No. 18

JOURNAL OF THE HOUSE

House Chamber, Lansing, Wednesday, March 5, 1997.

2:00 p.m.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Rep. William Byl, from the 75th District, offered the following invocation:

"O God, We come to You thanking You for the privilege of representing the citizens of this state. We ask for Your guidance on our deliberations and for Your blessings on our decisions. Remind us that the grace and charity that You have shown us in our lives we are obligated to extend in our dealings to each other. We ask that You work within our hearts by Your spirit to that end. And, may the words of our mouths and the meditations of our hearts be acceptable in Your sight, O Lord, our rock and our redeemer. Amen."

Rep. Hammerstrom moved that Rep. Whyman be granted an excuse from today's session.
The motion prevailed.

Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:
House Resolution No. 23.
A resolution to welcome the President of the United States to a joint convention of the Senate and the House of Representatives and to request him to continue his commitment to education as the key to America's quality of life in the twenty-first century.
Whereas, Michigan has a long and proud tradition of leadership in education. From the pioneer era, when building a log schoolhouse was among the first tasks a settlement would undertake, to today's classroom technology, our state has struggled to prepare our children for the future. Michigan was the first state to provide for a superintendent of public instruction in its constitution and the first state west of the Appalachians to establish a teachers college; and
Whereas, President Clinton's presentation to the Michigan Legislature, "A Call to Action for American Education in the 21st Century," reflects closely the tasks facing Michigan. Educators, parents, lawmakers, and business and community leaders are working hard to make sound decisions to enable our children to succeed, to promote reading, to prepare excellent teachers, to provide learning at an early age, to secure the proper environment, and to open more doors of education to our people; and
Whereas, Michigan's recent history includes vivid images of the struggles involved in adjusting to the demands of the global economy and integrating new technology and knowledge. Our principal industries have been redesigned. Our workers have revamped their own personal abilities in factories, farms, offices, and shops across our peninsulas. We know the job of education is hard. More importantly, we know how much harder life is without education; now, therefore, be it
Resolved by the House of Representatives, That we welcome the President of the United States to a joint convention of the Senate and the House of Representatives and request him to continue his commitment to education as the key to America's quality of life in the twenty-first century; and be it further
Resolved, That a copy of this resolution be transmitted to President Clinton as evidence of Michigan's shared commitment to education.
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, three-fifths of the members present voting therefor.
The question being on the adoption of the resolution,
The resolution was adopted.

Reps. Gagliardi and Gustafson offered the following concurrent resolution:
House Concurrent Resolution No. 18.
A concurrent resolution providing for a joint convention of the House of Representatives and the Senate.
Whereas, The State of Michigan will be honored on March 6, 1997, by a visit and address from the President of the United States, the Honorable William Jefferson Clinton; now, therefore, be it
Resolved by the House of Representatives (the Senate concurring), That the House of Representatives and Senate meet in joint convention in the Hall of the House of Representatives, Thursday, March 6, 1997, at 10:00 a.m., for the purpose of receiving an address by the Honorable William Jefferson Clinton, the President of the United States of America.

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, three-fifths of the members present voting therefor.
The question being on the adoption of the concurrent resolution,
The concurrent resolution was adopted.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following concurrent resolution:

House Concurrent Resolution No. 19.

A concurrent resolution to welcome the President of the United States to a joint convention of the Senate and the House of Representatives and to request him to continue his commitment to education as the key to America's quality of life in the twenty-first century.

Whereas, Michigan has a long and proud tradition of leadership in education. From the pioneer era, when building a log schoolhouse was among the first tasks a settlement would undertake, to today's classroom technology, our state has struggled to prepare our children for the future. Michigan was the first state to provide for a superintendent of public instruction in its constitution and the first state west of the Appalachians to establish a teachers college; and

Whereas, President Clinton's presentation to the Michigan Legislature, "A Call to Action for American Education in the 21st Century," reflects closely the tasks facing Michigan. Educators, parents, lawmakers, and business and community leaders are working hard to make sound decisions to enable our children to succeed, to promote reading, to prepare excellent teachers, to provide learning at an early age, to secure the proper environment, and to open more doors of education to our people; and

Whereas, Michigan's recent history includes vivid images of the struggles involved in adjusting to the demands of the global economy and integrating new technology and knowledge. Our principal industries have been redesigned. Our workers have revamped their own personal abilities in factories, farms, offices, and shops across our peninsulas. We know the job of education is hard. More importantly, we know how much harder life is without education; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we welcome the President of the United States to a joint convention of the Senate and the House of Representatives and request him to continue his commitment to education as the key to America's quality of life in the twenty-first century; and be it further

Resolved, That a copy of this resolution be transmitted to President Clinton as evidence of Michigan's shared commitment to education.

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, three-fifths of the members present voting therefor.
The question being on the adoption of the concurrent resolution,
The concurrent resolution was adopted.

Second Reading of Bills

House Bill No. 4339, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 1 (MCL 15.231), as amended by 1996 PA 553.
The bill was read a second time.
Rep. Kaza moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed, a majority of the members voting therefor.
Rep. Gagliardi moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4339, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 1 (MCL 15.231), as amended by 1996 PA 553.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 67 **Yeas—106**

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

Nays—0

In The Chair: Hertel

The House agreed to the title of the bill.

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

The motion prevailed, two-thirds of the members serving voting therefor.

Reps. Baird, Birkholz, Bobier, Bodem, Bogardus, Brown, Byl, Callahan, Cassis, Crissman, Cropsey, Curtis, DeHart, DeVuyst, Dobb, Dobronski, Fitzgerald, Freeman, Gagliardi, Gire, Hammerstrom, Horton, Jansen, Jelinek, Jellema, Kelly, Kukuk, Law, London, Lowe, McManus, Middleton, Murphy, Nye, Palamara, Perricone, Profit, Prusi, Raczkowski, Rhead, Rocca, Schauer, Schermesser, Schroer, Scott, Sikkema, Stallworth, Tesanovich, Vaughn, Walberg, Wallace, Willard and Wojno were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4189, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 266.

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

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

Rep. Whyman moved to amend the bill as follows:

1. Amend page 1, following the style clause, by inserting:

“Sec. 51. (1) For receiving, earning, or otherwise acquiring income from any source whatsoever, there is levied and imposed upon the taxable income of every person other than a corporation a tax at the following rates in the following circumstances:

(a) Before May 1, 1994, 4.6%.
(b) After April 30, 1994 AND BEFORE JANUARY 1, 1997, 4.4%.
(C) AFTER DECEMBER 31, 1996, 4.2%.
(2) The following percentages of the net revenues collected under this section shall be deposited in the state school aid fund created in section 11 of article IX of the state constitution of 1963:
(a) Beginning October 1, 1994 and before October 1, 1996, 14.4% of the gross collections before refunds from the tax levied under this section.
(b) After September 30, 1996 AND BEFORE JANUARY 1, 1997, 23.0% of the gross collections before refunds from the tax levied under this section.
(C) AFTER DECEMBER 31, 1996, 24.1% OF THE GROSS COLLECTIONS BEFORE REFUNDS FROM THE TAX LEVIED UNDER THIS SECTION.
(3) The department shall annualize rates provided in subsection (1) as necessary for tax years that end after April 30, 1994. The applicable annualized rate shall be imposed upon the taxable income of every person other than a corporation for those tax years.
(4) The taxable income of a nonresident shall be computed in the same manner that the taxable income of a resident is computed, subject to the allocation and apportionment provisions of this act.
(5) A resident beneficiary of a trust whose taxable income includes all or part of an accumulation distribution by a trust, as defined in section 665 of the internal revenue code, shall be allowed a credit against the tax otherwise due under this act. The credit shall be all or a proportionate part of any tax paid by the trust under this act for any preceding taxable year that would not have been payable if the trust had in fact made distribution to its beneficiaries at the times and in the amounts specified in section 666 of the internal revenue code. The credit shall not reduce the tax otherwise due from the beneficiary to an amount less than would have been due if the accumulation distribution were excluded from taxable income.
(6) The taxable income of a resident who is required to include income from a trust in his or her federal income tax return under the provisions of subpart E of part I of subchapter J of chapter 1 of the internal revenue code, 26 U.S.C. 671 to 679, shall include items of income and deductions from the trust in taxable income to the extent required by this act with respect to property owned outright.
(7) It is the intention of this section that the income subject to tax of every person other than corporations shall be computed in like manner and be the same as provided in the internal revenue code subject to adjustments specifically provided for in this act.
(8) As used in this section:
(a) “Person other than a corporation” means a resident or nonresident individual or any of the following:
(*i*) A partner in a partnership as defined in the internal revenue code.
(*ii*) A beneficiary of an estate or a trust as defined in the internal revenue code.
(*iii*) An estate or trust as defined in the internal revenue code.
(b) “Taxable income” means taxable income as defined in this act subject to the applicable source and attribution rules contained in this act.”.
The question being on the adoption of the amendment offered by Rep. Whyman,
Rep. Goschka demanded the yeas and nays.
The demand was supported.
The question being on the adoption of the amendment offered by Rep. Whyman,

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Point of Order

Rep. Freeman requested the Chair to rule on the question of whether or not the amendment offered by Rep. Whyman is germane.
The Chair ruled that the amendment is not germane pursuant to House Rule 64; it introduces a new proposition which is not germane to the subject matter of the bill as introduced and as it is currently before the House.
Rep. Gustafson appealed the decision of the Chair.
The question being, “Shall the judgment of the Chair stand as the judgment of the House?”
The judgment of the Chair stood as the judgment of the House, a majority of the members present and voting, voting therefor, by yeas and nays, as follows:

Roll Call No. 68 **Yeas—57**

Agee	Emerson	LaForge	Rison
Alley	Frank	Leland	Schauer
Anthony	Freeman	Mans	Schermesser

Baade	Gagliardi	Martinez	Schroer
Baird	Gire	Mathieu	Scott
Bogardus	Griffin	Murphy	Stallworth
Brater	Gubow	Olshove	Tesanovich
Brewer	Hale	Owen	Thomas
Brown	Hanley	Palamara	Varga
Callahan	Harder	Parks	Vaughn
Cherry	Hertel	Price	Wallace
Ciaramitaro	Hood	Profit	Wetters
Curtis	Kelly	Prusi	Willard
DeHart	Kilpatrick	Quarles	Wojno
Dobronski			

Nays—50

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

In The Chair: Hertel

Rep. Brackenridge moved to amend the bill as follows:

1. Amend page 1, following the style clause, by inserting:

"Sec. 30. (1) "Taxable income" means, for a person other than a corporation, estate, or trust, adjusted gross income as defined in the internal revenue code subject to the following adjustments and the adjustments provided in subsections (2) to (4):

(a) Add gross interest income and dividends derived from obligations or securities of states other than Michigan, in the same amount that has been excluded from adjusted gross income less related expenses not deducted in computing adjusted gross income because of section 265(a)(1) of the internal revenue code.

(b) Add taxes on or measured by income to the extent the taxes have been deducted in arriving at adjusted gross income.

(c) Add losses on the sale or exchange of obligations of the United States government, the income of which this state is prohibited from subjecting to a net income tax, to the extent that the loss has been deducted in arriving at adjusted gross income.

(d) Deduct, to the extent included in adjusted gross income, income derived from obligations, or the sale or exchange of obligations, of the United States government that this state is prohibited by law from subjecting to a net income tax, reduced by any interest on indebtedness incurred in carrying the obligations and by any expenses incurred in the production of that income to the extent that the expenses, including amortizable bond premiums, were deducted in arriving at adjusted gross income.

(e) Deduct, to the extent included in adjusted gross income, compensation, including retirement benefits, received for services in the armed forces of the United States.

(f) Deduct the following to the extent included in adjusted gross income:

(*i*) Retirement or pension benefits received from a federal public retirement system or from a public retirement system of or created by this state or a political subdivision of this state.

(*ii*) Retirement or pension benefits received from a public retirement system of or created by another state or any of its political subdivisions if the income tax laws of the other state permit a similar deduction or exemption or a reciprocal deduction or exemption of a retirement or pension benefit received from a public retirement system of or created by this state or any of the political subdivisions of this state.

(*iii*) Social security benefits as defined in section 86 of the internal revenue code.

(*iv*) Before October 1, 1994, retirement or pension benefits from any other retirement or pension system as follows:

(A) For a single return, the sum of not more than $7,500.00.

(B) For a joint return, the sum of not more than $10,000.00.

(*v*) After September 30, 1994, retirement or pension benefits not deductible under subparagraph (*i*) or subdivision (e) from any other retirement or pension system or benefits from a retirement annuity policy in which payments are made for life to a senior citizen, to a maximum of $30,000.00 for a single return and $60,000.00 for a joint return. The maximum amounts allowed under this subparagraph shall be reduced by the amount of the deduction for retirement or pension benefits claimed under subparagraph (*i*) or subdivision (e) and for tax years after the 1996 tax year by the amount of a deduction claimed under subdivision (r). For the 1995 tax year and each tax year after 1995, the maximum amounts allowed under this subparagraph shall be adjusted by the percentage increase in the United States consumer price index for the immediately preceding calendar year. The department shall annualize the amounts provided in this subparagraph and subparagraph (*iv*) as necessary for tax years that end after September 30, 1994. As used in this subparagraph, "senior citizen" means that term as defined in section 514.

(*vi*) The amount determined to be the section 22 amount eligible for the elderly and permanently and totally disabled credit provided in section 22 of the internal revenue code.

(g) Adjustments resulting from the application of section 271.

(h) Adjustments with respect to estate and trust income as provided in section 36.

(i) Adjustments resulting from the allocation and apportionment provisions of chapter 3.

(j) Deduct political contributions as described in section 4 of the Michigan campaign finance act, ~~Act No. 388 of the Public Acts of 1976, being section 169.204 of the Michigan Compiled Laws~~ 1976 PA 388, MCL 169.204, or section 301 of title III of the federal election campaign act of 1971, Public Law 92-225, 2 U.S.C. 431, not in excess of $50.00 per annum, or $100.00 per annum for a joint return.

(k) Deduct, to the extent included in adjusted gross income, wages not deductible under section 280C of the internal revenue code.

(*l*) Deduct the following payments made by the taxpayer in the tax year:

(*i*) The amount of payment made under an advance tuition payment contract as provided in the Michigan education trust act, ~~Act No. 316 of the Public Acts of 1986, being sections 390.1421 to 390.1444 of the Michigan Compiled Laws~~ 1986 PA 316, MCL 390.1421 TO 390.1444.

(*ii*) The amount of payment made under a contract with a private sector investment manager that meets all of the following criteria:

(A) The contract is certified and approved by the board of directors of the Michigan education trust to provide equivalent benefits and rights to purchasers and beneficiaries as an advance tuition payment contract as described in subparagraph (*i*).

(B) The contract applies only for a state institution of higher education as defined in the Michigan education trust act, ~~Act No. 316 of the Public Acts of 1986~~ 1986 PA 316, MCL 390.1421 TO 390.1444, or a community or junior college in Michigan.

(C) The contract provides for enrollment by the contract's qualified beneficiary in not less than 4 years after the date on which the contract is entered into.

(D) The contract is entered into after either of the following:

(I) The purchaser has had his or her offer to enter into an advance tuition payment contract rejected by the board of directors of the Michigan education trust, if the board determines that the trust cannot accept an unlimited number of enrollees upon an actuarially sound basis.

(II) The board of directors of the Michigan education trust determines that the trust can accept an unlimited number of enrollees upon an actuarially sound basis.

(m) If an advance tuition payment contract under the Michigan education trust act, ~~Act No. 316 of the Public Acts of 1986~~ 1986 PA 316, MCL 390.1421 TO 390.1444, or another contract for which the payment was deductible under subdivision (*l*) is terminated and the qualified beneficiary under that contract does not attend a university, college, junior or community college, or other institution of higher education, add the amount of a refund received by the taxpayer as a result of that termination or the amount of the deduction taken under subdivision (*l*) for payment made under that contract, whichever is less.

(n) Deduct from the taxable income of a purchaser the amount included as income to the purchaser under the internal revenue code after the advance tuition payment contract entered into under the Michigan education trust act, ~~Act No. 316 of the Public Acts of 1986~~ 1986 PA 316, MCL 390.1421 TO 390.1444, is terminated because the qualified beneficiary attends an institution of postsecondary education other than either a state institution of higher education or an institution of postsecondary education located outside this state with which a state institution of higher education has reciprocity.

(o) Add, to the extent deducted in determining adjusted gross income, the net operating loss deduction under section 172 of the internal revenue code.

(p) Deduct a net operating loss deduction for the taxable year as ~~defined in~~ DETERMINED UNDER section 172 of the internal revenue code subject to the modifications under section 172(b)(2) of the internal revenue code and subject to the allocation and apportionment provisions of chapter 3 of this act for the taxable year in which the loss was incurred.

(q) For a tax year beginning after 1986, deduct, to the extent included in adjusted gross income, benefits from a discriminatory self-insurance medical expense reimbursement plan.

(r) After September 30, 1994 and before the 1997 tax year, a taxpayer who is a senior citizen may deduct, to the extent included in adjusted gross income, interest and dividends received in the tax year not to exceed $1,000.00 for a single return or $2,000.00 for a joint return. However, for tax years before the 1997 tax year, the deduction under this subdivision shall not be taken if the taxpayer takes a deduction for retirement benefits under subdivision (e) or a deduction under subdivision (f)(*i*), (*ii*), (*iv*), or (*v*). For tax years after the 1996 tax year, a taxpayer who is a senior citizen may deduct to the extent included in adjusted gross income, interest, dividends, and capital gains received in the tax year not to exceed $3,500.00 for a single return and $7,000.00 for a joint return for the 1997 tax year, and $7,500.00 for a single return and $15,000.00 for a joint return for tax years after the 1997 tax year. For tax years after the 1996 tax year, the maximum amounts allowed under this subdivision shall be reduced by the amount of a deduction claimed for retirement benefits under subdivision (e) or a deduction claimed under subdivision (f)(*i*), (*ii*), (*iv*), or (*v*). For the 1995 tax year, for the 1996 tax year, and for each tax year after the 1998 tax year, the maximum amounts allowed under this subdivision shall be adjusted by the percentage increase in the United States consumer price index for the immediately preceding calendar year. The department shall annualize the amounts provided in this subdivision as necessary for tax years that end after September 30, 1994. As used in this subdivision, “senior citizen” means that term as defined in section 514.

(s) Deduct, to the extent included in adjusted gross income, all of the following:

(*i*) The amount of a refund received in the tax year based on taxes paid under this act.

(*ii*) The amount of a refund received in the tax year based on taxes paid under the city income tax act, ~~Act No. 284 of the Public Acts of 1964, being sections 141.501 to 141.787 of the Michigan Compiled Laws~~ 1964 PA 284, MCL 141.501 TO 141.787.

(*iii*) The amount of a credit received in the tax year based on a claim filed under sections 520 and 522 to the extent that the taxes used to calculate the credit were not used to reduce adjusted gross income for a prior year.

(t) Add the amount paid by the state on behalf of the taxpayer in the tax year to repay the outstanding principal on a loan taken on which the taxpayer defaulted that was to fund an advance tuition payment contract entered into under the Michigan education trust act, ~~Act No. 316 of the Public Acts of 1986~~ 1986 PA 316, MCL 390.1421 TO 390.1444, if the cost of the advance tuition payment contract was deducted under subdivision (*l*) and was financed with a Michigan education trust secured loan.

(2) The following personal exemptions multiplied by the number of personal or dependency exemptions allowable on the taxpayer’s federal income tax return pursuant to the internal revenue code shall be subtracted in the calculation that determines taxable income:

(a) For a tax year beginning during 1987.. $1,600.00.
(b) For a tax year beginning during 1988 .... $1,800.00.
(c) For a tax year beginning during 1989.. $2,000.00.
(d) For a tax year beginning after 1989 and before 1995 .... $2,100.00.
(e) For a tax year beginning during 1995 or 1996.. $2,400.00.
(f) Except as otherwise provided in subsection (7), for a tax year beginning after 1996..................... ~~$2,500.00~~
$2,700.00.

(3) A single additional exemption of $1,400.00 for a tax year beginning during 1987, $1,200.00 for a tax year beginning during 1988, $1,000.00 for a tax year beginning during 1989, and $900.00 for a tax year beginning after 1989 shall be subtracted in the calculation that determines taxable income in each of the following circumstances:

(a) The taxpayer is a paraplegic, a quadriplegic, a hemiplegic, a person who is blind as defined in section 504, or a totally and permanently disabled person as defined in section 522.

(b) The taxpayer is a deaf person as defined in section 2 of the deaf persons’ interpreters act, ~~Act No. 204 of the Public Acts of 1982, being section 393.502 of the Michigan Compiled Laws~~ 1982 PA 204, MCL 393.502.

(c) The taxpayer is 65 years of age or older.

(d) The return includes unemployment compensation that amounts to 50% or more of adjusted gross income.

(4) For a tax year beginning after 1987, an individual with respect to whom a deduction under section 151 of the internal revenue code is allowable to another federal taxpayer during the tax year is not considered to have an allowable federal exemption for purposes of subsection (2), but may subtract $500.00 in the calculation that determines taxable income for a tax year beginning in 1988 and $1,000.00 for a tax year beginning after 1988.

(5) A nonresident or a part-year resident is allowed that proportion of an exemption or deduction allowed under subsection (2), (3), or (4) that the taxpayer’s portion of adjusted gross income from Michigan sources bears to the taxpayer’s total adjusted gross income.

(6) For a tax year beginning after 1987, in calculating taxable income, a taxpayer shall not subtract from adjusted gross income the amount of prizes won by the taxpayer under the McCauley-Traxler-Law-Bowman-McNeely lottery act, ~~Act No. 239 of the Public Acts of 1972, being sections 432.1 to 432.47 of the Michigan Compiled Laws~~ 1972 PA 239, MCL 432.1 TO 432.47.

(7) For each tax year after the 1997 tax year, the personal exemption allowed under subsection (2) shall be adjusted by multiplying the exemption for the tax year beginning in 1997 by a fraction, the numerator of which is the United States consumer price index for the state fiscal year ending in the tax year prior to the tax year for which the adjustment is being made and the denominator of which is the United States consumer price index for the 1995-96 state fiscal year. The resultant product shall be rounded to the nearest $100.00 increment which shall be the personal exemption for the tax year. As used in this section, “United States consumer price index” means the United States consumer price index for all urban consumers as defined and reported by the United States department of labor, bureau of labor statistics.

(8) As used in subsection (1)(f), “retirement or pension benefits” means distributions from all of the following:

(a) Except as provided in subdivision (d), qualified pension trusts and annuity plans that qualify under section 401(a) of the internal revenue code, including all of the following:

(*i*) Plans for self-employed persons, commonly known as Keogh or HR 10 plans.

(*ii*) Individual retirement accounts that qualify under section 408 of the internal revenue code if the distributions are not made until the participant has reached 59-1/2 years of age, except in the case of death, disability, or distributions described by section ~~72(t)(2)(*iv*)~~ 72(T)(2)(IV) of the internal revenue code.

(*iii*) Employee annuities or tax-sheltered annuities purchased under section 403(b) of the internal revenue code by organizations exempt under section 501(c)(3) of the internal revenue code, or by public school systems.

(*iv*) Distributions from a 401k plan attributable to employee contributions mandated by the plan or attributable to employer contributions.

(b) The following retirement and pension plans not qualified under the internal revenue code:

(*i*) Plans of the United States, state governments other than this state, and political subdivisions, agencies, or instrumentalities of this state.

(*ii*) Plans maintained by a church or a convention or association of churches.

(*iii*) All other unqualified pension plans that prescribe eligibility for retirement and predetermine contributions and benefits if the distributions are made from a pension trust.

(c) Retirement or pension benefits received by a surviving spouse if those benefits qualified for a deduction prior to the decedent’s death. Benefits received by a surviving child are not deductible.

(d) Retirement and pension benefits do not include:

(*i*) Amounts received from a plan that allows the employee to set the amount of compensation to be deferred and does not prescribe retirement age or years of service. These plans include, but are not limited to, all of the following:

(A) Deferred compensation plans under section 457 of the internal revenue code.

(B) Distributions from plans under section 401(k) of the internal revenue code other than plans described in subdivision (a)(*iv*).

(C) Distributions from plans under section 403(b) of the internal revenue code other than plans described in subdivision (a)(*iii*).

(*ii*) Premature distributions paid on separation, withdrawal, or discontinuance of a plan prior to the earliest date the recipient could have retired under the provisions of the plan.

(*iii*) Payments received as an incentive to retire early unless the distributions are from a pension trust.”.

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

Rep. Brackenridge demanded the yeas and nays.

The demand was supported.

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

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Point of Order

Rep. Freeman requested the Chair to rule on the question of whether or not the amendment offered by Rep. Brackenridge is germane.

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

Rep. Gustafson appealed the decision of the Chair.

The question being, “Shall the judgment of the Chair stand as the judgment of the House?”

The judgment of the Chair stood as the judgment of the House, a majority of the members present and voting, voting therefor, by yeas and nays, as follows:

Roll Call No. 69 **Yeas—56**

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

Nays—51

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

In The Chair: Hertel

Rep. Dobb moved to amend the bill as follows:

1. Amend page 1, line 2, after “TAXPAYER” by inserting “WHO CLAIMS AT LEAST 1 DEPENDENCY EXEMPTION UNDER SECTION 30(2) FOR A CHILD UNDER 18 YEARS OF AGE”.

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

Rep. Dobb demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 70 **Yeas—51**

Bankes	Galloway	Jellema	Middleton
Birkholz	Geiger	Johnson	Nye
Bobier	Gernaat	Kaza	Oxender
Bodem	Gilmer	Kukuk	Perricone
Brackenridge	Godchaux	Law	Raczkowski

Byl	Goschka	LeTarte	Rhead
Cassis	Green	Llewellyn	Richner
Crissman	Gustafson	London	Rocca
Cropsey	Hammerstrom	Lowe	Scranton
Dalman	Horton	McBryde	Sikkema
DeVuyst	Jansen	McManus	Voorhees
Dobb	Jaye	McNutt	Walberg
Fitzgerald	Jelinek	Middaugh	

Nays—55

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

In The Chair: Hertel

Rep. Perricone moved to amend the bill as follows:

1. Amend page 1, line 2, after “TAXPAYER” by inserting “WHO WORKED AT LEAST 1,000 HOURS IN THE TAX YEAR”.

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

Rep. Richner demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 71 **Yeas—51**

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

Nays—55

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

In The Chair: Hertel

Rep. Freeman moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed, a majority of the members voting therefor.
Rep. Gagliardi moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4189, entitled
A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 266.
Was read a third time, and the question being on its passage,
After debate,
Rep. Quarles demanded the previous question.
The demand was supported.
The question being, "Shall the main question now be put?"
The previous question was ordered.
The question being on the passage of the bill,
The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 72 **Yeas—80**

Agee	Freeman	LaForge	Quarles
Anthony	Gagliardi	Law	Raczkowski
Baade	Gernaat	Leland	Rhead
Baird	Gire	Lowe	Rison
Bankes	Goschka	Mans	Rocca
Bodem	Green	Martinez	Schauer
Bogardus	Gubow	Mathieu	Schermesser
Brater	Gustafson	McBryde	Schroer
Brewer	Hale	McManus	Scott
Brown	Hammerstrom	McNutt	Scranton
Callahan	Hanley	Middaugh	Stallworth
Cherry	Harder	Murphy	Tesanovich
Ciaramitaro	Hertel	Nye	Thomas
Cropsey	Hood	Olshove	Varga
Curtis	Jaye	Owen	Vaughn
DeHart	Johnson	Palamara	Walberg

Dobronski	Kaza	Parks	Wallace
Emerson	Kelly	Price	Wetters
Fitzgerald	Kilpatrick	Profit	Willard
Frank	Kukuk	Prusi	Wojno

Nays—26

Birkholz	DeVuyst	Jansen	Middleton
Bobier	Dobb	Jelinek	Oxender
Brackenridge	Galloway	Jellema	Perricone
Byl	Geiger	LeTarte	Richner
Cassis	Gilmer	Llewellyn	Sikkema
Crissman	Godchaux	London	Voorhees
Dalman	Horton		

In The Chair: Hertel

The House agreed to the title of the bill.

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

The motion prevailed, two-thirds of the members serving voting therefor.

Reps. Bodem, Cropsey, Dobronski, Emerson, Frank, Gagliardi, Goschka, Green, Gustafson, Hanley, Harder, Kaza, McManus, Middaugh, Murphy, Nye, Owen, Palamara, Parks, Price, Rocca, Stallworth, Tesanovich, Vaughn and Wallace were named co-sponsors of the bill.

———

Representative Byl, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I have voted 'no' on this legislation because this chamber has failed to address a very important public policy issue in this state. Michigan's transportation and infrastructure funding is inadequate and has resulted in dangerous conditions for Michigan's citizens.

While tax cuts are politically popular and make for good campaign slogans, they do not fix and maintain our roads and highways.

I have supported sensible tax cuts in the past. However, our current transportation system in this state is in an abysmal condition. To vote 'yes' on this or any other tax reduction that comes before this chamber is to ignore the very real plight of our infrastructure and the need for good public policy to preempt good politics.

Therefore, I will be voting 'no' on this legislation until the House addresses the need for adequate transportation funding for Michigan's roads and bridges."

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

"Mr. Speaker and members of the House:

The reason I voted no on HB 4189 is because it gives a tax credit to families that do not pay any income tax. What about the family that works hard and pays their taxes? They do not receive any help from this bill. I supported all of the amendments that provided a fair taxation policy to all the citizens of Michigan. Also this legislation will cost the general fund $76,000,000 annually. If we have that kind of money <u>extra</u> let's transfer it to transportation and build roads and bridges."

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

"Mr. Speaker and members of the House:

I voted 'no' on the final passage of House Bill 4189 for the following reasons:

The estimated cost of this bill is $76.4 million GF/GP. This amount of general fund is equal to nearly one-third of the entire GF/GP increase for the 1997-98 fiscal year budget. The sponsors of this legislation have failed to identify what areas of the budget they intend to cut. This is a Trojan horse tax cut because it is empty and unfunded."

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

"Mr. Speaker and members of the House:

I am voting no on House Bill 4189 today for a number of reasons. First, because I believe this bill to be nothing more than a redistribution of dollars from those hard-working middle-class families that truly earn their tax returns in the spring of each year. Second, because emulating a failed federal program, regardless if it was supported by Presidents Reagan and Bush, is a mistake. And finally, I am opposing this bill based on the logic and comments from the sponsor of the bill regarding the intangibles tax cut from last year.

During a conversation a few weeks ago, my legislative aide told me about his grandmother, who a few years ago lost her husband of over fifty years. This woman's husband worked his entire career for the Uniroyal Company, saving and investing every dollar that was left after it was spent on food, clothing, shelter and transportation for his five children. After he retired, all he and his wife had were those savings and investments.

They were hardly rich, as the sponsor of this particular bill prejudicially states, nor are thousands of others who are currently benefitting from the savings of this long-needed tax repeal. And for him to state on the floor of this august chamber that the beneficiaries of this tax cut did not work for it is absolutely horrific and insulting to people like the grandmother mentioned here as well as thousands of others. And she does not sit in a 'cushy little chair' as the sponsor suggests. She sits in her apartment in Macomb County on a couch that she, her husband, her children, her grandchildren and great-grandchildren shared, desperately waiting for a few more dollars per month to get by. It is apparent to me that leadership of the majority caucus, if they are so willing to discredit the wants of those they pretend to represent, is hardly concerned with the needs of senior citizens. It is for these reasons that I vote no today."

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

"Mr. Speaker and members of the House:

My no vote explanation on HB 4189 is due to the inequity of a single individual working full-time at a minimum wage is not eligible for this credit but a person working half-time at minimum wage is eligible for maximum credit. This just isn't fair."

Reps. Oxender and Dalman, having reserved the right to explain their protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

We voted 'no' on final passage of HB 4189 because we believe it is too early to give selected tax cuts before the budget is in place next year."

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Gagliardi moved to suspend Rule 43.

The motion prevailed.

Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Thursday, March 6, at 9:30 a.m.

The motion prevailed.

Reports of Standing Committees

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

House Bill No. 4091, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38c (MCL 208.38c), as amended by 1994 PA 231.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4091 To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Gubow, Hanley, Wojno, Perricone, Brackenridge, Cassis,

Nays: None.

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

House Bill No. 4191, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 274 (MCL 206.274), as amended by 1996 PA 484.

With the recommendation that the substitute (H-2) previously recommended by the Committee on Colleges and Universities be adopted.

The committee further recommended that the bill then pass.

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

Favorable Roll Call

HB 4191 To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Gubow, Hanley, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Goschka,

Nays: None.

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

House Bill No. 4371, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1996 PA 484.

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

1. Amend page 10, line 3, after "TAXPAYER" by striking out the balance of the line through "AND" on line 4.

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

Favorable Roll Call

HB 4371 To Report Out:

Yeas: Reps. Profit, Quarles, Freeman, Gubow, Hanley, Wetters, Perricone, Brackenridge, Cassis, Dobb, Goschka,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 5, 1997, at 8:30 a.m.,

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

Absent: Reps. Palamara, Wallace, Whyman,

Excused: Reps. Palamara, Wallace, Whyman.

The Committee on Education, by Rep. Gire, Chair, reported

House Bill No. 4244, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278 (MCL 380.1278), as amended by 1995 PA 289.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4244 To Report Out:

Yeas: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, Kilpatrick, LaForge, Schauer, Scott, Jelinek, LeTarte,

Nays: Reps. Dalman, Crissman, Cropsey, McNutt, Middleton.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gire, Chair of the Committee on Education, was received and read:
Meeting held on: Wednesday, March 5, 1997, at 12:00 noon,
Present: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, Kilpatrick, LaForge, Schauer, Scott, Dalman, Crissman, Cropsey, Jelinek, LeTarte, McNutt, Middleton.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported
House Bill No. 4206, entitled
A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding part 139.
With the recommendation that the substitute (H-3) be adopted and that the bill then pass.
The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

HB 4206 To Report Out:
Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Kilpatrick, LaForge, Mans, Schermesser, Wetters, Birkholz, Bodem,
Nays: Reps. Byl, DeVuyst, McNutt, Walberg.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported
House Bill No. 4242, entitled
A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 16903 (MCL 324.16903) and by adding section 16903a.
With the recommendation that the following amendments be adopted and that the bill then pass.
1. Amend page 1, following the style clause, by inserting:
“Sec. 16901. As used in this part:
(a) “Abandoned scrap tires” means an accumulation of scrap tires on property where the property owner is not, as determined by the department, responsible in whole or in part for the accumulation of the scrap tires. For the purposes of this subdivision, an owner who purchased or willingly took possession of an existing scrap tire collection site shall be considered by the department to be responsible in whole or in part for the accumulation of the scrap tires.
(b) “Bond” means a performance bond from a surety company authorized to transact business in this state, a certificate of deposit, a cash bond, or an irrevocable letter of credit, in favor of the department.
(c) “Collection site” means a site, other than a landfill, a racecourse, or a feed storage location, that contains either of the following:
(*i*) One or more pieces of adjacent real property where 500 or more scrap tires are accumulated and that is not associated with a retail operation as provided in subparagraph (*ii*) OR WITH AN AUTOMOTIVE RECYCLER AS PROVIDED IN SUBPARAGRAPH (*iii*).
(*ii*) One or more pieces of adjacent real property where 1,500 or more scrap tires are accumulated if that property ~~is adjacent to and~~ owned or leased by a person who is a retailer AND IS NOT ASSOCIATED WITH AN AUTOMOTIVE RECYCLER AS PROVIDED IN SUBPARAGRAPH (*iii*).
(*iii*) ONE OR MORE PIECES OF ADJACENT REAL PROPERTY WHERE 2,500 OR MORE SCRAP TIRES ARE ACCUMULATED IF THAT PROPERTY IS OWNED OR LEASED BY A PERSON WHO IS AN AUTOMOTIVE RECYCLER AS DEFINED IN SECTION 2A OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.2A.
(d) “Department” means the department of environmental quality.
(e) “Feed storage location” means a location on 1 or more pieces of adjacent real property containing a commercially operated farming operation where not more than 3,000 scrap tires are used for the purpose of securing stored feed.
(f) “Fund” means the scrap tire regulatory fund created in section 16908.
(g) “Landfill” means that term as it is defined in section 11504.
(h) “Racecourse” means a commercially operated track for go-carts, vehicles, off-road recreational vehicles, or motorcycles that uses not more than 3,000 scrap tires for bumpers along the track for safety purposes.
(i) “Retailer” means a person who sells or offers for sale new, retreaded, or remanufactured tires to consumers in this state.
(j) “Scrap tire” means a tire that is no longer being used for its original intended purpose. Scrap tire does not include a vehicle support stand.
(k) “Scrap tire hauler” means a person who, as part of a commercial business, transports scrap tires, other than a solid waste hauler as defined in part 115 who transports 7 or fewer scrap tires along with other solid waste in any truckload.

(*l*) "Scrap tire processor" means a person engaged in the business of storing, buying, or otherwise acquiring scrap tires, and reducing their volume by shredding or otherwise facilitating recycling or resource recovery techniques for scrap tires. A scrap tire processor includes a person who, in addition to processing the scrap tires, incinerates the tires or converts the tires into a product or another end use.

(m) "Tire" means a continuous solid or pneumatic rubber covering encircling the wheel of a tractor ~~,~~ OR other farm machinery ~~,~~ or OF a vehicle.

(n) "Tire storage area" means a location within a collection site where tires are accumulated.

(o) "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices exclusively moved by human power or used exclusively upon stationary rails or tracks and excepting a mobile home as defined in section 2 of the mobile home commission act, ~~Act No. 96 of the Public Acts of 1987, being section 125.2302 of the Michigan Compiled Laws~~ 1987 PA 96, MCL 125.2302.

(p) "Vehicle support stand" means equipment used to support a stationary vehicle consisting of an inflated tire and wheel that is attached to another wheel.".

2. Amend page 2, line 16, after "piles." by inserting "HOWEVER, A COLLECTION SITE THAT WAS IN OPERATION ON THE EFFECTIVE DATE OF THE 1997 AMENDMENTS TO THIS SUBDIVISION HAS 2 YEARS AFTER THIS DATE TO COMPLY WITH THIS SUBDIVISION. DURING THIS 2-YEAR PERIOD, THERE SHALL BE A MINIMUM OF 20 FEET BETWEEN TIRE PILES.".

3. Amend page 3, line 13, after "department" by striking out the balance of the line through "area." on line 16 and inserting a period and "THE AMOUNT OF THE BOND SHALL BE NOT LESS THAN THE SUM OF $25,000.00 PER QUARTER ACRE, OR FRACTION THEREOF, OF OUTDOOR TIRE STORAGE AREA, AND NOTWITHSTANDING THE LIMITATION PROVIDED IN SUBSECTION (1), $2.00 PER SQUARE FOOT OF TIRE STORAGE AREA IN A BUILDING AND $750.00 FOR EACH VEHICLE USED AS A tire storage area.".

4. Amend page 5, following line 16, by inserting:

"SEC. 16908A. THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL ASSIST OWNERS AND OPERATORS OF COLLECTION SITES AND SCRAP TIRE PROCESSORS IN THIS STATE IN DEVELOPING MARKETS FOR SCRAP TIRES.".

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

Favorable Roll Call

HB 4242 To Report Out:

Yeas: Reps. Alley, Anthony, Brater, Mans, Wetters, Birkholz, Bodem, Byl, DeVuyst, McManus, Walberg,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 5, 1997, at 10:30 a.m.,

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

Messages from the Senate

Senate Bill No. 209, entitled

A bill to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

House Concurrent Resolution No. 18.

A concurrent resolution providing for a joint convention of the House of Representatives and the Senate.

(For text of resolution, see House Journal No. 18, p. 280.)

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 19.

A concurrent resolution to welcome the President of the United States to a joint convention of the Senate and the House of Representatives and to request him to continue his commitment to education as the key to America's quality of life in the twenty-first century.

(For text of resolution, see House Journal No. 18, p. 281.)

The Senate has adopted the concurrent resolution and named Senators Bennett, Berryman, Bouchard, Bullard, Byrum, Carl, Cherry, Cisky, Conroy, DeBeaussaert, DeGrow, Dingell, Dunaskiss, Emmons, Gast, Geake, Gougeon, Hart, Hoffman, Koivisto, McManus, Miller, North, O'Brien, Peters, Posthumus, Rogers, Schuette, Schwarz, Shugars, A. Smith, V. Smith, Stallings, Steil, Stille, Van Regenmorter, Vaughn, Young and the Lt. Governor as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

Notices

Public Hearing

Committee on Mental Health
Place: Nazareth College Complex, Georgian Room, Kalamazoo, Michigan
Time: 1:00 p.m.
Date: Monday, March 10, 1997

Rep. Baird
Chair

Agenda: Proposed closing of the Pheasant Ridge Center in Kalamazoo
any and/or all business properly before this committee.

Public Hearing

Committee on Mental Health
Place: Oakland Board of Commissioner's Chambers, 1200 N. Telegraph Road, Pontiac, Michigan
Time: 2:00 p.m.
Date: Monday, March 17, 1997

Rep. Baird
Chair

Agenda: Proposed closing of the Clinton Valley Center
any and/or all business properly before this committee.

Public Hearing

House Appropriations Subcommittee on Community Health
Date: Tuesday, March 18, 1997
Time: 10:30 am - 12:30 pm
Place: Rm. 351 House Appropriations
Capitol Bldg.
Agenda: Public Testimony
Department of Community
Health Budget Issues
and any/or all bills properly before this subcommittee

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, February 26, for his approval of the following bill:

Enrolled Senate Bill No. 1

The Clerk announced that the following Senate bill had been received on Wednesday, March 5:

Senate Bill No. 146

Communications from State Officers

The following communication from the State Court Administrative Office was received and read:

March 3, 1997

Re: Section 314 of Public Act 375; Circuit Court Family Counseling Services Act

As indicated in my December 12, 1996 letter regarding family counseling services, I am enclosing annual fund balances as reported by each friend of the court office. This information was drawn from the Friend of the Court Annual Statistical Reports submitted to our office. We have not yet received data for the 1996 reporting year, therefore, we are including figures from 1989 through 1995. Information reported for 1994 and 1995 indicates whether responsibility for the fund has been delegated to the friend of the court.

We have also conducted telephone surveys with a sample of chief circuit judges, court administrators, friends of the court and county clerks to determine the feasibility and level of effort required at the local level to provide the information identified in 1996 Public Act 375, Section 314. We have found that local county clerks or court staff can provide financial accounting reports for the last six years from their year- or month-end closing reports. Financial data at this level of detail from prior years is not consistently available, since detailed financial data is generally purged after audit and after six years.

Our plan for conducting the study includes the following elements:

- Extracting available information in most counties will be an automated process. SCAO/JIS staff will provide a report generator or specifications for local automation staff to use in implementing an automated report. Some courts will have to manually collect the information.
- A statewide survey using the input received from our telephone poll will be developed and distributed. Since authority for the family counseling fund is with the circuit court pursuant to 1980 PA 16 (MCL 551.331), we will direct the survey to the chief circuit judge. The chief circuit judge may solicit information from county or court staff, or service providers as appropriate.
- The survey will be designed to elicit the information as outlined in the section, however, preliminary indications are that family counseling service providers do not necessarily keep detailed records which parallel either the requirements outlined in Section 314 or the Family Counseling Services Act.
- In many jurisdictions, there are more programs and services than the Circuit Court Family Counseling Services fund can support, meaning programs are funded from other sources, depending on local factors. It is our intent to collect information on all programs falling under the authority of the Family Counseling Services Act and to the extent possible, identify alternate funding sources.

Our strategy to complete the requirements of Section 314 is detailed in the following planning steps:

STEP	DESCRIPTION	COMPLETION DATE
1	Finalize survey instrument based on input received from informal telephone surveys and requirements of Section 314. Survey will include introductory information and instructions explaining the elements of Section 314 and the Circuit Court Family Counseling Services Act (1980 PA 16; MCL 551.331).	March, 1997
2	Design and test database program to input survey responses; adjust survey instrument based on database design.	March, 1997
3	Distribute survey instrument	April, 1997
4	Respond to questions and provide assistance from judges or others completing the survey.	May-July, 1997
5	Entry of completed surveys into database.	May-July, 1997
6	Survey deadline.	July, 1997
7	Follow-up contacts for non-respondents.	July-August, 1997
8	Final database entry of surveys.	July-August, 1997
9	Compile and review data; preliminary analysis.	September, 1997
10	Final report.	September, 1997

We will provide an update on this project prior to distribution of the final survey instrument. Please feel free to contact me if you have any questions or need additional information.

Sincerely,
John D. Ferry, Jr.

The communication was referred to the Clerk.

Introduction of Bills

Reps. Rison, Profit, Wallace, Quarles, Brewer, Brown, Kilpatrick, Thomas, Cherry, Hale, Harder, Murphy, Kelly, Scott, Martinez, Tesanovich, Parks, Vaughn, Goschka, DeHart, Hanley, Anthony, Gire, Prusi, Hood, Mathieu, Mans, Brater, Leland, Bogardus and Varga introduced

House Bill No. 4414, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4p.

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

Reps. Hale, Gire, Cherry, Varga, Kilpatrick, Schauer, Thomas, Quarles, Curtis, Griffin, Mans, Rison, Murphy, Palamara, Dobronski, Baade, Harder, Olshove, Baird, Vaughn, Parks, Price, Willard, Hood, Hanley, Agee, Prusi, Kelly, Leland, Brown, Martinez, Bogardus, Goschka, Mathieu, Bobier, Gagliardi, Hammerstrom, Brater, Schermesser, Wojno, Frank, Brewer, DeHart, Schroer and Tesanovich introduced

House Bill No. 4415, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 418.

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

Reps. Hale, Palamara, Cherry, Varga, Kilpatrick, Schauer, Thomas, Quarles, Curtis, Griffin, Mans, Rison, Murphy, Dobronski, Baade, Olshove, Harder, Baird, Vaughn, Parks, Hanley, Hood, Agee, Prusi, Kelly, Gire, Leland, Martinez, Bogardus, Goschka, Mathieu, Brater, Schermesser, Wojno, Frank, Brewer, Schroer, Profit, Tesanovich and Price introduced

House Bill No. 4416, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263, (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16348 and part 185.

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

Rep. Hood introduced

House Bill No. 4417, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Rep. Hood introduced

House Bill No. 4418, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), as amended by 1996 PA 300.

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

Rep. Hood introduced

House Bill No. 4419, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Rep. Hood introduced

House Bill No. 4420, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 11 (MCL 388.1611), as amended by 1996 PA 300.

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

Rep. Hood introduced

House Bill No. 4421, entitled

A bill to make appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of management and budget, the department of civil service, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

Rep. Hood introduced

House Bill No. 4422, entitled

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of management and budget and the state administrative board.

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

Rep. Hood introduced

House Bill No. 4423, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to adult corrections for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by state agencies.

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

Rep. Hood introduced

House Bill No. 4424, entitled

A bill to make appropriations for the state institutions of higher education for the fiscal year ending September 30, 1998; and to provide for the expenditures of the appropriations.

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

Rep. Hood introduced

House Bill No. 4425, entitled

A bill to make appropriations for the department of community health for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Rep. Hood introduced

House Bill No. 4426, entitled

A bill to make appropriations for the department of military affairs and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Rep. Hood introduced

House Bill No. 4427, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Rep. Hood introduced

House Bill No. 4428, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Rep. Hood introduced

House Bill No. 4429, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Rep. Hood introduced

House Bill No. 4430, entitled

A bill to make appropriations for the state transportation department and certain state purposes from the funds designated in this act for the fiscal year ending September 30, 1998; and to provide for the expenditure of the appropriations.

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

Rep. Hood introduced

House Bill No. 4431, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Rep. Hood introduced

House Bill No. 4432, entitled

A bill to make appropriations for various state departments and agencies for the fiscal year ending September 30, 1997; and to provide for the expenditure of the appropriations.

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

Rep. Hood introduced

House Bill No. 4433, entitled

A bill to make appropriations for community and junior colleges for the fiscal year ending September 30, 1998; and to provide for the expenditure of the appropriations.

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

Rep. Hood introduced

House Bill No. 4434, entitled

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

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

Rep. Hood introduced

House Bill No. 4435, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by various agencies.

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

Reps. Varga, Profit, Wallace, Thomas, Hood, Schermesser, Scott, Cropsey, Law, Palamara, Gilmer, Murphy, Vaughn, Hale, DeHart, Dobronski, Middaugh, Llewellyn, Mathieu, Emerson, Freeman, Walberg, McNutt, Gagliardi, Geiger, Cassis, Schroer, Galloway, Curtis, Dalman, Rison, Price, Willard, Anthony, Tesanovich, Gire, Parks, Kilpatrick, Martinez, Jaye, Nye, Harder, Bobier, Owen, Hanley, Prusi, Callahan, Mans, LaForge, Quarles, Griffin, Brewer, Leland, Baird, Richner, Lowe, Jelinek, Goschka, Gubow, Brater, Johnson, London, Bankes, Ciaramitaro, Cherry, Alley, Kelly and Sikkema introduced

House Bill No. 4436, entitled

A bill to co-designate a part of Michigan state highway M-85 as Matt McNeely boulevard; and to prescribe the duties of the state transportation department.

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

Reps. DeHart, Schermesser, Callahan, Kelly, Parks, Hanley, Hale, Varga, Scott and McBryde introduced

House Bill No. 4437, entitled

A bill to amend 1964 PA 208, entitled "An act to grant scholarships to students enrolled in postsecondary education institutions; and to provide for the administration of the scholarship program," by amending sections 3, 4, and 11 (MCL 390.973, 390.974, and 390.981), section 3 as amended by 1980 PA 500 and section 4 as amended by 1986 PA 270, and by adding section 4a.

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

Reps. DeHart, Schermesser, Goschka, Callahan, Kelly, Parks, Hanley, Hale, Varga, Scott and McBryde introduced

House Bill No. 4438, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 34 (MCL 791.234), as amended by 1994 PA 345.

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

Reps. DeHart, Schermesser, Goschka, Callahan, Kelly, Parks and McBryde introduced

House Bill No. 4439, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 529a (MCL 750.529a), as added by 1994 PA 191.

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

Reps. DeHart, Harder, Schermesser, Goschka, Callahan, Cherry, Tesanovich, Kelly, Martinez, Parks, Hanley, LaForge, Bogardus, Hale, Schauer, Varga, Willard and Scott introduced

House Bill No. 4440, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 273 (MCL 206.273), as added by 1988 PA 516.

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

Rep. Hammerstrom introduced

House Bill No. 4441, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2567 (MCL 600.2567), as amended by 1990 PA 346, and by adding section 2567b.

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

Reps. Green, McManus, Horton, Jellema, Kukuk, Lowe, Oxender and Raczkowski introduced

House Bill No. 4442, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 1993 PA 273.

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

Reps. Brewer, Brown, Rison, Griffin, LaForge, Bogardus, Martinez, Varga, Quarles, Gire, Schermesser, Hale, Scott, Curtis and Willard introduced

House Bill No. 4443, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1306.

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

Reps. Curtis, Nye, Profit, Dalman, Green, Kukuk and Walberg introduced

House Bill No. 4444, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 356, 356a, 356c, 356d, 362a, 377a, 380, 387, and 535 (MCL 750.356, 750.356a, 750.356c, 750.356d, 750.362a, 750.377a, 750.380, 750.387, and 750.535), sections 356c and 356d as added by 1988 PA 20.

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

Reps. Nye, Curtis, Profit, Dalman, Green, Kukuk and Walberg introduced

House Bill No. 4445, entitled

A bill to amend 1931 PA 328, entitled "Michigan penal code," by amending sections 131, 157s, 157w, 174, 177, 178, 181, and 218 (MCL 750.131, 750.157s, 750.157w, 750.174, 750.177, 750.178, 750.181, and 750.218), section 131 as amended by 1984 PA 277 and section 157s as amended and section 157w as added by 1987 PA 276.

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

Reps. Profit, Nye, Curtis, Dalman, Green, Kukuk and Walberg introduced

House Bill No. 4446, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2952 and 2953 (MCL 600.2952 and 600.2953), section 2952 as added by 1984 PA 276 and section 2953 as added by 1988 PA 50.

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

Reps. Hanley, Prusi, Mans, Martinez, Cherry, Hale, Callahan, Bogardus, Schermesser, Goschka, Schauer, Dobb and Middleton introduced

House Bill No. 4447, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 4 (MCL 42.4), as amended by 1990 PA 12.

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

Reps. Dobronski, Hanley, Willard, Freeman, Wallace, Thomas, Harder, Baird, Kaza, Baade, Callahan, Hammerstrom, Dobb, Parks, Hale, Martinez, Cherry, DeHart, Bogardus, Griffin, Gire, Tesanovich, Schermesser, Dalman, Raczkowski, Schauer, Gubow, Scott, Brater, Wetters and McBryde introduced

House Bill No. 4448, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 758, 759, and 759b (MCL 168.758, 168.759, and 168.759b), section 758 as amended by 1996 PA 207 and section 759 as amended by 1995 PA 261.

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

Rep. Brackenridge introduced

House Bill No. 4449, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending sections 103, 104, 105, 107, 109, 111, 112, 113, 114, 115, 117, 118, 119, 120, 125, 126, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 148, 149, 150, 151, 161, 162, 163, 164, 165, 166, 171, 172, 173, 182, 186, 188, 198, 201a, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 221, 224a, 227a, 229, 241, 241a, 242, 243, 244, 245, 246, 247, 253, 255b, 256, 257, 259, 261, 264, 265, 266, 290, and 291 (MCL 560.103, 560.104, 560.105, 560.107, 560.109, 560.111, 560.112, 560.113, 560.114, 560.115, 560.117, 560.118, 560.119, 560.120, 560.125, 560.126, 560.131, 560.132, 560.133, 560.134, 560.135, 560.136, 560.137, 560.138, 560.139, 560.140, 560.141, 560.142, 560.143, 560.144, 560.145, 560.148, 560.149, 560.150, 560.151, 560.161, 560.162, 560.163, 560.164, 560.165, 560.166, 560.171, 560.172, 560.173, 560.182, 560.186, 560.188, 560.198, 560.201a, 560.202, 560.203, 560.204, 560.205, 560.206, 560.207, 560.208, 560.209, 560.210, 560.211, 560.212, 560.213, 560.221, 560.224a, 560.227a, 560.229, 560.241, 560.241a, 560.242, 560.243, 560.244, 560.245, 560.246, 560.247, 560.253, 560.255b, 560.256, 560.257, 560.259, 560.261, 560.264, 560.265, 560.266, 560.290, and 560.291), sections 103 and 105 as amended and section 109 as added by 1996 PA 591, section 117 as amended by 1995 PA 172, sections 186 and 243 as amended by 1992 PA 214, sections 224a and 227a as amended by 1996 PA 219, and sections 241 and 241a as amended by 1993 PA 67, and by adding sections 102a, 102b, 110, 114a, 209a, 215, 259a, 264a, and 265a; and to repeal acts and parts of acts.

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

Rep. Griffin introduced

House Bill No. 4450, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2815 (MCL 333.2815), as amended by 1985 PA 20.

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

Rep. Nye moved that the House adjourn.

The motion prevailed, the time being 4:50 p.m.

The Speaker declared the House adjourned until Thursday, March 6, at 9:30 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.