

No. 81
STATE OF MICHIGAN
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House of Representatives
89th Legislature
REGULAR SESSION OF 1998

House Chamber, Lansing, Tuesday, December 8, 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	Dobronski—present	Kaza—present	Profit—present
Alley—present	Emerson—present	Kelly—present	Prusi—present
Anthony—present	Fitzgerald—present	Kilpatrick—present	Quarles—present
Baade—present	Frank—present	Kukuk—present	Raczkowski—present
Baird—present	Freeman—present	LaForge—present	Rhead—present
Bankes—present	Gagliardi—present	Law—present	Richner—present
Basham—present	Galloway—present	Leland—present	Rison—present
Birkholz—present	Geiger—present	LeTarte—present	Rocca—present
Bobier—present	Gernaat—present	Llewellyn—present	Sanborn—present
Bodem—present	Gilmer—present	London—present	Schauer—present
Bogardus—present	Gire—present	Lowe—present	Schermesser—present
Brackenridge—present	Godchaux—present	Mans—present	Schroer—present
Brater—present	Goschka—present	Martinez—present	Scott—excused
Brewer—present	Green—present	Mathieu—present	Scranton—present
Brown—present	Griffin—absent	McBryde—present	Sikkema—present
Byl—present	Gubow—present	McManus—present	Stallworth—present
Callahan—present	Gustafson—present	McNutt—present	Tesanovich—present
Cassis—present	Hale—present	Middaugh—present	Thomas—present
Cherry—present	Hammerstrom—present	Middleton—present	Varga—present
Ciaramitaro—present	Hanley—present	Nye—present	Vaughn—present
Crissman—present	Harder—present	Olshove—present	Voorhees—present
Cropsey—excused	Hertel—present	Owen—present	Walberg—present
Curtis—present	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

Rep. John Freeman, from the 34th District, offered the following invocation:

“Let us pray. Lord, as we begin our last week of legislative session, please bestow us with the wisdom to make the right decisions on the last remaining policy matters. Lord, help us be far-sighted in our deliberations, because the decisions we make today will affect our state for years to come. We need to listen to the voices of those nearby, as well as the voice in our heart as we weigh the important legislative matters before us. And as we make these decisions, let us not forget that the people of this great state look to us for guidance in developing policies that will lead to greater opportunities to live a life of spiritual meaning. And finally Lord, as we enter the holiday season, please look after the men and women of this Legislature and their families, the staff and their families and all the people of this wonderful state and deliver them safely into the New Year. Amen.”

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

Rep. Dobronski moved that Rep. Scott be excused from today’s session.
The motion prevailed.

Notices

December 8, 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. 89.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the State Prison of Southern Michigan Reorganization Project - Phase II.

(For text of resolution, see House Journal No. 76, p. 2320.)

(The concurrent resolution was reported by the Committee on Appropriations on December 2, consideration of which was postponed until December 3 under the rules.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 1031

Yeas—103

Agee
Alley

Dobronski
Emerson

Kelly
Kilpatrick

Prusi
Quarles

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

Nays—0

In The Chair: DeHart

The Speaker laid before the House

Senate Concurrent Resolution No. 95.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Board of Control of Grand Valley State University relative to the Grand Valley State University School of Business and Graduate Library.

(For text of resolution, see House Journal No. 76, p. 2320.)

(The concurrent resolution was reported by the Committee on Appropriations on December 2, consideration of which was postponed until December 3 under the rules.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 1032**Yeas—103**

Agee	Dobronski	Kaza	Profit
Alley	Emerson	Kelly	Prusi
Anthony	Fitzgerald	Kilpatrick	Quarles
Baade	Frank	Kukuk	Rackowski
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	Scranton
Brewer	Green	Mathieu	Sikkema
Brown	Gubow	McBryde	Tesanovich
Byl	Gustafson	McManus	Thomas
Callahan	Hale	McNutt	Varga
Cassis	Hammerstrom	Middaugh	Vaughn
Cherry	Hanley	Middleton	Voorhees
Ciaramitaro	Harder	Nye	Walberg
Crissman	Hertel	Owen	Wallace
Curtis	Horton	Oxender	Wetters
Dalman	Jansen	Palamara	Whyman
DeHart	Jelinek	Parks	Willard
DeVuyst	Jellema	Perricone	Wojno
Dobb	Johnson	Price	

Nays—0

In The Chair: DeHart

The Speaker laid before the House

Senate Concurrent Resolution No. 100.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of State Police Two-Way Radio System and Microwave Backbone System Phase II.

(For text of resolution, see House Journal No. 79, p. 2440.)

(The concurrent resolution was reported by the Committee on Appropriations on December 2, consideration of which was postponed until December 3 under the rules.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 1033**Yeas—97**

Agee	Dobronski	Kaza	Profit
Alley	Emerson	Kelly	Prusi
Anthony	Fitzgerald	Kukuk	Quarles
Baade	Frank	LaForge	Raczkowski
Baird	Freeman	Law	Rhead
Basham	Gagliardi	Leland	Richner
Birkholz	Galloway	LeTarte	Rison
Bobier	Geiger	Llewellyn	Rocca
Bodem	Gernaat	London	Sanborn
Bogardus	Gilmer	Mans	Schauer
Brackenridge	Gire	Martinez	Schermesser
Brater	Godchaux	Mathieu	Schroer

Brewer	Goschka	McBryde	Scranton
Brown	Gubow	McManus	Sikkema
Byl	Gustafson	McNutt	Stallworth
Callahan	Hale	Middaugh	Tesanovich
Cassis	Hammerstrom	Middleton	Thomas
Cherry	Hanley	Nye	Varga
Ciaramitaro	Harder	Olshove	Vaughn
Crissman	Hertel	Oxender	Wallace
Curtis	Jansen	Palamara	Wetters
Dalman	Jelinek	Parks	Whyman
DeHart	Jellema	Perricone	Willard
DeVuyst	Johnson	Price	Wojno
Dobb			

Nays—3

Horton	Lowe	Voorhees
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In The Chair: DeHart

Messages from the Senate

The Speaker laid before the House

Senate Bill No. 866, entitled

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 2950a (MCL 600.2950a), as amended by 1997 PA 115.

(The bill was received from the Senate on November 12, with amendment to House amendment No. 10, full title agreed to and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 1, see House Journal No. 77, p. 2354.)

The question being on concurring in the adoption of the amendment to House amendment No. 10 made to the bill by the Senate,

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

1. Amend the Senate amendment to the House amendments page 10, following line 4, enacting section 1, by striking out “January” and inserting “March”.

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

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

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

Roll Call No. 1034**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	Scranton
Brewer	Gubow	McBryde	Sikkema
Brown	Gustafson	McManus	Stallworth
Byl	Hale	McNutt	Tesanovich
Callahan	Hammerstrom	Middaugh	Thomas
Cassis	Hanley	Middleton	Varga
Cherry	Harder	Nye	Vaughn
Ciaramitaro	Hertel	Olshove	Voorhees
Crissman	Horton	Owen	Walberg
Curtis	Jansen	Oxender	Wallace
Dalman	Jelinek	Palamara	Wetters
DeHart	Jellema	Parks	Whyman
DeVuyst	Johnson	Perricone	Willard
Dobb	Kaza	Price	Wojno
Dobronski			

Nays—0

In The Chair: DeHart

Rep. Freeman moved that Rep. Gubow be excused temporarily from today's session.
The motion prevailed.

The Speaker laid before the House

Senate Bill No. 874, entitled

A bill to amend 1961 PA 236, entitled and inserting "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 2950 (MCL 600.2950), as amended by 1997 PA 115.

(The bill was received from the Senate on November 12, with amendment to House amendment No. 10, full title agreed to and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 1, see House Journal No. 77, p. 2354.)

The question being on concurring in the adoption of the amendment to House amendment No. 10 made to the bill by the Senate,

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

1. Amend the Senate amendment to the House amendments page 11, following line 20, enacting section 1, by striking out "January" and inserting "March".

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

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

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

Roll Call No. 1035**Yeas—100**

Agee	Dobronski	Kaza	Price
Alley	Emerson	Kelly	Profit
Anthony	Fitzgerald	Kilpatrick	Prusi
Baade	Frank	Kukuk	Rackowski
Baird	Freeman	LaForge	Rhead
Banks	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	Scranton
Brewer	Green	Mathieu	Sikkema
Brown	Gubow	McBryde	Stallworth
Byl	Gustafson	McManus	Tesanovich
Callahan	Hale	McNutt	Varga
Cassis	Hammerstrom	Middaugh	Vaughn
Cherry	Hanley	Middleton	Voorhees
Ciaramitaro	Harder	Nye	Walberg
Crissman	Horton	Owen	Wallace
Curtis	Jansen	Oxender	Wetters
DeHart	Jelinek	Palamara	Whyman
DeVuyst	Jellema	Parks	Willard
Dobb	Johnson	Perricone	Wojno

Nays—0

In The Chair: DeHart

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Rep. Banks moved that Rep. Dalman be excused temporarily from today's session.
The motion prevailed.

The Speaker laid before the House

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.

(The bill was received from the Senate on December 1, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 2, see House Journal No. 78, p. 2415.)

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. 1036**Yeas—100**

Agee	Dobronski	Kaza	Profit
Alley	Emerson	Kelly	Prusi

Anthony	Fitzgerald	Kilpatrick	Quarles
Baade	Frank	Kukuk	Raczkowski
Baird	Freeman	Law	Rhead
Bankes	Gagliardi	Leland	Richner
Basham	Galloway	Llewellyn	Rison
Birkholz	Geiger	London	Rocca
Bobier	Gernaat	Lowe	Sanborn
Bodem	Gilmer	Mans	Schauer
Bogardus	Gire	Martinez	Schermesser
Brackenridge	Godchaux	Mathieu	Scranton
Brater	Goschka	McBryde	Sikkema
Brewer	Green	McManus	Stallworth
Brown	Gubow	McNutt	Tesanovich
Byl	Gustafson	Middaugh	Thomas
Callahan	Hale	Middleton	Varga
Cassis	Hammerstrom	Nye	Vaughn
Cherry	Hanley	Olshove	Voorhees
Ciaramitaro	Hertel	Owen	Walberg
Crissman	Horton	Oxender	Wallace
Curtis	Jansen	Palamara	Wetters
DeHart	Jelinek	Parks	Whyman
DeVuyst	Jellema	Perricone	Willard
Dobb	Johnson	Price	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. 4364, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 3 of chapter XI (MCL 771.3), as amended by 1994 PA 445.

(The bill was received from the Senate on December 1, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 2, see House Journal No. 78, p. 2415.)

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

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

Roll Call No. 1037**Yeas—100**

Agee	Fitzgerald	Kelly	Profit
Alley	Frank	Kilpatrick	Prusi
Baade	Freeman	Kukuk	Quarles
Baird	Gagliardi	LaForge	Raczkowski
Bankes	Galloway	Law	Rhead
Basham	Geiger	Leland	Richner
Birkholz	Gernaat	LeTarte	Rocca
Bobier	Gilmer	Llewellyn	Sanborn
Bodem	Gire	London	Schauer
Bogardus	Godchaux	Lowe	Schermesser

Brackenridge	Goschka	Mans	Schroer
Brater	Green	Mathieu	Scranton
Brewer	Gubow	McBryde	Sikkema
Brown	Gustafson	McManus	Stallworth
Byl	Hale	McNutt	Tesanovich
Callahan	Hammerstrom	Middaugh	Thomas
Cassis	Hanley	Middleton	Varga
Cherry	Harder	Nye	Vaughn
Ciaramitaro	Hertel	Olshove	Voorhees
Crissman	Horton	Owen	Walberg
Curtis	Jansen	Oxender	Wallace
DeHart	Jelinek	Palamara	Wetters
DeVuyst	Jellema	Parks	Whyman
Dobb	Johnson	Perricone	Willard
Dobronski	Kaza	Price	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. 4365, entitled

A bill to amend 1984 PA 118, entitled "The prisoner reimbursement to the county act," by amending sections 3 and 5 (MCL 801.83 and 801.85), section 3 as amended by 1994 PA 212.

(The bill was received from the Senate on December 1, with amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 2, see House Journal No. 78, p. 2416.)

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

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

Roll Call No. 1038**Yeas—100**

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

Cherry	Hertel	Owen	Voorhees
Ciaramitaro	Horton	Oxender	Walberg
Crissman	Jansen	Palamara	Wallace
Curtis	Jelinek	Parks	Wetters
DeHart	Jellema	Perricone	Whyman
DeVuyst	Johnson	Price	Willard
Dobb	Kaza	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. 5564, entitled

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 21 of chapter X and sections 2, 2a, 2c, 14, 15, 17, 17c, 18, and 26 of chapter XIIA (MCL 710.21, 712A.2, 712A.2a, 712A.2c, 712A.14, 712A.15, 712A.17, 712A.17c, 712A.18, and 712A.26), sections 2, 2a, and 2c of chapter XIIA as amended by 1996 PA 409, section 14 of chapter XIIA as amended by 1988 PA 224, section 15 of chapter XIIA as amended by 1987 PA 72, sections 17 and 17c of chapter XIIA as amended by 1997 PA 169, and section 18 of chapter XIIA as amended by 1997 PA 163.

(The bill was received from the Senate on December 1, with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 2, see House Journal No. 78, p. 2417.)

The question being on concurring in the adoption of the substitute (S-3) made to the bill by the Senate,

Rep. Wallace moved to amend the Senate substitute (S-3) as follows:

1. Amend page 34, line 19, after “effect” by striking out “January” and inserting “March”.

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

The question being on concurring in the Senate substitute (S-3), as amended,

The Senate substitute (S-3), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays as follows:

Roll Call No. 1039**Yeas—97**

Agee	Fitzgerald	Kukuk	Quarles
Alley	Frank	LaForge	Raczkowski
Anthony	Freeman	Law	Rhead
Baade	Galloway	Leland	Richner
Baird	Geiger	LeTarte	Rison
Bankes	Gernaat	Llewellyn	Rocca
Basham	Gire	London	Sanborn
Birkholz	Godchaux	Lowe	Schauer
Bobier	Goschka	Mans	Schermesser

Bodem	Green	Martinez	Schroer
Bogardus	Gubow	Mathieu	Scranton
Brackenridge	Gustafson	McBryde	Sikkema
Brater	Hale	McManus	Stallworth
Brewer	Hammerstrom	McNutt	Tesanovich
Brown	Hanley	Middaugh	Thomas
Callahan	Hertel	Middleton	Varga
Cassis	Horton	Nye	Vaughn
Cherry	Jansen	Olshove	Voorhees
Ciaramitaro	Jelinek	Oxender	Walberg
Crissman	Jellema	Palamara	Wallace
Curtis	Johnson	Perricone	Wetters
DeHart	Kaza	Price	Whyman
DeVuyst	Kelly	Profit	Willard
Dobb	Kilpatrick	Prusi	Wojno
Dobronski			

Nays—0

In The Chair: DeHart

The House agreed to the title as amended.

The Speaker laid before the House

House Bill No. 5567, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 15b and 15c of chapter IV (MCL 764.15b and 764.15c), as amended by 1996 PA 15.

(The bill was received from the Senate on December 1, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 2, see House Journal No. 78, p. 2417.)

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

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

1. Amend page 9, line 21, by striking out “January” and inserting “March”.

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

The question being on concurring in the Senate substitute (S-1), as amended,

The Senate 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. 1040**Yeas—102**

Agee	Emerson	Kilpatrick	Prusi
Alley	Fitzgerald	Kukuk	Quarles
Anthony	Frank	LaForge	Raczkowski
Baade	Freeman	Law	Rhead
Baird	Gagliardi	Leland	Richner
Bankes	Galloway	LeTarte	Rison
Basham	Geiger	Llewellyn	Rocca
Birkholz	Gernaat	London	Sanborn
Bobier	Gilmer	Lowe	Schauer
Bodem	Gire	Mans	Schermesser
Bogardus	Godchaux	Martinez	Schroer
Brackenridge	Goschka	Mathieu	Scranton

Brater	Green	McBryde	Sikkema
Brewer	Gubow	McManus	Stallworth
Brown	Gustafson	McNutt	Tesanovich
Byl	Hale	Middaugh	Thomas
Callahan	Hammerstrom	Nye	Varga
Cassis	Hanley	Olshove	Vaughn
Cherry	Harder	Owen	Voorhees
Ciaramitaro	Horton	Oxender	Walberg
Crissman	Jansen	Palamara	Wallace
Curtis	Jelinek	Parks	Wetters
DeHart	Jellema	Perricone	Whyman
DeVuyst	Johnson	Price	Willard
Dobb	Kaza	Profit	Wojno
Dobronski	Kelly		

Nays—0

In The Chair: DeHart

The House agreed to the full title.

The Speaker laid before the House

House Bill No. 4232, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7 (MCL 722.627), as amended by 1995 PA 225, and by adding sections 7b, 7c, 7d, 7e, 7f, 7g, 7h, and 9a.

(The bill was received from the Senate on December 2, with substitute (S-5), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 3, see House Journal No. 79, p. 2441.)

The question being on concurring in the adoption of the substitute (S-5) made to the bill by the Senate,

The substitute (S-5) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1041**Yeas—102**

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

Ciaramitaro	Horton	Oxender	Walberg
Crissman	Jansen	Palamara	Wallace
Curtis	Jellema	Parks	Wetters
DeHart	Johnson	Perricone	Whyman
DeVuyst	Kaza	Price	Willard
Dobb	Kelly	Profit	Wojno
Dobronski	Kilpatrick		

Nays—0

In The Chair: DeHart

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 5254, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 503(MCL 324.503), as amended by 1996 PA 133.

(The bill was received from the Senate on December 2, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 3, see House Journal No. 79, p. 2441.)

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. 1042**Yeas—98**

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

Nays—0

In The Chair: DeHart

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 5278, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 509 (MCL 324.509).

(The bill was received from the Senate on December 2, with amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 3, see House Journal No. 79, p. 2441.)

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

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

Roll Call No. 1043**Yeas—101**

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

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. 4681, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16204a (MCL 333.16204a), as added by 1994 PA 232.

(The bill was received from the Senate on December 3, with substitute (S-2) and full title inserted, consideration of which, under the rules, was postponed until today, see House Journal No. 80, p. 2494.)

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. 1044

Yeas—100

Alley	Fitzgerald	Kilpatrick	Prusi
Anthony	Frank	Kukuk	Quarles
Baade	Freeman	Law	Raczkowski
Baird	Gagliardi	Leland	Rhead
Basham	Galloway	LeTarte	Richner
Birkholz	Geiger	Llewellyn	Rison
Bobier	Gernaat	London	Rocca
Bodem	Gilmer	Lowe	Sanborn
Bogardus	Gire	Mans	Schauer
Brackenridge	Godchaux	Martinez	Schermesser
Brater	Goschka	Mathieu	Schroer
Brewer	Green	McBryde	Scranton
Brown	Gubow	McManus	Sikkema
Byl	Gustafson	McNutt	Stallworth
Callahan	Hale	Middaugh	Tesanovich
Cassis	Hammerstrom	Middleton	Thomas
Cherry	Hanley	Nye	Varga
Ciaramitaro	Harder	Olshove	Vaughn
Crissman	Hertel	Owen	Voorhees
Curtis	Horton	Oxender	Walberg
DeHart	Jansen	Palamara	Wallace
DeVuyst	Jellema	Parks	Wetters
Dobb	Johnson	Perricone	Whyman
Dobronski	Kaza	Price	Willard
Emerson	Kelly	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. 4682, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16204b.

(The bill was received from the Senate on December 3, with substitute (S-2) and full title inserted, consideration of which, under the rules, was postponed until today, see House Journal No. 80, p. 2494.)

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. 1045**Yeas—101**

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

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. 4684, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2212a (MCL 500.2212a), as added by 1996 PA 517.

(The bill was received from the Senate on December 3, with substitute (S-2) and full title inserted, consideration of which, under the rules, was postponed until today, see House Journal No. 80, p. 2494.)

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. 1046**Yeas—101**

Agee	Fitzgerald	Kelly	Price
Alley	Frank	Kilpatrick	Profit
Anthony	Freeman	Kukuk	Prusi
Baade	Gagliardi	LaForge	Quarles

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

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. 4685, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21052 (MCL 333.21052), as added by 1996 PA 472.

(The bill was received from the Senate on December 3, with substitute (S-1) and full title inserted, consideration of which, under the rules, was postponed until today, see House Journal No. 80, p. 2494.)

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. 1047**Yeas—100**

Agee	Fitzgerald	Kelly	Price
Alley	Frank	Kilpatrick	Profit
Anthony	Freeman	Kukuk	Prusi
Baade	Gagliardi	LaForge	Quarles
Baird	Galloway	Law	Rackowski
Basham	Geiger	Leland	Rhead
Birkholz	Gernaat	LeTarte	Richner
Bobier	Gilmer	Llewellyn	Rocca
Bodem	Gire	London	Sanborn
Bogardus	Godchaux	Lowe	Schauer
Brackenridge	Goschka	Mans	Schermesser

Brater	Green	Martinez	Schroer
Brewer	Gubow	Mathieu	Scranton
Brown	Gustafson	McBryde	Sikkema
Byl	Hale	McManus	Stallworth
Callahan	Hammerstrom	McNutt	Tesanovich
Cassis	Hanley	Middaugh	Thomas
Cherry	Harder	Middleton	Varga
Ciaramitaro	Hertel	Nye	Vaughn
Crissman	Horton	Olshove	Voorhees
Curtis	Jansen	Owen	Walberg
DeHart	Jelinek	Oxender	Wallace
DeVuyst	Jellema	Palamara	Whyman
Dobb	Johnson	Parks	Willard
Dobronski	Kaza	Perricone	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. 4686, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” by amending section 402a (MCL 550.1402a), as added by 1996 PA 516.

(The bill was received from the Senate on December 3, with substitute (S-1) and full title inserted, consideration of which, under the rules, was postponed until today, see House Journal No. 80, p. 2494.)

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. 1048**Yeas—98**

Agee	Freeman	Kukuk	Prusi
Alley	Gagliardi	LaForge	Quarles
Anthony	Galloway	Law	Rackowski
Baird	Geiger	Leland	Rhead
Basham	Gernaat	LeTarte	Richner
Birkholz	Gilmer	Llewellyn	Rocca
Bodem	Gire	London	Sanborn
Bogardus	Godchaux	Lowe	Schauer
Brackenridge	Goschka	Mans	Schermesser
Brater	Green	Martinez	Schroer
Brewer	Gubow	Mathieu	Scranton
Brown	Gustafson	McBryde	Sikkema
Byl	Hale	McManus	Stallworth
Callahan	Hammerstrom	McNutt	Tesanovich
Cherry	Hanley	Middaugh	Thomas
Ciaramitaro	Harder	Middleton	Varga
Crissman	Hertel	Nye	Vaughn
Curtis	Horton	Olshove	Voorhees
DeHart	Jansen	Owen	Walberg

DeVuyst	Jelinek	Oxender	Wallace
Dobb	Jellema	Parks	Wetters
Dobronski	Johnson	Perricone	Whyman
Emerson	Kaza	Price	Willard
Fitzgerald	Kelly	Profit	Wojno
Frank	Kilpatrick		

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.

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

The Speaker laid before the House

House Bill No. 4742, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4m.

(The bill was received from the Senate on December 3, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 80, p. 2494.)

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

Rep. McNutt moved to amend the Senate substitute (S-2) as follows:

1. Amend page 7, line 1, after "125.1415a." by striking out "A" and inserting "EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION, A".

2. Amend page 7, line 6, after "person." by inserting "FOR TAX YEARS ENDING AFTER DECEMBER 31, 1990, NONPROFIT HOUSING INCLUDES A MULTIPLE UNIT DWELLING OWNED BY A CITY, VILLAGE, TOWNSHIP, OR COUNTY, THE INCOME OR PROPERTY OF WHICH DOES NOT DIRECTLY OR INDIRECTLY INURE TO THE BENEFIT OF AN INDIVIDUAL, PRIVATE STOCKHOLDER, OR OTHER PRIVATE PERSON. A CITY, VILLAGE, TOWNSHIP, OR COUNTY THAT PAID THE TAX LEVIED UNDER THIS ACT IN TAX YEARS ENDING AFTER DECEMBER 31, 1990 ON PROPERTY AFFIXED TO AND MADE A STRUCTURAL PART OF NONPROFIT HOUSING THAT IS A MULTIPLE UNIT DWELLING OWNED BY THAT CITY, VILLAGE, TOWNSHIP, OR COUNTY, THE INCOME OR PROPERTY OF WHICH DOES NOT DIRECTLY OR INDIRECTLY INURE TO THE BENEFIT OF AN INDIVIDUAL, PRIVATE STOCKHOLDER, OR OTHER PRIVATE PERSON, MAY FILE A CLAIM FOR A REFUND OF THAT TAX WITH THE DEPARTMENT OF TREASURY WITHIN 60 DAYS OF THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION."

The question being on the adoption of the amendments to the Senate substitute (S-2) offered by Rep. McNutt,

Rep. McNutt moved that consideration of the amendments be postponed temporarily.

The motion prevailed.

The Speaker laid before the House

House Bill No. 5511, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2965.

(The bill was received from the Senate on December 3, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 80, p. 2495.)

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. 1049**Yeas—95**

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

Nays—5

Kaza	Raczkowski	Schroer	Scranton
Kilpatrick			

In The Chair: DeHart

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 5875, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 56a (MCL 211.56a).

(The bill was received from the Senate on December 3, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 80, p. 2496.)

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. 1050**Yeas—98**

Agee	Emerson	Kelly	Prusi
Alley	Fitzgerald	Kilpatrick	Quarles

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

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. 4683, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 16204c, 16204d, and 16228.

(The bill was received from the Senate on December 3, with substitute (S-2) and full title inserted, consideration of which, under the rules, was postponed until today, see House Journal No. 80, p. 2494 .)

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. 1051**Yeas—99**

Agee	Dobronski	Kelly	Prusi
Alley	Fitzgerald	Kilpatrick	Quarles
Anthony	Frank	Kukuk	Raczkowski
Baade	Freeman	Law	Rhead
Baird	Gagliardi	Leland	Richner
Bankes	Galloway	LeTarte	Rison
Basham	Geiger	Llewellyn	Rocca
Birkholz	Gernaat	London	Sanborn
Bobier	Gilmer	Lowe	Schauer
Bodem	Gire	Mans	Schermesser

Bogardus	Godchaux	Martinez	Schroer
Brackenridge	Goschka	McBryde	Scranton
Brater	Green	McManus	Sikkema
Brewer	Gubow	McNutt	Stallworth
Brown	Gustafson	Middaugh	Tesanovich
Byl	Hale	Middleton	Thomas
Callahan	Hammerstrom	Nye	Vaughn
Cassis	Hanley	Olshove	Voorhees
Cherry	Harder	Owen	Walberg
Crissman	Horton	Oxender	Wallace
Curtis	Jansen	Palamara	Wetters
Dalman	Jelinek	Parks	Whyman
DeHart	Jellema	Perricone	Willard
DeVuyst	Johnson	Price	Wojno
Dobb	Kaza	Profit	

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 assumed the Chair.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Owen, Ciaramitaro, Dobronski, Lowe, Vaughn, McBryde, Harder, Baade, LaForge, Schauer, Kelly, Prusi, Tesanovich, Schermesser, Freeman, Brater, Profit, Hale, Hanley, Anthony, Cherry, DeHart, Gilmer, Byl, Bogardus, Leland and Parks offered the following resolution:

House Concurrent Resolution No. 117.

A concurrent resolution to rename the Michigan Civilian Conservation Corps' Camp Vanderbilt in the honor of State Representative Tom Mathieu.

Whereas, For more than twenty years the people of Grand Rapids and the State of Michigan have been admirably served by Representative Tom Mathieu, who has exercised exceptional leadership in the highest tradition of service and citizenship; and

Whereas, Representative Mathieu has dedicated himself to the betterment of the people of Michigan and the protection and improvement of our human and natural resources; and

Whereas, Tom Mathieu's ideals and vision have, time and again, served to raise the rhetoric and efforts of the entire Michigan legislature to the most noble plane of discourse and legislative dispensation; and

Whereas, Representative Mathieu's particular sponsorship of legislation empowering the Michigan Civilian Conservation Corps has resulted in the ability of independence seeking citizens to lift themselves up and improve their lives and the lives of their families; and

Whereas, The efforts of the Civilian Conservation Corps have resulted in the improvement of Michigan's parks and recreational areas, and the enhanced protection of our most precious natural resources; and

Whereas, The naming of public works for individuals is a traditional means of according respect and honor, particular in regards to a singular record of distinguished service and accomplishment such as that of Tom Mathieu; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of the Michigan Legislature do hereby rename the Michigan Conservation Corps Camp Vanderbilt in honor of the distinguished Representative Tom Mathieu. Camp Vanderbilt shall from this day hence be known as Camp Mathieu in honor of the Representative Mathieu's unparalleled service, dedication and commitment to the citizens of Michigan.

Pending the reference of the concurrent resolution to a committee,

Rep. Gagliardi moved that Rule 77 be suspended and the concurrent 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 concurrent resolution,
The concurrent resolution was adopted, a majority of the members serving voting therefor.

Rep. Willard moved that Rep. Gire be excused temporarily from today's session. The motion prevailed.

Rep. Frank moved that Rep. Brewer be excused temporarily from today's session. The motion prevailed.

Reports of Standing Committees

The Speaker laid before the House

House Concurrent Resolution No. 115.

A concurrent resolution concurring in the tribal-state gaming compacts negotiated between the Governor and the Little River Band of Ottawa Indians, the Pokagon Band of Potawatomi Indians, the Little Traverse Bay Bands of Odawa Indians, and the Nottawaseppi Huron Band of Potawatomi.

(For text of resolution, see House Journal No. 78, p. 2405.)

(The resolution was reported by the Committee on House Oversight and Ethics on December 3, with amendments, consideration of which was postponed until today under the rules.)

(For amendments, see House Journal No. 80, p. 2492.)

The question being on the adoption of the proposed amendments recommended by the Committee,

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

The question being on the adoption of the concurrent resolution,

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the concurrent resolution,

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

“Resolved, That, before a casino may be placed pursuant to this resolution and these tribal-state gaming compacts, the placement of a casino must be authorized by a majority vote of the registered voters of all of the following:

1. The hosting township (the township in which the casino will be placed).
2. The townships located in this state that are contiguous to the hosting township.
3. All cities and villages located within the hosting township or the Michigan townships contiguous to the hosting township.

; and be it further”.

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

Rep. Jelinek demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1052

Yeas—46

Anthony
Basham
Birkholz

Goschka
Green
Hammerstrom

Llewellyn
London
Lowe

Sanborn
Schermesser
Scranton

Brackenridge	Horton	McNutt	Sikkema
Brown	Jansen	Middaugh	Vaughn
Byl	Jelinek	Nye	Voorhees
Cassis	Kaza	Owen	Walberg
Crissman	Kelly	Oxender	Wetters
Dalman	Kukuk	Perricone	Whyman
Galloway	Law	Raczkowski	Willard
Gernaat	Leland	Rocca	Wojno
Godchaux	LeTarte		

Nays—47

Alley	Dobb	Hertel	Parks
Baird	Dobronski	Jellema	Price
Bankes	Emerson	Johnson	Prusi
Bobier	Fitzgerald	Kilpatrick	Quarles
Bodem	Frank	LaForge	Richner
Bogardus	Freeman	Martinez	Rison
Brater	Gagliardi	Mathieu	Schauer
Cherry	Gilmer	McBryde	Schroer
Ciaramitaro	Gubow	McManus	Stallworth
Curtis	Gustafson	Middleton	Varga
DeHart	Hale	Olshove	Wallace
DeVuyst	Harder	Palamara	

In The Chair: Hertel

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

1. Amend the resolution, following the first Resolving clause, by inserting:

“Resolved, That, before a casino may be placed pursuant to this resolution and these tribal-state gaming compacts, the hosting township (the township in which the casino will be placed) may negotiate with any Indian tribe regarding infrastructure and support costs beyond those addressed in the compacts; and be it further”.

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

Rep. Jelinek demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1053**Yeas—43**

Agee	Godchaux	LeTarte	Rocca
Basham	Goschka	Llewellyn	Sanborn
Birkholz	Green	London	Scranton
Brackenridge	Hammerstrom	Lowe	Sikkema
Byl	Horton	McBryde	Voorhees
Cassis	Jansen	McNutt	Walberg
Crissman	Jelinek	Middaugh	Wetters
Dalman	Kaza	Nye	Whyman
Dobb	Kukuk	Owen	Willard
Galloway	Law	Oxender	Wojno
Gernaat	Leland	Raczkowski	

Nays—43

Alley	Dobronski	Harder	Palamara
Baird	Emerson	Hertel	Parks
Bankes	Fitzgerald	Jellema	Quarles
Bobier	Freeman	Johnson	Richner
Bodem	Gagliardi	Kelly	Rison
Bogardus	Geiger	Kilpatrick	Schroer
Cherry	Gilmer	LaForge	Stallworth
Ciaramitaro	Gubow	Martinez	Tesanovich
Curtis	Gustafson	Mathieu	Varga
DeHart	Hale	Middleton	Wallace
DeVuyst	Hanley	Olshove	

In The Chair: Hertel

The question being on the adoption of the concurrent resolution,

Rep. Gagliardi moved that consideration of the concurrent resolution be postponed temporarily.
The motion prevailed.

—

Rep. Wetters asked and obtained an excuse from the balance of today's session.

Rep. Kaza asked and obtained an excuse from the balance of today's session.

By unanimous consent the House returned to the order of

Reports of Select Committees

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning
House Bill No. 4738, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 248 (MCL 257.248), as amended by 1993 PA 300, and by adding sections 1d, 1e, and 4c.

Recommends:

First: That the House and Senate agree to the Substitute of the Senate as passed by the Senate amended to read as follows:

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 251 (MCL 257.251), as amended by 1998 PA 384.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 251. (1) Each new vehicle dealer, ~~and~~ used vehicle dealer, AND BROKER shall maintain a record in a ~~form as~~ MANNER prescribed by the secretary of state of each vehicle of a type subject to titling under this act that is bought, sold, or exchanged by the dealer or received or accepted by the dealer for sale or exchange.

(2) Each record shall contain the date of the purchase, sale, or exchange or receipt for the purpose of sale, a description of the vehicle, together with the name and address of the seller, the purchaser, and the alleged owner or other persons from whom the vehicle was purchased or received, or to whom it was sold or delivered. The record shall contain a copy of all odometer mileage statements received by the dealer upon purchasing or acquiring a vehicle and a copy of the odometer mileage statement furnished by the dealer upon sale of a vehicle as prescribed in section 233a. IF THE VEHICLE IS PURCHASED, SOLD, LEASED, OR EXCHANGED THROUGH A BROKER, THE RECORD SHALL INCLUDE THE BROKER'S NAME AND DEALER LICENSE NUMBER AND THE AMOUNT OF THE BROKER'S FEE, COMMISSION, COMPENSATION, OR OTHER VALUABLE CONSIDERATION PAID BY THE

PURCHASER OR LESSEE OR PAID BY THE DEALER, OR BOTH. THE RECORDS OF ALL VEHICLES PURCHASED, SOLD, LEASED, OR EXCHANGED THROUGH A BROKER MAINTAINED BY THE SECRETARY OF STATE SHALL BE IN AN ELECTRONIC FORMAT DETERMINED BY THE SECRETARY OF STATE. A dealer shall retain for not less than 5 years each odometer mileage statement the dealer receives and each odometer mileage statement furnished by the dealer upon the sale of a vehicle. The description of the vehicle, in the case of a motor vehicle, shall also include the vehicle identification number and other numbers or identification marks as may be on the vehicle, and shall also include a statement that a number has been obliterated, defaced, or changed, if that is the fact. For a trailer or semitrailer, the record shall include the vehicle identification number and other numbers or identification marks as may be on the trailer or semitrailer.

(3) Not more than 20 days after the delivery of the vehicle, the seller shall deliver to the buyer in person or by mail to the buyer's last known address a duplicate of a written statement, on a form prescribed by the secretary of state in conjunction with the department of treasury, describing clearly the name and address of the seller, the name and address of the buyer, the vehicle sold to the buyer, the cash sale price of the vehicle, the cash paid down by the buyer, the amount credited the buyer for a trade-in, a description of the trade-in, the amount charged for vehicle insurance, stating the types of insurance covered by the insurance policy, the amount charged for a temporary registration plate, the amount of any other charge and specifying its purpose, the net balance due from the buyer, and a summary of insurance coverage to be affected. If the vehicle sold is a new motor home, the written statement shall contain a description, including the year of manufacture, of every major component part of the vehicle that has its own manufacturer's certificate of origin. The written statement shall disclose if the vehicle sold is a vehicle that the seller had loaned to a political subdivision of this state for use as a driver education vehicle. The written statement shall be dated, but not later than the actual date of delivery of the vehicle to the buyer. The original and all copies of the prescribed form shall contain identical information. The statement shall be furnished by the seller, shall be signed by the seller or the seller's agent and by the buyer, and shall be filed with the application for new title or registration. Failure of the seller to deliver this written statement to the buyer does not invalidate the sale between the seller and the buyer.

(4) A retail vehicle sale is void unless both of the following conditions are met:

(a) The sale is evidenced by a written memorandum that contains the agreement of the parties and is signed by the buyer and the seller or the seller's agent.

(b) The agreement contains a place for acknowledgment by the buyer of the receipt of a copy of the agreement or actual delivery of the vehicle is made to the buyer.

(5) Each dealer record and inventory, including the record and inventory of a vehicle scrap metal processor not required to obtain a dealer license, shall be open to inspection by a police officer or an authorized officer or investigator of the secretary of state during reasonable or established business hours.

(6) A dealer licensed as a distressed vehicle transporter shall maintain records in a form as prescribed by the secretary of state. The records shall identify each distressed vehicle that is bought, acquired, and sold by the dealer. The record shall identify the person from whom a distressed vehicle was bought or acquired and the dealer to whom the vehicle was sold. The record shall indicate whether a certificate of title or salvage certificate of title was obtained by the dealer for each vehicle.

(7) A dealer licensed under this act shall maintain records for a period of 5 years. The records shall be made available for inspection by the secretary of state or other law enforcement officials. The secretary of state shall inspect a dealer once every 4 years and as determined necessary by the secretary of state or a law enforcement officer. The secretary of state may issue an order summarily suspending the license of a dealer pursuant to section 92 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.292, based on an affidavit by a person familiar with the facts set forth in the affidavit that the dealer has failed to maintain the records required by this act or failed to provide the records for inspection as requested by the secretary of state, or has otherwise hindered, obstructed, or prevented the inspection of records authorized under this section. The dealer to whom the order is directed shall comply immediately, but on application to the department shall be afforded a hearing within 30 days pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. On the basis of the hearing, the summary order shall be continued, modified, or held in abeyance not later than 30 days after the hearing.

(8) A dealer licensed as a vehicle salvage pool operator or broker shall maintain records in a form as prescribed by the secretary of state. The records shall contain a description of each vehicle or salvageable part stored by the dealer, the name and address of the insurance company or person storing the vehicle or salvageable part, the period of time the vehicle or salvageable part was stored, and the person acquiring the vehicle or salvageable part. In the case of a late model vehicle, a record of the purchase or sale of a major component part of the vehicle shall be maintained identifying the part purchased or sold, the name and address of the seller or purchaser, the date of the purchase or sale, and the identification number assigned to the part by the dealer. The record of the purchase or sale of a part shall be maintained in or attached to the dealer's police book or hard copy of computerized data entries and reference codes and shall be accessible at the dealer's location. In addition, a dealer licensed as a broker shall maintain a record of the odometer mileage reading of each vehicle sold pursuant to an agreement between the broker and the buyer or the

broker and the seller. The record of odometer mileage shall be maintained for 5 years and shall contain all of the information required by section 233a.

(9) A dealer licensed as a used vehicle parts dealer or an automotive recycler shall maintain records in a form prescribed by the secretary of state. The records shall contain the date of purchase or acquisition of the vehicle, a description of the vehicle including the color, and the name and address of the person from whom the vehicle was acquired. If the vehicle is sold, the record shall contain the date of sale and the name and address of the purchaser. The record shall indicate if the certificate of title or salvage or scrap certificate of title was obtained by the dealer. In the case of a late model vehicle, a record of the purchase or sale of a major component of the vehicle shall be maintained identifying the part purchased or sold, the name and address of the seller or purchaser, the date of the purchase or sale, and the identification number assigned to the part by the dealer, except that a bumper remanufacturer is not required to maintain a record of the purchase of a bumper. However, a bumper remanufacturer shall assign and attach an identification number to a remanufactured bumper and maintain a record of the sale of the bumper. The record of the purchase or sale of a part shall be maintained in or attached to the dealer's police book or hard copy of computerized data entries and reference codes and shall be accessible at the dealer's location.

(10) A dealer licensed as a vehicle scrap metal processor shall maintain records as prescribed by the secretary of state. As provided in section 217c, the records shall contain for a vehicle purchased from a dealer a copy of the scrap vehicle inventory, including the name and address of the dealer, a description of the vehicle acquired, and the date of acquisition. If a vehicle is purchased or acquired from a person other than a dealer, the record shall contain the date of acquisition, a description of the vehicle, including the color, the name and address of the person from whom the vehicle was acquired, and whether a certificate of title or salvage or scrap certificate of title was obtained by the dealer.

(11) A dealer licensed as a foreign salvage vehicle dealer shall maintain records in a form prescribed by the secretary of state. The records shall contain the date of purchase or acquisition of each distressed vehicle, a description of the vehicle including the color, and the name and address of the person from whom the vehicle was acquired. If the vehicle is sold, the record shall contain the date of sale and the name and address of the purchaser. The record shall indicate if the certificate of title or salvage or scrap certificate of title was obtained by the dealer. In the case of a late model vehicle, a record of the purchase or sale of each salvageable part purchased or acquired in this state shall be maintained and the record shall contain the date of purchase or acquisition of the part, a description of the part, the identification number assigned to the part, and the name and address of the person to or from whom the part was purchased, acquired, or sold. The record of the sale, purchase, or acquisition of a part shall be maintained in the dealer's police book. The police book shall only contain vehicles and salvageable parts purchased in this state or used in the repair of a vehicle purchased in this state. The police book and the records of vehicle part sales, purchases, or acquisitions shall be made available at a location within the state for inspection by the secretary of state within 48 hours after a request by the secretary of state.

(12) The secretary of state shall make periodic unannounced inspections of the records, facilities, and inventories of automotive recyclers and used or secondhand vehicle parts dealers.

(13) The secretary of state may promulgate rules to implement this section pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

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

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 251 (MCL 257.251), as amended by 1998 PA 384.

Tom Alley
Michael J. Griffin
Kim A. Rhead
Conferees for the House

Bill Schuette
Jon A. Cisky
Conferees for the Senate

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

Rep. Gagliardi moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been placed on the member's desks.

The question being on the adoption of the conference report,

Rep. Gagliardi moved that consideration of the bill be postponed temporarily.
The motion prevailed.

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning
House Bill No. 4740, entitled

A bill to amend 1981 PA 118, entitled "An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending sections 13 and 14 (MCL 445.1573 and 445.1574).

Recommends:

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

1. Amend page 6, line 16, after "or" by striking out the balance of the line through "AGREEMENT," on line 17.
2. Amend page 6, line 19, after "be" by striking out the balance of the subdivision and inserting "referred to a person other than the duly constituted courts of ~~the~~ THIS state or OF the United States LOCATED IN THIS STATE, if the referral would be binding upon the new motor vehicle dealer UNLESS THE PARTIES AGREE AT THE TIME OF A CONTROVERSY TO REFER A CONTROVERSY TO A COURT OF THE UNITED STATES LOCATED OUTSIDE THIS STATE OR AGREE AT THE TIME OF THE ARBITRATION TO CONDUCT ARBITRATION EITHER WITHIN OR OUTSIDE THIS STATE. SUCH A PROVISION IN A DEALER AGREEMENT IS VOID AND UNENFORCEABLE."
3. Amend page 6, line 26, after "manufacturer" by inserting a comma and "IMPORTER,".

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

A bill to amend 1981 PA 118, entitled "An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending sections 2, 3, 5, 13, and 14 (MCL 445.1562, 445.1563, 445.1565, 445.1573, and 445.1574), section 2 as amended by 1983 PA 188, and by adding section 22a.

Tom Alley
Michael J. Griffin
Kim A. Rhead
Conferees for the House

Bill Schuette
Jon A. Cisky
Conferees for the Senate

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

Rep. Gagliardi moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been placed on the member's desks.

The question being on the adoption of the conference report,

Rep. Gagliardi moved that consideration of the bill be postponed temporarily.
The motion prevailed.

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on House Oversight and Ethics from further consideration of **House Concurrent Resolution 50**.

Rep. Voorhees

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

Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Wednesday, December 9, at 10:00 a.m.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Profit, Ciaramitaro, Dobronski, Vaughn, Baade, LaForge, Wojno, Schauer, Kelly, Tesanovich, Schermesser, Freeman, Brater, Raczkowski, Hanley, Cherry, DeHart, Byl, Bogardus, Leland and Parks offered the following resolution:

House Resolution No. 461.

A resolution honoring Judge David J. Szymanski for his many years of public service.

Whereas, David J. Szymanski is a citizen of the State of Michigan who is worthy of our highest praise and esteem for the extraordinary contributions he has made to the betterment of the lives of many people in our state. A Wayne County Probate Judge since 1991, Judge Szymanski has found time to offer his expertise and knowledge to a number of organizations thereby enhancing their ability to offer service; and

Whereas, Judge Szymanski began his legal career in 1980 as Judicial Assistant to Chief Judge Gus Cifelli, followed by service with the prestigious legal firms of Lippitt, Lyons, and Whitefield, and Clark, Hardy, Lewis, Pollard and Page. In 1990, Judge Szymanski won election to the Wayne County Probate Court at which time he began what has become a well respected career on the bench; and

Whereas, A sagacious public official, Judge Szymanski has also been a most active member of various organizations, including the Michigan Probate Judges Association, the Michigan Bar Association, St. Clare Parish Stewardship Commission, the Wolverine Bar Association, Central Citizens Committee, Women's Lawyer Association of Michigan, the NAACP, Wayne County Medical Society Teen Pregnancy Task Force, Michigan Probate Judges Association, Polish American Congress, John W. Smith Old Timers, Polish American Citizens for Equity, Polish Century Club and the Florida State Bar; and

Whereas, Judge Szymanski has been a champion of justice from the court bench, utilizing decisiveness and compassion as he has served as Judge of Probate for Wayne County; now therefore be it

Resolved by the Michigan House of Representatives, That we hereby commend Judge David J. Szymanski on his distinguished service not only with the bench, but also through his tireless commitment to many worthy endeavors; and be it further

Resolved, That a copy of this resolution is transmitted to Judge David J. Szymanski as evidence of our highest esteem and appreciation of his efforts.

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.

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, Friday, December 4:

House Bill Nos. 6301 6302 6303 6304 6305 6306 6307 6308 6309 6310 6311 6312 6313 6314

The Clerk announced that the following Senate bills had been received on Friday, December 4:

Senate Bill Nos. 1340 1342 1370

The Clerk announced the enrollment printing and presentation to the Governor on Monday, December 7, for his approval of the following bills:

Enrolled House Bill No. 4160 at 10:54 a.m.

Enrolled House Bill No. 4396 at 10:56 a.m.

Enrolled House Bill No. 4611 at 10:58 a.m.
Enrolled House Bill No. 4779 at 11:00 a.m.
Enrolled House Bill No. 4780 at 11:02 a.m.
Enrolled House Bill No. 4875 at 11:04 a.m.
Enrolled House Bill No. 4884 at 11:06 a.m.
Enrolled House Bill No. 5057 at 11:08 a.m.
Enrolled House Bill No. 5201 at 11:10 a.m.
Enrolled House Bill No. 5271 at 11:12 a.m.
Enrolled House Bill No. 5400 at 11:14 a.m.
Enrolled House Bill No. 5637 at 11:16 a.m.
Enrolled House Bill No. 5692 at 11:18 a.m.
Enrolled House Bill No. 5754 at 11:20 a.m.
Enrolled House Bill No. 5800 at 11:22 a.m.
Enrolled House Bill No. 5835 at 11:24 a.m.
Enrolled House Bill No. 5851 at 11:26 a.m.
Enrolled House Bill No. 5867 at 11:28 a.m.
Enrolled House Bill No. 6069 at 11:30 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, December 7:

House Bill Nos. 6315 6316

The Clerk announced that the following Senate bills had been received on Tuesday, December 8:

Senate Bill Nos. 1071 1258

By unanimous consent the House returned to the order of
Messages from the Senate

House Bill No. 4895, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 204g. The Senate has concurred in the House substitute (H-1) to the Senate substitute (S-1), agreed to the title of the bill as amended and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 4923, entitled

A bill to designate an official wildflower of this state.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 5312, entitled

A bill to protect certain trade secrets; to prohibit disclosure of trade secrets; to provide for remedies; and to repeal acts and parts of acts.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 5366, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43555 (MCL 324.43555), as amended by 1996 PA 585.

The Senate has passed the bill and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 5407, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding section 4n.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 5643, entitled

A bill to regulate certain transfers of property to minors; to make uniform the law regulating certain transfers of property to minors; and to repeal acts and parts of acts.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 5708, entitled

A bill to define and regulate fraudulent transfers and conveyances; to set aside and modify certain transfers and conveyances; to make uniform the law of fraudulent transfers; and to repeal acts and parts of acts.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 5736, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending sections 502 and 502a (MCL 550.1502 and 550.1502a), section 502 as amended by 1998 PA 24 and section 502a as amended by 1994 PA 440.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 5737, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 315 (MCL 418.315), as amended by 1995 PA 21.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 5906, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," (MCL 450.2101 to 450.3192) by adding section 501a.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 5327, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 1105, 2512, 5101, 5102, 5103, 5104, 5105, 5106, 5107, 5108, 5109, 5110, 5111, 5112, 5113, 5114, 5115, 5116, 5117, 9103, 9104, 9105, 9106, 9304, and 9305 (MCL 440.1105, 440.2512, 440.5101, 440.5102, 440.5103, 440.5104, 440.5105, 440.5106, 440.5107, 440.5108, 440.5109, 440.5110, 440.5111, 440.5112, 440.5113, 440.5114, 440.5115, 440.5116, 440.5117, 440.9103, 440.9104, 440.9105, 440.9106, 440.9304, and 440.9305), section 1105 as amended by 1992 PA 101, sections 5114, 9103, 9304, and 9305 as amended by 1987 PA 16, and section 9105 as amended by 1988 PA 130.

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 1962 PA 174, entitled "An act to enact the uniform commercial code, relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, letters of credit, bulk transfers, warehouse receipts, bills of lading,

other documents of title, investment securities, leases, and secured transactions, including certain sales of accounts, chattel paper and contract rights; to provide for public notice to third parties in certain circumstances; to regulate procedure, evidence and damages in certain court actions involving such transactions, contracts or documents; to make uniform the law with respect thereto; to make an appropriation; to provide penalties; and to repeal certain acts and parts of acts," by amending sections 1105, 2512, 5101, 5102, 5103, 5104, 5105, 5106, 5107, 5108, 5109, 5110, 5111, 5112, 5113, 5114, 5115, 5116, 5117, 9103, 9104, 9105, 9106, 9304, and 9305 (MCL 440.1105, 440.2512, 440.5101, 440.5102, 440.5103, 440.5104, 440.5105, 440.5106, 440.5107, 440.5108, 440.5109, 440.5110, 440.5111, 440.5112, 440.5113, 440.5114, 440.5115, 440.5116, 440.5117, 440.9103, 440.9104, 440.9105, 440.9106, 440.9304, and 440.9305), sections 1105, 5114, 9103, 9105, 9106, 9304, and 9305 as amended by 1998 PA 278.

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

House Bill No. 5613, entitled

A bill to amend 1846 RS 83, entitled "Of marriage and the solemnization thereof," by amending sections 7 and 16 (MCL 551.7 and 551.16), section 7 as amended by 1983 PA 64.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3) 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. 5644, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 1105, 9203, and 9402 (MCL 440.1105, 440.9203, and 440.9402), section 1105 as amended by 1992 PA 101, section 9203 as amended by 1987 PA 16, and section 9402 as amended by 1989 PA 216; and to repeal acts and parts of acts.

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

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

A bill to amend 1962 PA 174, entitled "An act to enact the uniform commercial code, relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, leases, and secured transactions, including certain sales of accounts, chattel paper and contract rights; to provide for public notice to third parties in certain circumstances; to regulate procedure, evidence and damages in certain court actions involving such transactions, contracts or documents; to make uniform the law with respect thereto; to make an appropriation; to provide penalties; and to repeal certain acts and parts of acts," by amending sections 1105, 9203, and 9402 (MCL 440.1105, 440.9203, and 440.9402), sections 1105 and 9203 as amended by 1998 PA 278 and section 9402 as amended by 1989 PA 216; and to repeal acts and parts of acts.

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

House Bill No. 5792, 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," (MCL 46.1 to 46.32) by adding section 22.

The Senate has amended the bill as follows:

1. Amend page 1, line 6, after "YEARS" by striking out the balance of the line through "YEARS" on line 7.
2. Amend page 2, line 9, by striking out all of subsection (4) and renumbering the remaining subsection.

The Senate has passed the bill as amended 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. 5793, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 9301, 9302, 9303, 9304, 9305, 9307, 9308, 9310, 9312, and 9313 (MCL 324.9301, 324.9302, 324.9303, 324.9304, 324.9305, 324.9307, 324.9308, 324.9310, 324.9312, and 324.9313), as added by 1995 PA 60, and by adding section 9304a; and to repeal acts and parts of acts.

The Senate has amended the bill as follows:

1. Amend page 4, line 2, after "SPECIES." by inserting "RESIDENT MEANS A PERSON WHO IS OF LEGAL AGE TO VOTE AND CAN DEMONSTRATE RESIDENCY IN THE DISTRICT VIA 1 PIECE OF IDENTIFICATION."

2. Amend page 20, line 16, after "district" by striking out the balance of the line through "IDENTIFICATION" on line 17.

3. Amend page 20, line 19, after "LARGE." by inserting "AT LEAST 60 DAYS PRIOR TO THE ANNUAL MEETING, A CANDIDATE FOR CONSERVATION DISTRICT DIRECTOR MUST FILE AT THE CONSERVATION DISTRICT OFFICE, A PETITION SIGNED BY 5 RESIDENTS OF THE DISTRICT. A CANDIDATE MUST BE A RESIDENT OF THE DISTRICT."

4. Amend page 21, line 6, after "MEETING." by inserting "DIRECTOR ELECTIONS SHALL BE CERTIFIED BY THE DEPARTMENT."

5. Amend page 30, following line 23, by inserting:

"Enacting Section 2. Section 9307(1) and (2) of this act takes effect June 1, 1999."

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 5967, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 1996 PA 435.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1933 PA 167, entitled "An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act," by amending section 4a (MCL 205.54a), as amended by 1998 PA 365.

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

House Bill No. 5968, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 1997 PA 194.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substitute (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1937 PA 94, entitled "An act to provide for the levy, assessment and collection of a specific excise tax on the storage, use or consumption in this state of tangible personal property and certain services; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act," by amending section 4 (MCL 205.94), as amended by 1998 PA 366.

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

Senate Bill No. 1071, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 520a (MCL 750.520a), as amended by 1983 PA 158.

The Senate has passed the bill.

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

Senate Bill No. 1258, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40102 and 40115 (MCL 324.40102 and 324.40115), section 40102 as amended by 1998 PA 86 and section 40115 as added by 1995 PA 57, and by adding section 40115a.

The Senate has passed the bill.

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

Senate Bill No. 1340, entitled

A bill to amend 1909 PA 106, entitled "An act to regulate the transmission of electricity through the public highways, streets and places of this state, where the source of supply and place of use are in the same or different counties; to regulate the charges to be made for electricity so transmitted; to regulate the rules and conditions of service under which said electricity shall be furnished and to confer upon the Michigan public utilities commission certain powers and duties in regard thereto," (MCL 460.551 to 460.559) by amending the title and by adding sections 10 and 11.

The Senate has passed the bill.

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

Senate Bill No. 1342, entitled

A bill to provide for reciprocal access of electric service between electric utilities and alternative electric suppliers under certain conditions.

The Senate has passed the bill.

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

Senate Bill No. 1370, entitled

A bill to amend 1990 PA 100, entitled "City utility users tax act," by amending the title and section 2 (MCL 141.1152).

The Senate has passed the bill.

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

Communications from State Officers

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

December 3, 1998

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

Performance and Financial Audit of the
Capital Outlay Project for the
Learning Resource Center and the
Health Careers Education Center
Henry Ford Community College
May 13, 1996, through January 12, 1998

December 7, 1998

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

Performance Audit of the
Muskegon Correctional Facility
Department of Corrections
December 1998

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

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

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

Notices of Filing
Administrative Rules

November 16, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:44 A.M. this date, administrative rule (98-11-7) for the Department of Corrections, entitled "*General Rules*," effective 15 days hereafter.

November 24, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 9:55 A.M. this date, administrative rule (98-11-8) for the Department of Education, State Board of Education, entitled "*School Administrator Continuing Education*", effective 15 days hereafter.

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

The communications were referred to the Clerk.

Introduction of Bills

Rep. Bodem introduced

House Bill No. 6317, entitled

A bill to require a deposit on the purchase of a major appliance; to provide for the refund of deposits under certain circumstances; and to provide for the establishment of a major appliance deposit fund within the department of treasury. The bill was read a first time by its title and referred to the Committee on Commerce.

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

Senate Bill No. 130, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending sections 117, 169, and 241 (MCL 560.117, 560.169, and 560.241), section 117 as amended by 1995 PA 172 and sections 169 and 241 as amended by 1993 PA 67. With the recommendation that the bill pass.

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

Favorable Roll Call

SB 130 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 8, 1998, at 9:00 a.m.,

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

Absent: Reps. Mans, Brater, Callahan,

Excused: Reps. Mans, Brater, Callahan.

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

Senate Bill No. 774, entitled

A bill to amend 1986 PA 87, entitled "An act regarding warranties on new motor vehicles; to require certain repairs thereto; and to provide remedies for the failure to repair such vehicles," by amending sections 6 and 8 (MCL 257.1406 and 257.1408).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 774 To Report Out:

Yeas: Reps. Brater, DeHart, Brown, Freeman, Crissman,
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: Tuesday, December 8, 1998, at 9:00 a.m.,
Present: Reps. Brater, DeHart, Brown, Freeman, Crissman,
Absent: Reps. Basham, Cropsey, Law, Perricone,
Excused: Reps. Basham, Cropsey, Law, Perricone.

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

Senate Bill No. 1362, entitled

A bill to amend 1996 PA 462, entitled "Enhanced access to public records act," by amending sections 2 and 3 (MCL 15.442 and 15.443).

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

1. Amend page 5, line 4, after "(4)" by striking out the balance of the line through "under" on line 5, and inserting "ACCESS TO OR OUTPUT FROM A GEOGRAPHICAL INFORMATION SYSTEM SHALL BE MADE AVAILABLE ONLY IN ACCORDANCE WITH SUBSECTIONS (1), (2), AND (3). EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS (1), (2), AND (3), THIS ACT DOES NOT LIMIT THE INSPECTION AND COPYING OF A PUBLIC RECORD PURSUANT TO".

2. Amend page 5, line 6, after "15.246." by striking out the balance of the line through "15.246." on line 10.

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

Favorable Roll Call

SB 1362 To Report Out:

Yeas: Reps. Brewer, Basham, Brown, Quarles, Hammerstrom, Walberg,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 8, 1998, at 9:00 a.m.,
Present: Reps. Brewer, Basham, Brown, Quarles, Hammerstrom, Walberg,
Absent: Reps. Baird, Kaza, Whyman,
Excused: Reps. Kaza, Whyman.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

Senate Bill No. 1231, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 22209a.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1231 To Report Out:

Yeas: Reps. Palamara, Schauer, Leland, Profit, Thomas, Hammerstrom, Crissman, Law, Scranton,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Palamara, Chair of the Committee on Health Policy, was received and read:
Meeting held on: Tuesday, December 8, 1998, at 10:30 a.m.,
Present: Reps. Palamara, Schauer, Gire, Gubow, Leland, Profit, Thomas, Hammerstrom, Crissman, Law, Llewellyn, Scranton,
Absent: Reps. Griffin, Wojno, Raczkowski, Rocca,
Excused: Reps. Griffin, Wojno, Raczkowski, Rocca.

The Committee on Judiciary, by Rep. Wallace, Chair, reported
Senate Bill No. 841, entitled
A bill to amend 1982 PA 294, entitled "Friend of the court act," (MCL 552.501 to 552.535) by adding sections 4b and 4c.

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

1. Amend page 3, following line 19, by inserting:

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

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

Favorable Roll Call

SB 841 To Report Out:

Yeas: Reps. Wallace, Freeman, Gubow, Schauer, Willard, Wojno, Dalman, Fitzgerald, Law, McNutt, Richner,

Nays: Rep. Nye.

The Committee on Judiciary, by Rep. Wallace, Chair, reported
Senate Bill No. 1152, entitled
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 sections 18f, 19b, and 19c of chapter XIIA (MCL 712A.18f, 712A.19b, and 712A.19c), section 18f as amended by 1997 PA 163, section 19b as amended by 1997 PA 169, and section 19c as added by 1988 PA 224.

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

1. Amend page 13, following line 3, by inserting:

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

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

Favorable Roll Call

SB 1152 To Report Out:

Yeas: Reps. Wallace, Baird, Freeman, Gubow, Schauer, Willard, Wojno, Nye, Dalman, Fitzgerald, Law, McNutt, Richner,

Nays: None.

The Committee on Judiciary, by Rep. Wallace, Chair, reported
Senate Bill No. 1210, entitled
A bill to amend 1978 PA 642, entitled "Revised probate code," by amending section 424 (MCL 700.424), as amended by 1996 PA 8.

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

SB 1210 To Report Out:

Yeas: Reps. Wallace, Baird, Freeman, Gubow, Schauer, Willard, Nye, Dalman, Fitzgerald, Law, McNutt, Richner,
Nays: None.

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

Senate Bill No. 1211, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2637, 2640, 16648, 18117, and 18237 (MCL 333.2637, 333.2640, 333.16648, 333.18117, and 333.18237), section 2640 as added by 1996 PA 307 and sections 16648, 18117, and 18237 as amended by 1993 PA 79, and by adding section 16281.

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

SB 1211 To Report Out:

Yeas: Reps. Wallace, Baird, Freeman, Gubow, Schauer, Willard, Nye, Dalman, Fitzgerald, Law, McNutt, Richner,
Nays: None.

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

Senate Bill No. 1212, entitled

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," by amending section 6 (MCL 722.956).

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

1. Amend page 3, line 23, after "WITH" by inserting "WRITTEN COPIES, OTHER THAN THOSE PORTIONS MADE CONFIDENTIAL BY STATE OR FEDERAL LAW, OF".

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

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

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

Favorable Roll Call

SB 1212 To Report Out:

Yeas: Reps. Wallace, Baird, Freeman, Gubow, Schauer, Willard, Wojno, Nye, Dalman, Fitzgerald, Law, McNutt, Richner,
Nays: None.

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

Senate Bill No. 1225, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100a, 161, and 748 (MCL 330.1100a, 330.1161, and 330.1748), section 100a as added and section 161 as amended by 1995 PA 290 and section 748 as amended by 1996 PA 588, and to add section 748a.

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

SB 1225 To Report Out:

Yeas: Reps. Wallace, Baird, Freeman, Gubow, Schauer, Willard, Wojno, Nye, Dalman, Fitzgerald, Law, McNutt, Richner,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 8, 1998, at 10:00 a.m.,

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

Absent: Reps. Curtis, Vaughn, Cropsey,

Excused: Reps. Curtis, Vaughn, Cropsey.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 603, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 2 and 8 (MCL 722.622 and 722.628), section 2 as amended by 1996 PA 581 and section 8 as amended by 1997 PA 166, and by adding section 8d.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 603 To Report Out:

Yeas: Reps. LaForge, Gire, Schauer, Horton, London, McManus, Sanborn,

Nays: None.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 954, entitled

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 sections 13a and 17c of chapter XIII (MCL 712A.13a and 712A.17c), section 13a as amended by 1997 PA 163 and section 17c as amended by 1997 PA 169, and by adding section 17d to chapter XIII.

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

SB 954 To Report Out:

Yeas: Reps. LaForge, Gire, Schauer, Horton, London, McManus, Sanborn,

Nays: None.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 955, entitled

A bill to amend 1978 PA 642, entitled "Revised probate code," by amending sections 6, 8, 427, and 437 (MCL 700.6, 700.8, 700.427, and 700.437), section 8 as amended by 1988 PA 398 and sections 427 and 437 as amended by 1990 PA 313, and by adding section 427a.

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

SB 955 To Report Out:

Yeas: Reps. LaForge, Gire, Schauer, Horton, London, McManus, Sanborn,

Nays: None.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 956, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 2, 4, and 7 (MCL 722.22, 722.24, and 722.27), section 2 as amended by 1990 PA 245 and sections 4 and 7 as amended by 1996 PA 19.

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

SB 956 To Report Out:

Yeas: Reps. LaForge, Gire, Schauer, Horton, London, McManus, Sanborn,

Nays: None.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 1032, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 7 and 10 (MCL 722.627 and 722.630), section 7 as amended by 1997 PA 168.

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

SB 1032 To Report Out:

Yeas: Reps. LaForge, Gire, Schauer, Horton, London, McManus, Sanborn,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 8, 1998, at 9:00 a.m.,

Present: Reps. LaForge, Gire, Schauer, Horton, London, McManus, Sanborn,

Absent: Reps. Scott, Bogardus,

Excused: Reps. Scott, Bogardus.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 497, entitled

A bill to provide for a waiver of tuition at state public institutions of higher education for children and surviving spouses of Michigan corrections officers killed in the line of duty; and to provide for an appropriation.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 497 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Frank, Hale, Harder, Kelly, Martinez, Owen, Price, Prusi, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, McBryde,

Nays: None.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1183, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 55, 115b, 116, 117a, and 117c (MCL 400.55, 400.115b, 400.116, 400.117a, and 400.117c), section 55 as amended by 1987 PA 266, sections 115b and 117a as amended by 1988 PA 75, and section 117c as amended by 1988 PA 223, and by adding sections 115o and 117g.

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

1. Amend page 10, line 21, after "BEFORE" by striking out "MARCH 1, 1998" and inserting "THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION".

2. Amend page 13, line 27, after "services." by inserting "A JUVENILE JUSTICE SERVICE APPROVED BY THE OFFICE OR COUNTY JUVENILE AGENCY MUST MEET ALL APPLICABLE STATE AND LOCAL GOVERNMENT LICENSING STANDARDS.".

3. Amend page 19, line 15, after "1," by striking out "1996" and inserting "1997".

4. Amend page 20, line 15, after "1," by striking out "1996" and inserting "1997".

5. Amend page 20, line 17, after "1" by striking out "1997" and inserting "1999".

6. Amend page 21, line 20, after "1," by striking out "1997" and inserting "1998".

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

Favorable Roll Call

SB 1183 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Rison, Schroer, Tesanovich, Gilmer, Bankes, Bobier, Godchaux, Jansen, Jellema, Johnson, McBryde,

Nays: Reps. Emerson, Stallworth.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1184, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," by amending the title and sections 2, 3, 4, 5, 6, 6a, 7, 7a, and 8 (MCL 803.302, 803.303, 803.304, 803.305, 803.306, 803.306a, 803.307, 803.307a, and 803.308), the title as amended and section 7a as added by 1996 PA 512, sections 2, 5, and 7 as amended by 1996 PA 417, section 4 as amended by 1988 PA 76, and section 6a as added by 1996 PA 481, and by adding section 2a.

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

1. Amend page 7, line 2, after "agency" by inserting a comma.

2. Amend page 7, line 3, by striking out "THAT IS EQUIVALENT TO THE DEPARTMENT" and inserting "PROVIDED THAT THE STATE OR COUNTRY IN WHICH THE YOUTH AGENCY SEEKS TO PLACE A PUBLIC WARD HAS LICENSING LAWS, REQUIREMENTS, AND RULES FOR PUBLIC AND PRIVATE INSTITUTIONS OR AGENCIES IN WHICH THE PUBLIC WARD WOULD BE PLACED EQUAL TO OR EXCEEDING THOSE REQUIRED OF A PUBLIC OR PRIVATE INSTITUTION OR AGENCY FOR PLACEMENT OF A PUBLIC WARD IN MICHIGAN".

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

Favorable Roll Call

SB 1184 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Godchaux, Jansen, Jellema, Johnson, McBryde,

Nays: None.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1185, entitled

A bill to allow counties to authorize acceptance of certain juveniles committed to their care and responsibility; to prescribe the procedure and effect of that authorization; and to prescribe powers, duties, and obligations of those counties.

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

1. Amend page 4, line 27, after "agencies" by inserting a comma and "if those services meet all applicable state and local government licensing standards".

2. Amend page 5, following line 23, by striking out all of subsection (7) and renumbering the remaining subsection.

3. Amend page 6, following line 11, by inserting:

"Sec. 10a. If the county assumes the operation of any facility operated by the family independence agency, the county shall be a successor employer. Employees under a successor employer agreement shall not be placed in any

worse position with respect to worker's compensation, pension, seniority, wages, sick leave, vacation, health and welfare insurance, or any other terms and conditions of employment that the employee enjoyed as a family independence agency employee. This provision shall also apply if the county leases such a facility to a private agency or a public agency other than the state."

4. Amend page 6, line 15, after "of" by striking out the balance of the sentence and inserting "the effective date of this act. This section shall not limit the powers and authority granted under this act to a county juvenile agency, including the discretion to select and contract with providers of juvenile residential care."

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

Favorable Roll Call

SB 1185 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde,

Nays: Rep. Emerson.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1186, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 5 (MCL 722.115), as amended by 1998 PA 34, and by adding section 5b.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1186 To Report Out:

Yeas: Reps. Mathieu, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde,

Nays: Rep. Emerson.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1187, entitled

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 sections 1, 2, 2d, 8, 16, 18, 18a, 18k, 25, and 28 of chapter XIA (MCL 712A.1, 712A.2, 712A.2d, 712A.8, 712A.16, 712A.18, 712A.18a, 712A.18k, 712A.25, and 712A.28), sections 1, 2, 8, 16, and 28 as amended by 1996 PA 409, section 2d as added by 1996 PA 244, section 18 as amended by 1997 PA 163, and section 18k as added by 1996 PA 507, and by adding section 2e to chapter XIA.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1187 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde,

Nays: None.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1188, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1 of chapter I, section 1f of chapter IV, section 14 of chapter VI, sections 1, 1b, and 28 of chapter IX, and sections 1, 2, 2a, 3, 3a, 3c, 4, 5, 7, and 14a of chapter XI, (MCL 761.1, 764.1f, 766.14, 769.1, 769.1b, 769.28, 771.1, 771.2, 771.2a, 771.3, 771.3a, 771.3c, 771.4, 771.5, 771.7, and 771.14a), section 1 of chapter I and section 14 of chapter VI as amended by 1996 PA 418, section 1f of chapter IV as amended by 1996 PA 255, section 1 of chapter IX as amended by 1996 PA 248, section 1b of chapter IX and section 7 of chapter XI as amended by 1996 PA 247, section 28 of chapter IX and sections 3a, 4, and 5 of chapter XI as amended and section 14a of chapter XI as added by 1988 PA 78, sections 1 and 3c of chapter XI as amended by 1993 PA 185, section 2 of chapter XI as amended by 1994 PA 286, section 2a of chapter XI as added by 1992 PA 251, and section 3 of chapter XI as amended by 1994 PA 445.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1188 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde,

Nays: Rep. Emerson.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1189, entitled

A bill to amend 1988 PA 73, entitled "The juvenile facilities act," by amending the title and sections 2, 3, 4, 5, 5a, and 6 (MCL 803.222, 803.223, 803.224, 803.225, 803.225a, and 803.226), sections 2 and 4 as amended by 1996 PA 416 and section 5a as added by 1996 PA 511.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1189 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Frank, Kelly, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde,

Nays: Reps. Emerson, Hale.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1190, entitled

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending the title and section 3 (MCL 28.173), as amended by 1996 PA 508.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1190 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Frank, Hale, Kelly, Owen, Parks, Price, Prusi, Rison, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde,

Nays: Rep. Schroer.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1191, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," by amending sections 2, 6, 13a, 20a, 31, 36, 41a, and 48 (MCL 780.752, 780.756, 780.763a, 780.770a, 780.781, 780.786, 780.791a, and 780.798), sections 2, 6, and 36

as amended and sections 13a, 20a, and 41a as added by 1993 PA 341, section 31 as amended by 1996 PA 82, and section 48 as amended by 1996 PA 105.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1191 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Frank, Hale, Kelly, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde,

Nays: None.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1192, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 498c and 498d (MCL 330.1498c and 330.1498d), as amended by 1995 PA 290.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1192 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Frank, Hale, Kelly, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde,

Nays: None.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1193, entitled

A bill to amend 1935 PA 220, entitled "An act to provide family home care for children committed to the care of the state, to create the Michigan children's institute under the control of the Michigan social welfare commission, to prescribe the powers and duties thereof, and to provide penalties for violations of certain provisions of this act," by amending section 7 (MCL 400.207), as amended by 1980 PA 306.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1193 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Frank, Hale, Harder, Kelly, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde,

Nays: None.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1194, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 186a (MCL 750.186a), as added by 1996 PA 256.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1194 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Frank, Harder, Kelly, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde,

Nays: None.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1195, entitled

A bill to amend 1996 PA 263, entitled "Juvenile boot camp act," by amending sections 2, 3, 4, 5, 6, and 7 (MCL 400.1302, 400.1303, 400.1304, 400.1305, 400.1306, and 400.1307).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1195 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde,

Nays: Rep. Emerson.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1196, entitled

A bill to amend 1980 PA 243, entitled "Emergency municipal loan act," by amending sections 2, 3, 4, 6, 7, and 8 (MCL 141.932, 141.933, 141.934, 141.936, 141.937, and 141.938), sections 2 and 3 as amended by 1987 PA 282, sections 4, 7, and 8 as amended by 1986 PA 6, and section 6 as amended by 1988 PA 198.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1196 To Report Out:

Yeas: Reps. Mathieu, Emerson, Harder, Kelly, Martinez, Owen, Parks, Price, Rison, Schroer, Stallworth, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde,

Nays: Reps. Ciaramitaro, Hale.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1197, entitled

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending sections 3 and 5 (MCL 141.473 and 141.475).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1197 To Report Out:

Yeas: Reps. Mathieu, Emerson, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Rison, Schroer, Stallworth, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde,

Nays: Rep. Ciaramitaro, Tesanovich.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1218, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 1001b and 1003b (MCL 330.2001b and 330.2003b), section 1001b as amended by 1995 PA 290 and section 1003b as amended by 1993 PA 252.

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

SB 1218 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Martinez, Owen, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, McBryde,

Nays: None.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1219, entitled

A bill to amend 1968 PA 293, entitled "An act to establish the status of minors; to define the rights and duties of parents; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; and to establish the conditions for emancipation of minors," by amending section 4 (MCL 722.4), as amended by 1996 PA 412.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1219 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Martinez, Owen, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, McBryde,

Nays: None.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1220, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 139, 193, 197c, and 231 (MCL 750.139, 750.193, 750.197c, and 750.231), section 139 as amended by 1991 PA 145, section 193 as amended by 1988 PA 167, and section 231 as amended by 1981 PA 103.

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

SB 1220 To Report Out:

Yeas: Reps. Mathieu, Frank, Kelly, Owen, Prusi, Rison, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, McBryde,

Nays: Reps. Ciaramitaro, Hale, Harder, Martinez, Price, Schroer, Stallworth, Tesanovich.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1221, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 23 of chapter IV (MCL 764.23), as amended by 1988 PA 137.

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

SB 1221 To Report Out:

Yeas: Reps. Mathieu, Harder, Kelly, Owen, Prusi, Rison, Stallworth, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, McBryde,

Nays: Reps. Ciaramitaro, Hale, Martinez, Schroer.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1222, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to

create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 20g, 29, 34, 63, 63a, 65, 69a, and 70 (MCL 791.220g, 791.229, 791.234, 791.263, 791.263a, 791.265, 791.269a, and 791.270), section 20g as added by 1996 PA 164, section 34 as amended by 1994 PA 345, section 65 as amended by 1994 PA 217, section 69a as added by 1990 PA 42, and section 70 as added by 1993 PA 255.

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

SB 1222 To Report Out:

Yeas: Reps. Mathieu, Frank, Hale, Harder, Kelly, Owen, Prusi, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, McBryde,

Nays: Reps. Ciaramitaro, Martinez.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1223, entitled

A bill to amend 1893 PA 118, entitled "An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith," by amending section 41 (MCL 800.41).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1223 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Frank, Hale, Harder, Kelly, Martinez, Owen, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, McBryde,

Nays: None.

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 1224, entitled

A bill to amend 1909 PA 17, entitled "An act to prohibit or limit the access by prisoners and by employees of correctional facilities to certain weapons and to alcoholic liquor, drugs, medicines, poisons, and controlled substances in, on, or outside of correctional facilities; to prohibit or limit the bringing into or onto certain facilities and real property, and the disposition of, certain weapons and substances; to prohibit or limit the selling, giving, or furnishing of certain weapons and substances to prisoners; to prohibit the control or possession of certain weapons and substances by prisoners; and to prescribe penalties," by amending section 1a (MCL 800.281a), as added by 1982 PA 343.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1224 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Frank, Hale, Harder, Kelly, Martinez, Owen, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, McBryde,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Mathieu, Chair of the Committee on Appropriations, was received and read:
Meeting held on: Tuesday, December 8, 1998, at 10:30 a.m.,

Present: Reps. Mathieu, Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde,

Absent: Rep. Oxender.

Excused: Rep. Oxender.

Rep. Byl moved that the House adjourn.

The motion prevailed, the time being 10:20 p.m.

The Speaker declared the House adjourned until Wednesday, December 9, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.