Basham	Galloway	LeTarte	Rocca
Birkholz	Geiger	London	Sanborn
Bobier	Gernaat	Lowe	Schauer
Bodem	Gilmer	Mans	Schermesser
Bogardus	Gire	Martinez	Schroer
Brackenridge	Godchaux	Mathieu	Scott
Brater	Goschka	McBryde	Scranton
Brewer	Green	McNutt	Sikkema
Brown	Gubow	Middaugh	Stallworth
Byl	Gustafson	Middleton	Tesanovich
Callahan	Hale	Murphy	Thomas
Cassis	Hammerstrom	Nye	Varga
Cherry	Hanley	Olshove	Vaughn
Ciaramitaro	Harder	Owen	Voorhees
Crissman	Hood	Oxender	Walberg
Cropsey	Horton	Palamara	Wallace
Dalman	Jansen	Parks	Wetters

DeHart	Jelinek	Perricone	Whyman
DeVuyst	Jellema	Price	Willard
Dobb	Johnson	Profit	Wojno

Nays—0

In The Chair: DeHart

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 4289, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 200, 201, 204, 204a, 207, 209, and 211a (MCL 750.200, 750.201, 750.204, 750.204a, 750.207, 750.209, and 750.211a) and by adding section 209a; and to repeal acts and parts of acts.

(The bill was received from the Senate on March 17, with substitute (S-1) and title amendment, consideration of which, under the rules, was postponed until today, see House Journal No. 26, p. 465.)

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

Rep. Nye moved to amend the Senate substitute (S-1) as follows:

1. Amend page 7, following line 20, by inserting:

“Enacting section 1. This amendatory act takes effect July 1, 1998.” and renumbering the remaining enacting section.

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

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

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

Roll Call No. 172**Yeas—105**

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

DeVuyst	Johnson	Perricone	Whyman
Dobb	Kaza	Price	Willard
Dobronski	Kelly	Profit	Wojno
Emerson			

Nays—0

In The Chair: DeHart

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. Cherry moved that Rep. Gagliardi be excused temporarily from today's session.
 The motion prevailed.

Third Reading of Bills**Senate Bill No. 732, entitled**

A bill to amend 1967 PA 270, entitled "An act to provide for the release of certain information or data relating to health care research or education, health care entities, practitioners, or professions, or certain governmentally funded programs; to limit the liability with respect to the release of certain information or data; and to safeguard the confidential character of certain information or data," by amending section 1 (MCL 331.531), as amended by 1992 PA 215.

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

Roll Call No. 173**Yeas—105**

Agee	Emerson	Kilpatrick	Prusi
Alley	Fitzgerald	Kukuk	Quarles
Anthony	Frank	LaForge	Raczkowski
Baade	Freeman	Law	Rhead
Baird	Galloway	Leland	Richner
Bankes	Geiger	LeTarte	Rison
Basham	Gernaat	Llewellyn	Rocca
Birkholz	Gilmer	London	Sanborn
Bobier	Gire	Lowe	Schauer
Bodem	Godchaux	Mans	Schermesser
Bogardus	Goschka	Martinez	Schroer
Brackenridge	Green	Mathieu	Scott
Brater	Gubow	McBryde	Scranton
Brewer	Gustafson	McNutt	Sikkema
Brown	Hale	Middaugh	Stallworth
Byl	Hammerstrom	Middleton	Tesanovich
Callahan	Hanley	Murphy	Thomas
Cassis	Harder	Nye	Varga
Cherry	Hood	Olshove	Vaughn
Ciaramitaro	Horton	Owen	Voorhees
Crissman	Jansen	Oxender	Walberg

Cropsey	Jelinek	Palamara	Wallace
Dalman	Jellema	Parks	Wetters
DeHart	Johnson	Perricone	Whyman
DeVuyst	Kaza	Price	Willard
Dobb	Kelly	Profit	Wojno
Dobronski			

Nays—0

In The Chair: DeHart

The House agreed to the title of the bill.

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

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

House Bill No. 4251, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 627a (MCL 257.627a), as amended by 1996 PA 574.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Gustafson moved to amend the bill as follows:

1. Amend page 4, line 6, after "devices." by inserting "IF A REDUCED SPEED LIMIT IS ESTABLISHED UNDER THIS SUBSECTION, IN ADDITION TO THE SIGNS DESIGNATING THE SCHOOL ZONE AND THE SPEED LIMIT IN THE SCHOOL ZONE, THE LOCAL AUTHORITY SHALL DETERMINE, CONSISTENT WITH THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES, WHETHER TO PLACE REDUCED SPEED AHEAD WARNING SIGNS IN ADVANCE OF THE APPROACHING SCHOOL ZONE."

The motion was seconded and the amendment 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. 174**Yeas—86**

Agee	Fitzgerald	Law	Rackowski
Alley	Frank	Leland	Richner
Anthony	Freeman	LeTarte	Rison
Baade	Geiger	London	Rocca
Baird	Gilmer	Lowe	Sanborn
Bankes	Gire	Mans	Schauer
Basham	Godchaux	Martinez	Schermesser
Birkholz	Goschka	Mathieu	Schroer
Bobier	Gubow	McBryde	Scott
Bodem	Gustafson	Middaugh	Scranton
Bogardus	Hale	Nye	Sikkema
Brater	Hammerstrom	Olshove	Stallworth
Brewer	Hanley	Owen	Tesanovich
Brown	Harder	Oxender	Thomas
Callahan	Hood	Palamara	Varga
Cassis	Horton	Parks	Vaughn
Cherry	Jansen	Perricone	Voorhees
Ciaramitaro	Jellema	Price	Wallace
Dalman	Kelly	Profit	Wetters
DeHart	Kilpatrick	Prusi	Willard
Dobronski	Kukuk	Quarles	Wojno
Emerson	LaForge		

Nays—17

Brackenridge	Dobb	Jelinek	McNutt
Byl	Galloway	Johnson	Middleton
Crissman	Gernaat	Kaza	Rhead
Cropsey	Green	Llewellyn	Walberg
DeVuyst			

In The Chair: DeHart

The House agreed to the title of the bill.

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

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

Rep. Varga moved that her name be removed as sponsor of the bill.

The motion prevailed.

Reps. Basham, Brater, Dalman, DeHart, Gire, Kelly, Law, Scott, Scranton, Varga, Vaughn and Voorhees were named co-sponsors of the bill.

Rep. Johnson moved that Rep. Gilmer be excused temporarily from today's session.

The motion prevailed.

House Bill No. 4983, entitled

A bill to provide for certain liens on certain marine property stored in marinas, boatyards, and marine repair facilities; to provide for the sale of certain property subject to a lien; to provide for the liability of certain persons; to provide for powers and duties of certain state departments; and to provide for the enforcement of this act.

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

Roll Call No. 175**Yeas—99**

Agee	Emerson	Kukuk	Prusi
Alley	Fitzgerald	LaForge	Raczkowski
Anthony	Frank	Law	Rhead
Baade	Freeman	Leland	Richner
Baird	Galloway	LeTarte	Rison
Bankes	Geiger	Llewellyn	Rocca
Basham	Gernaat	London	Sanborn
Birkholz	Gire	Lowe	Schauer
Bobier	Godchaux	Mans	Schermesser
Bodem	Goschka	Martinez	Schroer
Bogardus	Green	Mathieu	Scott
Brackenridge	Gubow	McBryde	Scranton
Brater	Gustafson	McNutt	Sikkema
Brewer	Hale	Middaugh	Stallworth
Brown	Hammerstrom	Middleton	Tesanovich
Byl	Hanley	Murphy	Thomas
Callahan	Harder	Nye	Varga
Cassis	Hood	Olshove	Vaughn

Cherry	Horton	Owen	Voorhees
Crissman	Jansen	Oxender	Walberg
Cropsey	Jelinek	Palamara	Wallace
Dalman	Jellema	Parks	Wetters
DeHart	Johnson	Perricone	Willard
DeVuyst	Kelly	Price	Wojno
Dobronski	Kilpatrick	Profit	

Nays—1

Kaza

In The Chair: DeHart

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 provide for certain liens on certain marine property repair, service, or storage in marinas, boatyards, and marine repair facilities; to provide for the sale of certain property subject to a lien; to provide for the liability of certain persons; to provide for powers and duties of certain state departments; and to provide for the enforcement of this act.

The motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 4139, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 716 (MCL 257.716), as amended by 1980 PA 311.

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

Roll Call No. 176**Yeas—101**

Agee	Dobronski	Kelly	Price
Alley	Emerson	Kilpatrick	Profit
Anthony	Fitzgerald	Kukuk	Prusi
Baade	Frank	LaForge	Raczkowski
Baird	Freeman	Law	Rhead
Bankes	Galloway	Leland	Richner
Basham	Geiger	LeTarte	Rocca
Birkholz	Gernaat	Llewellyn	Sanborn
Bobier	Gire	London	Schauer
Bodem	Godchaux	Lowe	Schermesser
Bogardus	Goschka	Mans	Schroer
Brackenridge	Green	Martinez	Scott
Brater	Gubow	Mathieu	Scranton
Brewer	Gustafson	McBryde	Sikkema
Brown	Hale	McNutt	Stallworth
Byl	Hammerstrom	Middaugh	Tesanovich
Callahan	Hanley	Middleton	Thomas
Cassis	Harder	Murphy	Varga
Cherry	Hood	Nye	Vaughn
Ciaramitaro	Horton	Olshove	Voorhees
Crissman	Jansen	Owen	Walberg

Cropsey	Jelinek	Oxender	Wallace
Dalman	Jellema	Palamara	Wetters
DeHart	Johnson	Parks	Willard
DeVuyst	Kaza	Perricone	Wojno
Dobb			

Nays—0

In The Chair: DeHart

The House agreed to the title of the bill.

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

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

Reps. Baade, Birkholz, Bodem, DeHart, Gernaat, Gire, Hammerstrom, Jansen, Jellema, Johnson, Kaza, Kukuk, London, McBryde, Middaugh, Middleton, Owen, Scott and Vaughn were named co-sponsors of the bill.

Second Reading of Bills**Senate Bill No. 97, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 200, 201, 204, 204a, 207, 209, 210, and 211a (MCL 750.200, 750.201, 750.204, 750.204a, 750.207, 750.209, 750.210, and 750.211a); and to repeal acts and parts of acts.

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

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

Rep. Nye moved to amend the bill as follows:

1. Amend page 6, line 15, after "COMBUSTIBLE," by striking out the balance of the line through "COMPOUND" on line 19.

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

Rep. Nye moved to amend the bill as follows:

1. Amend page 8, line 11, after "effect" by striking out the balance of the enacting section and inserting "July 1, 1998."

The motion prevailed and 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.

Rep. Cherry 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. 97, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 200, 201, 204, 204a, 207, 209, 210, and 211a (MCL 750.200, 750.201, 750.204, 750.204a, 750.207, 750.209, 750.210, and 750.211a); and to repeal acts and parts of acts.

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

Roll Call No. 177**Yeas—103**

Agee	Dobronski	Kilpatrick	Prusi
Alley	Emerson	Kukuk	Quarles

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

Nays—0

In The Chair: DeHart

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 1931 PA 328, entitled “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,” by amending sections 204a, 207, 209, and 210 (MCL 750.204a, 750.207, 750.209, and 750.210); and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

The Associate Speaker Pro Tempore assumed the Chair.

Second Reading of Bills

House Bill No. 4366, entitled

A bill to amend 1984 PA 427, entitled “Municipal employees retirement act of 1984,” (MCL 38.1501 to 38.1555) by adding section 10b.

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

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

Rep. DeHart moved to amend the bill as follows:

1. Amend page 1, line 2, after "OF" by inserting "EARLY".

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

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

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

House Bill No. 4367, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," (MCL 38.1 to 38.69) by adding section 19g.

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

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

Rep. DeHart moved to amend the bill as follows:

1. Amend page 1, line 2, after "OF" by inserting "EARLY".

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

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

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

House Bill No. 4368, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," (MCL 38.1001 to 38.1080) by adding section 23f.

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

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

Rep. DeHart moved to amend the bill as follows:

1. Amend page 1, line 2, after "OF" by inserting "EARLY".

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

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

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

House Bill No. 4369, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 12a (MCL 46.12a), as amended by 1996 PA 390.

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

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

Rep. DeHart moved to amend the bill as follows:

1. Amend page 29, line 19, after "OF" by inserting "EARLY".

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

Rep. Brewer 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. 38, entitled

A bill to regulate benefits provided to certain public employee retirement system participants in this state; and to prescribe powers and duties of certain retirement systems, state departments, public officials, and public employees.

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

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

Rep. DeHart moved to amend the bill as follows:

1. Amend page 1, line 2, after "of" by inserting "early".

The motion prevailed and 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.

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

House Bill No. 5576, entitled

A bill to provide for the regulation of contracts between persons publicly performing or broadcasting copyrighted nondramatic musical works under certain circumstances; to provide for recognition of certain agents and employees of performing rights societies; to impose certain fees; to provide for certain powers and duties for certain state agencies and departments; and to prescribe penalties and provide remedies.

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

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

Reps. Gernaat and Alley moved to amend the bill as follows:

1. Amend page 6, line 12, by striking out all of section 6 and inserting:

"Sec. 6. (1) A performing rights society shall issue a pocket card to each individual agent, employee, or representative doing business in this state. The pocket card shall include a photograph of the individual and state the name of the individual, the performing rights societies represented by that individual, and the effective date of the individual's relationship with the performing rights society or societies.

(2) A performing rights society doing business in this state shall maintain an electronic computer database of each of the society's individual agents, employees, representatives, or other persons doing business in this state. The performing rights society shall make available, in electronic form, a current list of the names of all of its individual agents, employees, representatives, and other persons doing business in this state.

(3) Upon request, any proprietor may review the list of a performing rights society's individual agents, employees, representatives, or other persons doing business in this state, in electronic form, through the department."

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

Rep. Alley moved to amend the bill as follows:

1. Amend page 8, line 25, after "within" by striking out "72 hours" and inserting "5 business days".

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

Rep. Alley 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. 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

Motions and Resolutions

Reps. Dobronski, LaForge, Freeman, DeHart, Kelly, Baird, Schermesser, Baade, Scott, Anthony, Profit, Martinez, Gire, Parks, Vaughn, Brackenridge, Cherry, Varga, Bodem, Kukuk, Gubow, Voorhees, Goschka, Wallace, Scranton, Raczowski, Birkholz, Schauer, Bogardus, Kilpatrick, Murphy and Green offered the following resolution:

House Resolution No. 238.

A resolution proclaiming the week of March 30, 1998, - April 5, 1998, as Michigan Sleep Awareness Week.

Whereas, Approximately 40 million Americans suffer from 80 identified sleep disorders and another 20 to 30 million suffer intermittent sleep problems related to pain, stress, anxiety, depression, and other ailments each year. The overwhelming majority of sleep disorder sufferers remain undiagnosed and untreated. Two-thirds of adult Americans get far less sleep than the eight hours that doctors say we need to maintain proper alertness during the day; and

Whereas, Sleep-related disorders affect everyone, every race, socio-economic class and all ages. Over 12 million Americans suffer from sleep apnea, a treatable condition that occurs mostly in middle-aged adults and may affect African-Americans more than whites. Sudden infant death syndrome (SIDS) claims the lives of over 3,000 infants each year and is the major cause of death in babies between one month and one year of age. Restless Legs Syndrome, a neurological disorder, affects about 5% of the population over age 65; and

Whereas, Americans today are chronically sleep-deprived. Over 63 million American adults suffer from moderate to severe levels of sleepiness. One in every two adults has trouble sleeping at one time or another and 12% of all Americans suffer from frequent insomnia. Sleepiness affects vigilance, reaction times, alertness, mood, hand-eye coordination, and the accuracy of short-term memory; and

Whereas, Numerous studies have concluded that the general public, policy makers and primary care physicians lack basic sleep knowledge which compromises the health and safety of all Americans. Half of the nation's business travelers suffer from insomnia and don't know how to combat the jet lag that affects their daytime performance. Medical students receive virtually no instruction in basic sleep science during their training; and

Whereas, Sleepiness, as a result of untreated disorders or sleep deprivation, has been identified as the cause of a growing number of on-the-job accidents. Over 25 million Americans have non-traditional work schedules that conflict with their biological clocks. An estimated 36 million Americans believe that sleeplessness negatively affects their performance at work. Fatigue was officially cited as a contributing factor in the Three Mile Island nuclear incident, the grounding of the Exxon Valdez in Prince William Sound, and the Challenger Space Shuttle Disaster, among other industrial disasters; and

Whereas, The National Highway Traffic Safety Administration conservatively estimates that 100,000 motor vehicles crashes are caused by drowsy drivers each year. These crashes result in over 1,500 fatalities and 71,000 injuries. One-third of all Americans admit they have dozed off while driving. The National Transportation Safety Board estimates that 31% of all commercial driver fatalities and 58% of single-truck crashes are fatigue-related; and

Whereas, The economic impact of untreated sleep disorders and chronic sleepiness on society is devastating. Sleep deprivation is estimated to cost Americans over \$100 billion annually in lost productivity, medical expenses, sick leave, and property and environmental damage; now, therefore, be it

Resolved by the House of Representatives, That we proclaim the week of March 30, 1998, - April 5, 1998, as Michigan Sleep Awareness Week and urge all the citizens of Michigan to recognize the dangers of untreated sleep disorders and the importance of proper sleep to their health, safety, and productivity; and be it further

Resolved, That a copy of this resolution be transmitted to the Detroit Medical Center as evidence of our esteem.

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,

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

Reps. Schermesser, Hanley, Kelly, Hale, DeHart, Wojno, Jelinek, Tesanovich, Profit, Raczkowski, LaForge, Goschka, Schauer, Parks, Mans and Ciaramitaro offered the following resolution:

House Resolution No. 239.

A resolution urging the Michigan Department of Transportation to rename a portion of Interstate 96 between Williamston Road and Okemos Road, Purple Heart Highway, in honor of the Military Order of the Purple Heart.

Whereas, With the recent reminder that the people of this state and nation have had of the vital role of military units in protecting our national interests, it is most appropriate to honor the brave men and women who have dedicated themselves to our liberty and the protection of our people here at home. The citizen soldiers of the Military Order of the Purple Heart most certainly epitomize this service and loyalty; and

Whereas, An appropriate indication of the respect that the people of this state have for the Military Order of the Purple Heart would be to rename a portion of the interstate highway located on Interstate 96 between Williamston Road and Okemos Road in honor of this esteemed military organization; and

Whereas, Naming roads, highways, bridges, buildings, and rest areas for individuals and groups is a traditional means of according respect. This tradition is especially important with regard to our children, many of whom first become acquainted with an organization because of a bridge, highway, building, or road. To name this section of highway in honor of our Military Order of the Purple Heart would call attention to the special debt that we all owe to these outstanding citizens; now, therefore, be it

Resolved by the House of Representatives, That we hereby urge the Michigan Department of Transportation to rename a portion of Interstate 96 between Williamston Road and Okemos Road, Purple Heart Highway, in honor of the outstanding men and women who comprise the Military Order of the Purple Heart; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Department of Transportation and the Transportation Commission.

The resolution was referred to the Committee on Transportation.

Reports of Standing Committees

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

House Bill No. 4611, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11510 (MCL 324.11510), as amended by 1996 PA 358.

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

1. Amend page 3, line 25, after "landfill" by inserting "THAT IS A NEW SITE OR A LATERAL EXTENSION OR VERTICAL EXPANSION OF AN EXISTING UNIT".

2. Amend page 3, line 26, by striking out "20,000 feet" and inserting "5 MILES".

3. Amend page 4, line 14, after "navigation." by inserting "THE MICHIGAN AERONAUTICS COMMISSION SHALL NOTIFY THE DEPARTMENT AND THE OWNER OR OPERATOR OF A LANDFILL IF THE MICHIGAN AERONAUTICS COMMISSION IS CONSIDERING APPROVING A PLAN THAT WOULD PROVIDE FOR A RUNWAY OR THE EXTENSION OF A RUNWAY WITHIN 5 MILES OF A LANDFILL".

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

Favorable Roll Call

HB 4611 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, LaForge, Mans, Schermesser, Wetters, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McNutt, Walberg,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Alley, Chair of the Committee on Conservation, Environment and Recreation, was received and read:

Meeting held on: Wednesday, March 18, 1998, at 10:30 a.m.,

Present: Reps. Alley, Callahan, Anthony, Brater, Brown, Kilpatrick, LaForge, Mans, Schermesser, Wetters, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McNutt, Walberg,

Absent: Rep. McManus,

Excused: Rep. McManus.

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

House Bill No. 5306, entitled

A bill to permit the establishment and maintenance of individual or family development accounts; to provide penalties and remedies; to provide for certain tax deductions; and to prescribe the requirements of and restrictions on individual or family development accounts.

With the recommendation that substitute (H-4) previously recommended by the Committee on Urban Policy and Economic Development not be adopted.

The committee further recommended that the substitute (H-5) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 5306 To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Palamara, Wallace, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Middleton, Whyman,

Nays: None.

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

House Bill No. 5307, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86; and to repeal acts and parts of acts.

With the recommendation that substitute (H-4) previously recommended by the Committee on Urban Policy and Economic Development 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 5307 To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Palamara, Wallace, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Middleton, Whyman,

Nays: None.

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

House Bill No. 5308, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 9 (MCL 208.9), as amended by 1996 PA 347.

With the recommendation that substitute (H-4) previously recommended by the Committee on Urban Policy and Economic Development 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 5308 To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Palamara, Wallace, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Middleton, Whyman,

Nays: None.

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

House Joint Resolution BB, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 40 to article IX, to provide for revenue sharing distributions to counties, cities, villages, and townships.

With the recommendation that the joint resolution be adopted.

The joint resolution was referred to the order of Second Reading of Bills.

Favorable Roll Call

HJR BB To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Gubow, Hanley, Palamara, Wallace, Wetters, Wojno, Goschka,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 18, 1998, at 9:00 a.m.,

Present: Reps. Profit, Quarles, Agee, Freeman, Gubow, Hanley, Palamara, Wallace, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton, Whyman.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, March 12:

Senate Bill Nos. 998 1001 1002 1003 1004 1005 1006 1008

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Monday, March 16:

Senate Bill Nos. 1009 1010 1011 1012 1013
Senate Joint Resolution Q

The Clerk announced that the following Senate bills had been received on Wednesday, March 18:

Senate Bill Nos. 184 700 866 874 945 1007

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

House Bill Nos. 5691 5692 5693 5694 5695 5696 5697 5698 5699 5700 5701 5702 5703

The Clerk announced that the following Senate bills had been approved and signed by the Governor:

Enrolled Senate Bill No. 828 - Public Act No. 18
Enrolled Senate Bill No. 352 - Public Act No. 20
Enrolled Senate Bill No. 353 - Public Act No. 21
Enrolled Senate Bill No. 355 - Public Act No. 22
Enrolled Senate Bill No. 357 - Public Act No. 23
Enrolled Senate Bill No. 358 - Public Act No. 24
Enrolled Senate Bill No. 359 - Public Act No. 25
Enrolled Senate Bill No. 360 - Public Act No. 26

The Clerk announced the enrollment printing and presentation to the Governor on Monday, March 16, for his approval of the following bills:

Enrolled Senate Bill No. 714 at 3:13 p.m.
Enrolled Senate Bill No. 382 at 3:15 p.m.

Introduction of Bills

Rep. Profit introduced

House Bill No. 5704, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 8a (MCL 211.8a), as added by 1994 PA 96.

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

Rep. Profit introduced

House Bill No. 5705, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by repealing section 39 (MCL 211.39).

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

Rep. Profit introduced

House Bill No. 5706, entitled

A bill to amend 1972 PA 382, entitled "Traxler-McCauley-Law-Bowman bingo act," by amending sections 2, 5, 10, and 10a (MCL 432.102, 432.105, 432.110, and 432.110a), as amended by 1981 PA 229.

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

Rep. Law moved that the House adjourn.
The motion prevailed, the time being 4:35 p.m.

Acting Speaker DeHart declared the House adjourned until Thursday, March 19, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

