

No. 51
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House of Representatives
89th Legislature
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House Chamber, Lansing, Wednesday, May 27, 1998.

2:00 p.m.

The House was called to order by the Associate Speaker Pro Tempore.

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—e/d/s
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—present	Sikkema—present
Byl—present	Gustafson—present	McNutt—present	Stallworth—present
Callahan—present	Hale—present	Middaugh—present	Tesanovich—excused
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—present	Horton—excused	Oxender—present	Wallace—present
Dalman—present	Jansen—present	Palamara—present	Wetters—present
DeHart—e/d/s	Jelinek—present	Parks—present	Whyman—present
DeVuyst—present	Jellema—present	Perricone—present	Willard—present
Dobb—present	Johnson—present	Price—present	Wojno—present
Dobronski—excused	Kaza—present		

e/d/s = entered during session

Rep. James 'Mick' Middaugh, from the 80th District, offered the following invocation:

"Heavenly Father, thank You for the many blessings You have bestowed upon those in this chamber, upon this government, and upon those in this great state and nation. Please enable us to lead Michigan forward, not to our ends, but to Yours. We ask this in Your Son, Jesus' name. Amen."

Rep. Hammerstrom moved that Rep. Horton be excused from today's session.
The motion prevailed.

Rep. Gagliardi moved that Reps. Dobronski and Tesanovich be excused from today's session.
The motion prevailed.

Notices

May 27, 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

By unanimous consent the House returned to the order of
Reports of Standing Committees

The Speaker laid before the House
Senate Concurrent Resolution No. 72.

A concurrent resolution to memorialize the Congress of the United States to take certain actions regarding the implementation of the Food Quality Protection Act of 1996.

(For text of resolution, see House Journal No. 32, p. 633.)

(The concurrent resolution was reported by the Committee on Agriculture on May 21, consideration of which was postponed until May 26 under the rules.)

The question being on the adoption of the concurrent resolution,

Rep. LaForge moved to amend the concurrent resolution as follows:

1. Amend the first Whereas clause, line 4, after "(FQPA)" by inserting "as passed by Congress and".

The motion prevailed and the amendment 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.

Reps. Baade, Basham, Birkholz, Bobier, Brackenridge, Callahan, Dobb, Gagliardi, Galloway, Gilmer, Harder, Johnson, Kelly, Law, Lowe, McManus, Middaugh, Middleton, Murphy, Olshove, Profit, Raczkowski, Schauer, Scott, Sikkema, Vaughn and Wetters were named co-sponsors of the concurrent resolution.

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

Rep. Griffin moved that Rep. Hood be excused temporarily from today's session.
The motion prevailed.

Messages from the Senate

The Speaker laid before the House
House Bill No. 5216, entitled

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales," by amending section 1 (MCL 445.111), as amended by 1980 PA 108.

(The bill was received from the Senate on May 19, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 20, see House Journal No. 47, p. 1076.)

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. 472**Yeas—101**

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

Nays—0

In The Chair: Gire

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

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Rep. DeHart entered the House Chambers.

Rep. Rhead entered the House Chambers.

The Speaker laid before the House

House Bill No. 4897, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 43c, 85, 104a, and 108 (MCL 38.1343c, 38.1385, 38.1404a, and 38.1408), sections 43c and 104a as amended by 1989 PA 194, section 85 as amended by 1991 PA 47, and section 108 as amended by 1995 PA 177.

(The bill was received from the Senate on May 19, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 20, see House Journal No. 47, p. 1076.)

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. 473**Yeas—104**

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

Nays—0

In The Chair: Gire

The House agreed to the full title.

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

Third Reading of Bills**House Bill No. 4119, entitled**

A bill to provide for adoption of an official song and designation of other melodies that represent the musical heritage of this state; to create a commission and prescribe the powers and duties of the commission; and to prescribe the powers and duties of certain state officials.

(The bill was not passed, vote reconsidered and bill postponed for the day on May 21, see House Journal No. 49, p. 1105.)

The question being on the passage of the bill,

Rep. Profit moved to substitute (H-2) the bill.

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

Rep. Profit moved to reconsider the vote by which the House adopted the substitute (H-2).

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

The question being on the adoption of the substitute (H-2) offered previously by Rep. Profit,

Rep. Profit withdrew the substitute (H-2).

The question being on the passage of the bill,

Rep. Gagliardi moved that consideration of the bill be postponed for the day.

The motion prevailed.

Senate Bill No. 554, entitled

A bill to regulate the transportation of certain hazardous materials; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies.

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

Roll Call No. 474

Yeas—103

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

Nays—0

In The Chair: Gire

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.

Senate Bill No. 729, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11104, 11126, 11130, 11133, 11138, 11144, 11146, 11147, and 11148 (MCL 324.11104, 324.11126, 324.11130, 324.11133, 324.11138, 324.11144, 324.11146, 324.11147, and 324.11148) and by adding section 11132a; 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. 475**Yeas—99**

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

Nays—0

In The Chair: Gire

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 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 11104, 11126, 11130, 11133, 11138, 11144, 11146, 11147, and 11148 (MCL 324.11104, 324.11126, 324.11130, 324.11133, 324.11138, 324.11144, 324.11146, 324.11147, and 324.11148) and by adding sections 11126a and 11132a; 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. 730, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 12101, 12102, 12103, 12105, 12106, 12107, 12109, 12114, and 12116 (MCL 324.12101, 324.12102, 324.12103, 324.12105, 324.12106, 324.12107, 324.12109, 324.12114, and 324.12116), sections 12101 and 12102 as amended by 1995 PA 61; and to repeal acts and parts of acts.

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

Roll Call No. 476**Yeas—100**

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

Nays—0

In The Chair: Gire

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

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

The House agreed to the full title.

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

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

Senate Bill No. 731, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 1996 PA 327.

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

Roll Call No. 477**Yeas—104**

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

Nays—0

In The Chair: Gire

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 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," by amending section 4701 (MCL 600.4701), as amended by 1997 PA 156.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Sikkema moved that Rep. Gernaat be excused temporarily from today's session.
The motion prevailed.

Senate Bill No. 789, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 405 (MCL 418.405), as amended by 1980 PA 457.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Palamara moved to amend the bill as follows:

1. Amend page 2, line 7, after “EMPLOYED” by striking out “12” and inserting “24”.

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. 478**Yeas—104**

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

Nays—0

In The Chair: Gire

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

“An act to revise and consolidate the laws relating to worker’s disability compensation; to increase the administrative efficiency of the adjudicative processes of the worker’s compensation system; to improve the qualifications of the persons having adjudicative functions within the worker’s compensation system; to prescribe certain powers and duties; to create the board of worker’s compensation magistrates and the worker’s compensation appellate commission; to create certain other boards; to provide certain procedures for the resolution of claims, including mediation and arbitration; to prescribe certain benefits for persons suffering a personal injury under the act; to prescribe certain limitations on obtaining benefits under the act; to create, and provide for the transfer of, certain funds; to prescribe certain fees; to prescribe certain remedies and penalties; to repeal certain parts of this act on specific dates; 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.

House Bill No. 5382, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," (MCL 491.102 to 491.1202) by adding section 702b.

Was read a third time and passed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 479

Yeas—95

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

Nays—4

Kaza	Kukuk	Nye	Rhead
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In The Chair: Gire

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.

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Rep. Hale moved that Rep. Thomas be excused temporarily from today's session.
The motion prevailed.

House Bill No. 5417, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," (MCL 780.751 to 780.834) by adding sections 26, 53, and 85.

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

Roll Call No. 480**Yeas—94**

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

Nays—6

Dalman	Fitzgerald	McBryde	Voorhees
DeVuyst	Johnson		

In The Chair: Gire

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 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2855a.

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.

Reps. Baird, Basham, DeHart, Gire, Kaza, Kelly, Mans, Profit, Prusi, Schermesser, Stallworth and Vaughn were named co-sponsors of the bill.

House Bill No. 4176, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21720a (MCL 333.21720a).

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

Roll Call No. 481**Yeas—96**

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

Nays—2

Kaza	Llewellyn
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In The Chair: Gire

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.

House Bill No. 4940, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21771 (MCL 333.21771).
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 482**Yeas—101**

Agee	Dobb	Kaza	Price
Alley	Emerson	Kelly	Profit
Anthony	Fitzgerald	Kilpatrick	Prusi
Baade	Frank	Kukuk	Quarles
Baird	Freeman	LaForge	Raczkowski
Banks	Gagliardi	Law	Rhead
Basham	Galloway	Leland	Richner
Birkholz	Geiger	London	Rison
Bobier	Gilmer	Lowe	Rocca
Bodem	Gire	Mans	Sanborn

Bogardus	Godchaux	Martinez	Schauer
Brackenridge	Goschka	Mathieu	Schermesser
Brater	Green	McBryde	Schroer
Brewer	Griffin	McManus	Scott
Brown	Gubow	McNutt	Scranton
Byl	Gustafson	Middaugh	Sikkema
Callahan	Hale	Middleton	Stallworth
Cassis	Hammerstrom	Murphy	Varga
Cherry	Hanley	Nye	Vaughn
Ciaramitaro	Harder	Olshove	Voorhees
Crissman	Hood	Owen	Walberg
Cropsey	Jansen	Oxender	Wallace
Curtis	Jelinek	Palamara	Whyman
Dalman	Jellema	Parks	Willard
DeHart	Johnson	Perricone	Wojno
DeVuyst			

Nays—0

In The Chair: Gire

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. Cherry moved that Rep. Schermesser be excused temporarily from today's session.

The motion prevailed.

House Bill No. 4524, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2922 (MCL 600.2922), as amended by 1985 PA 93, and by adding section 2922a.

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

Roll Call No. 483**Yeas—77**

Alley	Dobb	Jellema	Olshove
Baade	Emerson	Johnson	Owen
Bankes	Fitzgerald	Kaza	Oxender
Basham	Frank	Kelly	Palamara
Birkholz	Freeman	Kukuk	Perricone
Bobier	Gagliardi	LaForge	Profit
Bodem	Galloway	Law	Raczkowski
Brackenridge	Geiger	LeTarte	Rhead
Brown	Gernaat	Llewellyn	Richner
Byl	Gilmer	London	Rocca
Callahan	Goschka	Lowe	Sanborn
Cassis	Green	Mans	Sikkema
Cherry	Griffin	Mathieu	Varga
Ciaramitaro	Gubow	McBryde	Voorhees
Crissman	Gustafson	McManus	Walberg
Cropsey	Hammerstrom	McNutt	Wetters

Curtis
Dalman
DeHart
DeVuyst

Harder
Jansen
Jelinek

Middaugh
Middleton
Nye

Whyman
Willard
Wojno

Nays—27

Agee
Anthony
Baird
Bogardus
Brater
Brewer
Godchaux

Hale
Hanley
Hood
Kilpatrick
Leland
Martinez
Murphy

Parks
Price
Prusi
Quarles
Rison
Schauer
Schroer

Scott
Scranton
Stallworth
Thomas
Vaughn
Wallace

In The Chair: Gire

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 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2922a.

The motion prevailed.

The House agreed to the title as amended.

Rep. Baird, having reserved the right to explain her protest against the passage of the bill, made the following statement:
"Mr. Speaker and members of the House:

The bill would provide a civil cause of action against a person who commits a wrongful or negligent act against a pregnant woman when the act results in a miscarriage, stillbirth or physical injury to the fetus.

The bill is unnecessary: civil suits are allowed in nearly every case under current law. Suits filed for injured fetuses that are later born alive can be based on injuries incurred even before conception. *Toth v Goree* 65 Mich App 296 (1975), *Iv denied* 369 Mich 836 (1976)."

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

The question being on the motion by Rep. Gagliardi,

Rep. Baird demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Gagliardi,

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 484

Yeas—69

Agee
Alley
Baade
Basham
Birkholz
Bobier
Bodem
Brackenridge
Brown
Byl

Fitzgerald
Frank
Gagliardi
Geiger
Gernaat
Gilmer
Goschka
Green
Griffin
Gubow

Kaza
Kelly
Kukuk
Law
LeTarte
Llewellyn
London
Lowe
Mans
Mathieu

Owen
Oxender
Palamara
Perricone
Profit
Raczkowski
Rhead
Richner
Rocca
Sanborn

Callahan	Gustafson	McBryde	Sikkema
Cassis	Hammerstrom	McManus	Voorhees
Ciaramitaro	Harder	McNutt	Walberg
Cropsey	Jansen	Middaugh	Wetters
Dalman	Jelinek	Middleton	Whyman
DeVuyst	Jellema	Nye	Willard
Dobb	Johnson	Olshove	Wojno
Emerson			

Nays—33

Anthony	Freeman	LaForge	Schauer
Baird	Galloway	Leland	Schroer
Banks	Gire	Martinez	Scott
Bogardus	Godchaux	Murphy	Scranton
Brater	Hale	Parks	Stallworth
Brewer	Hanley	Price	Thomas
Cherry	Hood	Prusi	Varga
Crissman	Kilpatrick	Quarles	Vaughn
DeHart			

In The Chair: Gire

Rep. Sikkema moved to reconsider the vote by which the House did not give the bill immediate effect. The motion prevailed, a majority of the members present voting therefor.
Rep. Gagliardi moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

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

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

Senate Bill No. 21, entitled

A bill to define certain crimes against pregnant women; to define and allow certain practices; and to prescribe certain penalties.

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

Roll Call No. 485**Yeas—80**

Agee	DeVuyst	Jelinek	Olshove
Alley	Dobb	Jellema	Owen
Baade	Emerson	Johnson	Oxender
Banks	Fitzgerald	Kaza	Palamara
Basham	Frank	Kelly	Perricone
Birkholz	Freeman	Kukuk	Profit
Bobier	Gagliardi	LaForge	Prusi
Bodem	Galloway	Law	Raczkowski
Brackenridge	Geiger	LeTarte	Rhead
Brown	Gernaat	Llewellyn	Richner

Byl	Gilmer	London	Rocca
Callahan	Goschka	Lowe	Sanborn
Cassis	Green	Mans	Schermesser
Cherry	Griffin	Mathieu	Sikkema
Ciaramitaro	Gubow	McBryde	Voorhees
Crissman	Gustafson	McManus	Walberg
Cropsey	Hammerstrom	McNutt	Wetters
Curtis	Harder	Middaugh	Whyman
Dalman	Hood	Middleton	Willard
DeHart	Jansen	Nye	Wojno

Nays—24

Anthony	Hale	Price	Scranton
Baird	Hanley	Quarles	Stallworth
Bogardus	Kilpatrick	Rison	Thomas
Brater	Leland	Schauer	Varga
Gire	Martinez	Schroer	Vaughn
Godchaux	Parks	Scott	Wallace

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,” (MCL 750.1 to 750.568) by adding sections 90a, 90b, 90c, 90d, 90e, and 90f.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

“Mr. Speaker and members of the House:

The would amend the Penal Code to provide criminal penalties for 5 classes of offenses involving pregnant women.

The bill effectively accords legal ‘personhood’ to undeveloped embryos: it treats the death of a fetus the same as the death of a live, fully developed human being.

§322 of the Michigan Penal Code prohibits the ‘Wilful killing of an unborn quick child,’ and punishes this action as manslaughter. The bill effectively amends this section by reference, contrary to Art. IV, §25 of the Michigan Constitution.

This bill would likely punish an illegal abortion with life in prison, while current law punishes it as manslaughter.”

The Associate Speaker Pro Tempore resumed the Chair.

Senate Bill No. 894, entitled

A bill to amend 1986 PA 135, entitled "Asbestos abatement contractors licensing act," by amending the title and sections 103, 207, 211, 217, 220, and 221 (MCL 338.3103, 338.3207, 338.3211, 338.3217, 338.3220, and 338.3221), the title as amended by 1990 PA 2 and sections 103, 207, and 220 as amended and section 221 as added by 1993 PA 55.

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

Roll Call No. 486**Yeas—105**

Agee	Emerson	Kelly	Profit
Alley	Fitzgerald	Kilpatrick	Prusi
Anthony	Frank	Kukuk	Quarles
Baade	Freeman	LaForge	Raczkowski
Baird	Gagliardi	Law	Rhead
Bankes	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	Griffin	McBryde	Scranton
Brown	Gubow	McManus	Sikkema
Byl	Gustafson	McNutt	Stallworth
Callahan	Hale	Middaugh	Thomas
Cassis	Hammerstrom	Middleton	Varga
Cherry	Hanley	Nye	Vaughn
Ciaramitaro	Harder	Olshove	Voorhees
Crissman	Hood	Owen	Walberg
Cropsey	Jansen	Oxender	Wallace
Curtis	Jelinek	Palamara	Wetters
Dalman	Jellema	Parks	Whyman
DeHart	Johnson	Perricone	Willard
DeVuyst	Kaza	Price	Wojno
Dobb			

Nays—0

In The Chair: Gire

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

"An act to provide for the licensing and regulation of asbestos abatement contractors; to create the asbestos abatement contractors licensing board; to establish the powers and duties of the department of public health and the asbestos abatement contractors licensing board; to create an asbestos abatement fund and to provide for expenditure from the fund; to provide for the promulgation of rules; to provide for certain fees; and to provide for penalties and civil fines,".

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. 895, entitled

A bill to amend 1988 PA 440, entitled "Asbestos workers accreditation act," by amending sections 2, 11, 13, and 14 (MCL 338.3402, 338.3411, 338.3413, and 338.3414), as amended by 1995 PA 127.

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

Roll Call No. 487**Yeas—103**

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

Nays—0

In The Chair: Gire

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

“An act to provide for the accreditation of persons who perform asbestos-related work in schools, school buildings, and public and commercial buildings; to prescribe powers and duties of certain state agencies and officers; to prescribe remedies and penalties; and to assess certain fees.”

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. 896, entitled

A bill to amend 1995 PA 127, entitled “An act to amend the title and sections 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, and 15 of Act No. 440 of the Public Acts of 1988, entitled “An act to provide for the accreditation of persons who perform asbestos-related work in schools and school buildings; to prescribe the powers and duties of certain state agencies and officers; to prescribe remedies and penalties; and to assess certain fees,” being sections 338.3402, 338.3403, 338.3404, 338.3405, 338.3406, 338.3407, 338.3409, 338.3410, 338.3411, 338.3412, 338.3413, 338.3414, and 338.3415 of the Michigan Compiled Laws; to add section 15a; and to repeal acts and parts of acts,” by amending enacting section 2.

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

Roll Call No. 488**Yeas—103**

Agee	Emerson	Kelly	Profit
Alley	Fitzgerald	Kilpatrick	Prusi

Anthony	Frank	Kukuk	Quarles
Baade	Freeman	LaForge	Raczkowski
Baird	Gagliardi	Law	Rhead
Bankes	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	Griffin	McBryde	Sikkema
Brown	Gubow	McManus	Stallworth
Byl	Gustafson	McNutt	Thomas
Callahan	Hale	Middaugh	Varga
Cassis	Hammerstrom	Middleton	Vaughn
Cherry	Hanley	Nye	Voorhees
Crissman	Harder	Olshove	Walberg
Cropsey	Hood	Owen	Wallace
Curtis	Jansen	Oxender	Wetters
Dalman	Jelinek	Palamara	Whyman
DeHart	Jellema	Parks	Willard
DeVuyst	Johnson	Perricone	Wojno
Dobb	Kaza	Price	

Nays—0

In The Chair: Gire

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

House Bill No. 5739, entitled

A bill to amend 1939 PA 288, entitled “An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act,” by amending section 1 of chapter XIIA (MCL 712A.1), as amended by 1996 PA 409.

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

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

Rep. Schauer 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. 5739, entitled

A bill to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act," by amending section 1 of chapter XIIA (MCL 712A.1), as amended by 1996 PA 409.

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

Roll Call No. 489

Yeas—104

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

Nays—0

In The Chair: Gire

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 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to

prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties," by amending section 1 of chapter XIIA (MCL 712A.1), as amended by 1996 PA 409.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Thomas, under Rule 33, made the following statement:

"Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 480-482. Had I been present, I would have voted 'yes'."

House Bill No. 4495, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20165 and 20175 (MCL 333.20165 and 333.20175), section 20165 as amended by 1990 PA 179 and section 20175 as amended by 1993 PA 79, and by adding section 20173.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Brewer moved to amend the bill as follows:

1. Amend page 11, following line 7, by inserting:

"Enacting section 1. This amendatory act takes effect January 1, 1999."

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. 490

Yeas—103

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

Dalman
DeHart
DeVuyst

Jelinek
Jellema
Johnson

Parks
Perricone
Price

Willard
Wojno

Nays—0

In The Chair: Gire

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.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 5857, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending sections 104, 110a, 401a, 504, 508, 701, 702, 705, 706, and 711 (MCL 38.2104, 38.2110a, 38.2401a, 38.2504, 38.2508, 38.2651, 38.2652, 38.2655, 38.2656, and 38.2661), section 104 as amended by 1995 PA 193, sections 110a, 401a, 705, 706, and 711 as added by 1996 PA 523, and sections 701 and 702 as amended by 1998 PA 66, and by adding sections 512, 701a, 707a, and 718a.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1992 PA 234, entitled "An act to establish a judges retirement system; to provide for the administration and maintenance of the retirement system; to create a retirement board; to prescribe the powers and duties of the retirement board; to establish certain reserves for the retirement system; to establish certain funds; to prescribe the powers and duties of certain state departments and certain state and local officials and employees; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts," by amending sections 104, 217, 504, 701, 702, 705, 706, and 711 (MCL 38.2104, 38.2217, 38.2504, 38.2651, 38.2652, 38.2655, 38.2656, and 38.2661), section 104 as amended by 1995 PA 193, section 217 as amended by 1996 PA 525, sections 701 and 702 as amended by 1998 PA 66, and sections 705, 706, and 711 as added by 1996 PA 523, and by adding sections 701a and 718a.

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

Rep. Gagliardi moved that Rule 45 be suspended.

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

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

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

Roll Call No. 491

Yeas—0

Nays—103

Agee
Alley
Anthony
Baade
Baird
Banks
Basham
Birkholz
Bobier

Dobb
Emerson
Fitzgerald
Frank
Freeman
Gagliardi
Galloway
Geiger
Gernaat

Kaza
Kilpatrick
Kukuk
LaForge
Leland
LeTarte
Llewellyn
London
Lowe

Prusi
Quarles
Rackowski
Rhead
Richner
Rison
Rocca
Sanborn
Schauer

Bodem	Gilmer	Mans	Schermesser
Bogardus	Gire	Martinez	Schroer
Brackenridge	Godchaux	Mathieu	Scott
Brater	Goschka	McBryde	Scranton
Brewer	Green	McManus	Sikkema
Brown	Griffin	McNutt	Stallworth
Byl	Gubow	Middaugh	Thomas
Callahan	Gustafson	Middleton	Varga
Cassis	Hale	Nye	Vaughn
Cherry	Hammerstrom	Olshove	Voorhees
Ciaramitaro	Hanley	Owen	Walberg
Crissman	Harder	Oxender	Wallace
Cropsey	Hertel	Palamara	Wetters
Curtis	Jansen	Parks	Whyman
Dalman	Jelinek	Perricone	Willard
DeHart	Jellema	Price	Wojno
DeVuyst	Johnson	Profit	

In The Chair: Gire

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Ciaramitaro, DeHart and Rhead.

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

Rep. Varga asked and obtained an excuse from tomorrow's session.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Sanborn, Kukuk, Jansen, McNutt, Rocca, Jelinek, Richner, Crissman, Bodem, Prusi, Wojno, Kelly, Hale, Freeman, Raczkowski, Hammerstrom, Cherry, Oxender, Cropsey, Dalman, Middleton, Gernaat, Green, Scott, Harder, Olshove, Johnson, Voorhees, Lowe, Galloway, Goschka, McBryde, Fitzgerald, Cassis, Ciaramitaro, Bankes, Baird, Thomas, Wallace, Sikkema, Profit, Vaughn, Callahan, Anthony, Varga, Schroer, Brackenridge, Brater, Frank, Willard, Parks, Price, Llewellyn, Kilpatrick, Gilmer, LaForge, Gustafson, Birkholz, Whyman, McManus, Bogardus, Agee, Alley, Baade, Brown, Byl, Curtis, DeHart, DeVuyst, Dobb, Gagliardi, Geiger, Gire, Godchaux, Griffin, Gubow, Hanley, Hertel, Hood, Jellema, Kaza, Leland, LeTarte, Mans, Martinez, Mathieu, Middaugh, Nye, Owen, Palamara, Perricone, Quarles, Rhead, Rison, Schauer, Stallworth and Walberg offered the following resolution:

House Resolution No. 309.

A resolution of tribute offered as a memorial for Lisa R. Putman.

Whereas, The members of this legislative body, on behalf of the citizens of Michigan, would like to extend our deepest sympathies and respect to the family and many friends of Lisa R. Putman, whose sudden passing has saddened all who had the good fortune of knowing her. Lisa had been an outstanding employee of the Family Independence Agency in Macomb County since July 1995. Gone from our midst is a woman who was totally committed to children's concerns and worked extensively with agencies which provided her an opportunity to work with and counsel children and adolescents; and

Whereas, Lisa Putman was dedicated to her family and had been recently engaged to be married. Friendly and caring, she was valued by friends and co-workers. Her effectiveness, integrity, and sincere goodwill created a spirit of cooperation leading to accomplishments that benefitted everyone. Lisa Putman was much admired and will be long remembered; and

Whereas, Lisa Putman, champion for children's issues, touched countless lives that shall endure as a testimony to her life of selfless service. Truly, her passing leaves a void which can never be filled; now, therefore, be it

Resolved by the House of Representatives, That we hereby offer a unanimous accolade of tribute as a memorial for Lisa R. Putman; and be it further

Resolved, That a copy of this resolution be transmitted to her family and fiancé as an enduring testimony to the high esteem in which her life and memory are held by the people of Michigan.

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.

Reports of Select Committees

Senate Bill No. 514, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2213b (MCL 500.2213b), as added by 1996 PA 517.

The Senate has adopted the report of the Committee of Conference.

The Conference Report was read as follows:

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 514, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2213b (MCL 500.2213b), as added by 1996 PA 517.

Recommends:

First: That the Senate and House agree to the Substitute of the House as passed by the House and to the following amendments:

1. Amend page 2, line 6, after "JULY 1," by striking out "2001" and inserting "2004".
2. Amend page 2, line 9, after "JULY 1," by striking out "2001" and inserting "2004".
3. Amend page 3, line 8, after "COMMISSIONER:" by striking out the balance of the bill and inserting:

"(A) BY NO LATER THAN FEBRUARY 1, 1999, A WRITTEN REPORT THAT DISCLOSES BOTH OF THE FOLLOWING:

(i) THE GROSS WRITTEN PREMIUM FOR SHORT-TERM OR 1-TIME LIMITED DURATION POLICIES OR CERTIFICATES OF NO LONGER THAN 6 MONTHS ISSUED IN THIS STATE DURING THE 1996 CALENDAR YEAR.

(ii) THE GROSS WRITTEN PREMIUM FOR ALL INDIVIDUAL EXPENSE-INCURRED HOSPITAL, MEDICAL, OR SURGICAL POLICIES OR CERTIFICATES ISSUED OR DELIVERED IN THIS STATE DURING THE 1996 CALENDAR YEAR OTHER THAN POLICIES OR CERTIFICATES DESCRIBED IN SUBPARAGRAPH (i).

(B) BY NO LATER THAN MARCH 31, 2000, MARCH 31, 2001, MARCH 31, 2002, MARCH 31, 2003, AND MARCH 31, 2004, A WRITTEN ANNUAL REPORT THAT DISCLOSES BOTH OF THE FOLLOWING:

(i) THE GROSS WRITTEN PREMIUM FOR SHORT-TERM OR 1-TIME LIMITED DURATION POLICIES OR CERTIFICATES ISSUED IN THIS STATE DURING THE PRECEDING CALENDAR YEAR.

(ii) THE GROSS WRITTEN PREMIUM FOR ALL INDIVIDUAL EXPENSE-INCURRED HOSPITAL, MEDICAL, OR SURGICAL POLICIES OR CERTIFICATES ISSUED OR DELIVERED IN THIS STATE DURING THE PRECEDING CALENDAR YEAR OTHER THAN POLICIES OR CERTIFICATES DESCRIBED IN SUBPARAGRAPH (i).

(7) THE COMMISSIONER SHALL MAINTAIN COPIES OF REPORTS PREPARED PURSUANT TO SUBSECTION (6) ON FILE WITH THE ANNUAL STATEMENT OF EACH REPORTING INSURER. THE COMMISSIONER SHALL ANNUALLY COMPILE THE REPORTS RECEIVED UNDER SUBSECTION (6). THE COMMISSIONER SHALL PROVIDE THIS ANNUAL COMPILATION TO THE SENATE AND HOUSE OF REPRESENTATIVES STANDING COMMITTEES ON INSURANCE ISSUES NO LATER THAN THE JUNE 1 IMMEDIATELY FOLLOWING THE FEBRUARY 1 OR MARCH 31 DATE FOR WHICH THE REPORTS UNDER SUBSECTION (6) ARE PROVIDED.

(8) A HEALTH INSURER SHALL NOT CONTINUE TO ISSUE SHORT-TERM OR 1-TIME LIMITED DURATION POLICIES OR CERTIFICATES IF THE COLLECTIVE GROSS WRITTEN PREMIUMS ON THOSE POLICIES OR CERTIFICATES AS SHOWN IN THE ANNUAL REPORT PREPARED UNDER SUBSECTION (6)(B) TOTAL MORE THAN 10% OF THE COLLECTIVE GROSS WRITTEN PREMIUMS FOR ALL INDIVIDUAL EXPENSE-INCURRED HOSPITAL, MEDICAL, OR SURGICAL POLICIES OR CERTIFICATES ISSUED OR DELIVERED IN THIS STATE

EITHER DIRECTLY BY THAT INSURER OR THROUGH A CORPORATION THAT OWNS OR IS OWNED BY THAT INSURER.”

Second: That the Senate and House agree to the title of the bill to read as follows:

A bill to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal certain acts and parts of acts; to repeal certain acts and parts of acts on specific dates; to repeal certain parts of this act on specific dates; and to provide penalties for the violation of this act,” by amending section 2213b (MCL 500.2213b), as added by 1996 PA 517.

Dale Shugars
John Schwarz
Conferees for the Senate

David M. Gubow
John T. Llewellyn
Conferees for the House

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Reports of Standing Committees

The Committee on Tourism, by Rep. Baade, Chair, reported

House Resolution No. 307.

A resolution to request the Michigan Jobs Commission to give prior notification to the legislature regarding changes to the operations of Welcome Centers, especially proposed closings.

(For text of resolution, see House Journal No. 48, p. 1095.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

HR 307 To Report Out:

Yeas: Reps. Baade, Vaughn, Willard, Bodem, Lowe,

Nays: None.

The Committee on Tourism, by Rep. Baade, Chair, reported

House Concurrent Resolution No. 107.

A concurrent resolution to request the Michigan Jobs Commission to give prior notification to the legislature regarding changes to the operations of Welcome Centers, especially proposed closings.

(For text of resolution, see House Journal No. 48, p. 1095.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call

HCR 107 To Report Out:

Yeas: Reps. Baade, Vaughn, Willard, Bodem, Lowe,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 27, 1998, at 9:00 a.m.,

Present: Reps. Baade, Brewer, Vaughn, Willard, Bodem, Lowe,

Absent: Reps. Wetters, Brackenridge, Horton,

Excused: Reps. Wetters, Brackenridge, Horton.

The Committee on Colleges and Universities, by Rep. Cherry, Chair, reported

Senate Bill No. 1099, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 128, 129, and 131 (MCL 389.128, 389.129, and 389.131), as added by 1998 PA 51.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1099 To Report Out:

Yeas: Reps. Cherry, Brown, Brater, LeTarte, Scranton, Walberg,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cherry, Chair of the Committee on Colleges and Universities, was received and read:

Meeting held on: Wednesday, May 27, 1998, at 10:30 a.m.,

Present: Reps. Cherry, Brown, Brater, Curtis, Quarles, LeTarte, Dalman, Scranton, Walberg.

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

House Bill No. 5796, entitled

A bill to amend 1989 PA 292, entitled "Metropolitan council act," by amending the title and sections 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, and 35 (MCL 124.651, 124.653, 124.655, 124.657, 124.659, 124.661, 124.663, 124.665, 124.667, 124.669, 124.671, 124.673, 124.675, 124.677, 124.679, 124.681, 124.683, and 124.685) and by adding sections 65, 67, 69, 71, 73, 75, 77, and 79.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 5796 To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Palamara, Wallace, Wojno, Brackenridge, Cassis, Whyman,

Nays: Reps. Dobb, Goschka.

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

House Bill No. 5859, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7ff (MCL 211.7ff), as amended by 1998 PA 18.

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 5859 To Report Out:

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

Nays: None.

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

House Bill No. 5863, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 9 (MCL 207.559), as amended by 1996 PA 513.

Adverse Roll Call

HB 5863 To Report Out:

Yeas: Reps. Profit, Quarles, Wallace, Wetters, Wojno,

Nays: None.

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

Senate Bill No. 733, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7o (MCL 211.7o), as amended by 1996 PA 469.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 733 To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Hanley, Wallace, Wojno, Perricone, Cassis, Dobb, Goschka, Middleton,

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, May 27, 1998, at 9:00 a.m.,

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

Absent: Rep. Gubow.

The Committee on Consumer Protection, by Rep. Brater, Chair, reported

House Bill No. 5361, entitled

A bill to regulate extended warranty contracts; to provide for consumer rights; to require certain notices; to provide for remedies; and to prescribe penalties.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 5361 To Report Out:

Yeas: Reps. Brater, Basham, Brown, Freeman, Crissman, Cropsey, Perricone,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Brater, Chair of the Committee on Consumer Protection, was received and read:

Meeting held on: Wednesday, May 27, 1998, at 9:00 a.m.,
Present: Reps. Brater, Basham, Brown, Freeman, Crissman, Cropsey, Perricone,
Absent: Reps. DeHart, Law,
Excused: Reps. DeHart, Law.

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

House Bill No. 5883, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43526 and 43527 (MCL 324.43526 and 324.43527), as amended by 1996 PA 585, and by adding section 43527a.

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 5883 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Kilpatrick, LaForge, Mans, Schermesser, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, 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, May 27, 1998, at 10:30 a.m.,
Present: Reps. Alley, Callahan, Anthony, Brater, Brown, Kilpatrick, LaForge, Mans, Schermesser, Wetters, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 27, 1998, at 12:00 Noon,
Present: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, Kilpatrick, LaForge, Schauer, Dalman, Crissman, Cropsey, Jelinek, LeTarte, McNutt, Middleton,
Absent: Rep. Scott,
Excused: Rep. Scott.

Messages from the Senate**House Bill No. 5588, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

House Bill No. 5589, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

House Bill No. 5590, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1).

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

House Bill No. 5591, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

House Bill No. 5592, entitled

A bill to make appropriations for the departments of consumer and industry services and Michigan jobs commission and certain other state purposes for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

House Bill No. 5593, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

House Bill No. 5595, entitled

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30,

1999; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 1999; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

House Bill No. 5596, entitled

A bill to make appropriations for the judicial branch for the fiscal years ending September 30, 1998 and September 30, 1999; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 1999; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

House Bill No. 5597, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

The Senate returned, in accordance with the request of the House

Senate Bill No. 700, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16174 and 16221 (MCL 333.16174 and 333.16221), section 16174 as amended by 1993 PA 80 and section 16221 as amended by 1996 PA 594.

The Speaker announced that the bill was laid over one day.

House Bill No. 5857, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending sections 104, 110a, 401a, 504, 508, 701, 702, 705, 706, and 711 (MCL 38.2104, 38.2110a, 38.2401a, 38.2504, 38.2508, 38.2651, 38.2652, 38.2655, 38.2656, and 38.2661), section 104 as amended by 1995 PA 193, sections 110a, 401a, 705, 706, and 711 as added by 1996 PA 523, and sections 701 and 702 as amended by 1998 PA 66, and by adding sections 512, 701a, 707a, and 718a.

The Senate has appointed Senators Steil, Van Regenmorter and Conroy as conferees to join with Reps. Ciaramitaro, DeHart and Rhead.

The bill was referred to Conference Committee on May 27, 1998.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members, Thursday, May 21:

Senate Bill No. 1159

The Clerk announced the enrollment printing and presentation to the Governor on Friday, May 22, for his approval of the following bills:

Enrolled Senate Bill No. 801 at 9:37 a.m.

Enrolled Senate Bill No. 804 at 9:39 a.m.

Enrolled Senate Bill No. 864 at 9:41 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, May 22:

Senate Bill Nos. 1133 1134 1135 1137 1138 1139 1140 1141 1142 1144 1145 1146 1147 1150

The Clerk announced that the following bill had been printed and placed upon the files of the members, Tuesday, May 26:

Senate Bill No. 1158

The Clerk announced that the following Senate bills and joint resolution had been received on Wednesday, May 27:

Senate Bill Nos. 1109 1110 1111 1132

Senate Joint Resolution R

Introduction of Bills

Reps. Gubow and Raczkowski introduced

House Bill No. 5888, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending sections 20c and 24a (MCL 259.20c and 259.24a), as added by 1996 PA 370, and by adding chapter IA and section 20d.

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

Reps. Raczkowski and Gubow introduced

House Bill No. 5889, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending sections 86a and 89 (MCL 259.86a and 259.89), section 86a as added and section 89 as amended by 1996 PA 370.

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

Reps. Jansen, Schermesser, Cherry, Schauer, Bogardus, Murphy, Curtis, LeTarte, McNutt, Godchaux, Sanborn, Green, Byl, McBryde, Jelinek, Sikkema, Gernaat, Cropsey, Bobier, Birkholz, DeVuyst, Middaugh, Voorhees and Perricone introduced

House Bill No. 5890, entitled

A bill to amend 1966 PA 225, entitled "Carnival-amusement safety act of 1966," by amending section 2 (MCL 408.652), as amended by 1982 PA 35.

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

Reps. Cherry, Schermesser, Schauer, Bogardus, Murphy, Curtis, LeTarte, McNutt, Godchaux, Sanborn, Green, Byl, McBryde, Jelinek, Sikkema, Gernaat, Cropsey, Bobier, DeVuyst, Middaugh, Birkholz, Voorhees and Perricone introduced

House Bill No. 5891, entitled

A bill to amend 1965 PA 290, entitled "Boiler act of 1965," (MCL 408.751 to 408.776) by adding section 7c.

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

Rep. Palamara moved that the House adjourn.
The motion prevailed, the time being 5:40 p.m.

The Associate Speaker Pro Tempore declared the House adjourned until Thursday, May 28, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

