

**No. 75**  
**JOURNAL OF THE HOUSE**

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House Chamber, Lansing, Tuesday, October 7, 1997.

2:00 p.m.

The House was called to order by Acting Speaker Hanley.

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

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

e/d/s = entered during session

Rep. Martha G. Scott, from the 6th District, offered the following invocation:

“The Lord is my light and my salvation, whom shall I fear? The Lord is the very strength of my life, of whom shall I be afraid? We give honor to the Master this afternoon. Father, we thank You for this opportunity. We thank You for the honor in which to be able to serve the people of this great state. Father, we thank You in this 89th Legislature that we have had the opportunity to experience all four of our beautiful seasons. We’ve had winter, we’ve had the spring, and we had summer and we have the fall. I just want to thank You, for on July 2nd when we had that devastating storm in my district, that my colleagues and others around this state and this country came to our aid. So Father, I thank You for that, and Father, tomorrow morning we’re going to open the Davidson Freeway, and Lord, I just want to thank You for that, because it would have been so devastating to the people of southeastern Michigan and certainly for my district, Highland Park, Hamtramck and Detroit, and all of southeastern Michigan. So we just say to You today, thank You, thank You for this wonderful, beautiful and blessed fall day, that we could come into this chamber and serve the people of the State of Michigan. So Father, Father, we just thank You, thank You, thank You, Amen.”

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Rep. Dobronski moved that Reps. Baade and Mans be excused from today’s session.  
The motion prevailed.

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

#### Notices

October 7, 1997

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

Sincerely,  
Curtis Hertel  
Speaker of the House

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The Speaker assumed the Chair.

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

#### **House Bill No. 5083, entitled**

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 353e.

Was read a second time, and the question being on the adoption of the proposed substitute (H-6)\* previously recommended by the Committee on Appropriations,

The substitute (H-6)\* was adopted, a majority of the members serving voting therefor.

Rep. Gilmer moved to substitute (H-7) the bill.

The question being on the adoption of the substitute (H-7) offered by Rep. Gilmer,

Rep. Gilmer demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-7) offered by Rep. Gilmer,

The substitute (H-7) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 803****Yeas—48**

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

**Nays—58**

Agee	Emerson	Kilpatrick	Rison
Alley	Frank	LaForge	Schauer
Anthony	Freeman	Leland	Schermesser
Baird	Gagliardi	Martinez	Schroer
Basham	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	Jaye	Prusi	Willard
DeHart	Kaza	Quarles	Wojno
Dobronski	Kelly		

In The Chair: Hertel

Rep. Oxender moved to amend the bill as follows:

1. Amend page 2, line 8, after “353,” by inserting “AND EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION.”.

2. Amend page 2, line 13, after “(1).” by inserting “EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION.”.

3. Amend page 2, line 19, after “REIMBURSEMENT.” by inserting “IF A STATUTE CREATING A PROGRAM UNDER WHICH THIS STATE ISSUES ITS BONDS AND USES THE PROCEEDS TO FUND TECHNOLOGY, INFRASTRUCTURE, AND OTHER CAPITAL IMPROVEMENTS FOR DISTRICTS AND INTERMEDIATE DISTRICTS IS ENACTED BEFORE AUGUST 1, 1998, THEN, INSTEAD OF PAYMENT OF 1/10 OF THE REIMBURSEMENT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THERE IS APPROPRIATED FROM THE FUND THE SUM OF \$770,000,000.00 FOR THE PURPOSE OF MAKING A SINGLE PAYMENT TO SCHOOL DISTRICTS AND INTERMEDIATE SCHOOL DISTRICTS DESCRIBED IN THIS SUBSECTION, CALCULATED AS DESCRIBED IN THIS SUBSECTION.”.

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

Rep. Oxender demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 804****Yeas—49**

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

**Nays—57**

Agee	Emerson	Kilpatrick	Rison
Alley	Frank	LaForge	Schauer
Anthony	Freeman	Leland	Schermesser
Baird	Gagliardi	Martinez	Schroer
Basham	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	Jaye	Prusi	Willard
DeHart	Kelly	Quarles	Wojno
Dobronski			

In The Chair: Hertel

Rep. Oxender moved to amend the bill as follows:

1. Amend page 3, line 3, after "PRINCIPAL." by inserting "TO BE ELIGIBLE TO RECEIVE A PAYMENT UNDER THIS SUBSECTION, A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT SHALL TRANSMIT TO THE STATE TREASURER NOT LATER THAN AUGUST 1, 1998 A WRITTEN RESOLUTION OF ITS BOARD WAIVING ALL CLAIMS AND CAUSES OF ACTION AGAINST THIS STATE THROUGH SEPTEMBER 30, 1997 THAT ARE SUBSTANTIALLY THE SAME AS THOSE IN DURANT V STATE OF MICHIGAN, SUPREME COURT DOCKET NO. 104458-104492. THIS WAIVER MAY BE CONTINGENT ON CONTINUED PAYMENTS BY THIS STATE EACH FISCAL YEAR IN AT LEAST THE SAME AMOUNT AS THE PAYMENTS UNDER THIS SUBSECTION FOR THE 1997-98 FISCAL YEAR, BUT SHALL BE AN IRREVOCABLE WAIVER OF ANY CLAIM TO AMOUNTS RECEIVED BY THE SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT UNDER THIS SUBSECTION."

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

Rep. Oxender demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 805****Yeas—107**

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

**Nays—0**

In The Chair: Hertel

Rep. Gilmer moved to amend the bill as follows:

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

“(3) NOTWITHSTANDING SECTION 352, BEGINNING WITH THE FISCAL YEAR ENDING SEPTEMBER 30, 1997, ALL UNEXPENDED AND UNENCUMBERED GENERAL FUND GENERAL PURPOSE BALANCES AT THE CLOSE OF EACH FISCAL YEAR SHALL BE TRANSFERRED TO THE FUND. IF AN AMOUNT IS REQUIRED TO BE TRANSFERRED TO THE FUND FOR A FISCAL YEAR UNDER SECTION 352, ANY AMOUNT TRANSFERRED UNDER THIS SUBSECTION SHALL BE CONSIDERED A PART OF THE TRANSFER REQUIRED UNDER SECTION 352.”.

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

Rep. Gilmer demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 806****Yeas—51**

Bankes	Galloway	Johnson	Oxender
Birkholz	Geiger	Kukuk	Perricone

Bobier	Gernaat	Law	Raczkowski
Bodem	Gilmer	LeTarte	Rhead
Brackenridge	Godchaux	Llewellyn	Richner
Byl	Goschka	London	Rocca
Cassis	Green	Lowe	Schroer
Crissman	Gustafson	McBryde	Scranton
Cropsey	Hammerstrom	McManus	Sikkema
Dalman	Jansen	McNutt	Voorhees
DeVuyst	Jaye	Middaugh	Walberg
Dobb	Jelinek	Middleton	Whyman
Fitzgerald	Jellema	Nye	

### Nays—55

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

In The Chair: Hertel

Rep. Jaye moved to amend the bill as follows:

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

“(3) IN ORDER TO RECEIVE PAYMENTS UNDER THIS SECTION, A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT SHALL PAY A PRO RATA SHARE OF THOSE PAYMENTS TO EACH TAXPAYER WHO PAID PROPERTY TAXES FOR 1996 FOR PROPERTY IN THE SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT. THE AMOUNT OF THE PAYMENT TO EACH TAXPAYER SHALL BE CALCULATED BY MULTIPLYING THE TOTAL AMOUNT RECEIVED BY THE SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT TIMES THE QUOTIENT OF THE 1996 TAXABLE VALUE OF THE PROPERTY ON WHICH THE TAXPAYER PAID PROPERTY TAXES FOR 1996 DIVIDED BY THE TOTAL 1996 TAXABLE VALUE OF ALL PROPERTY IN THE SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT. A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT REQUIRED TO MAKE PAYMENTS TO TAXPAYERS UNDER THIS SUBSECTION MAY SUBMIT TO THE STATE TREASURER A BILL FOR REIMBURSEMENT OF THE REASONABLE COSTS OF CALCULATING AND MAKING THE PAYMENTS REQUIRED UNDER THIS SUBSECTION. UPON RECEIPT OF A BILL UNDER THIS SUBSECTION, THE STATE TREASURER SHALL PAY THE SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT THE AMOUNT OF THOSE REASONABLE COSTS. THERE IS APPROPRIATED FROM THE FUND THE AMOUNT NECESSARY TO MAKE THE REIMBURSEMENTS TO SCHOOL DISTRICTS AND INTERMEDIATE SCHOOL DISTRICTS UNDER THIS SUBSECTION.”.

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 807****Yeas—35**

Birkholz	Gernaat	Kukuk	Nye
Bobier	Goschka	Law	Perricone
Bodem	Green	Llewellyn	Raczkowski
Crissman	Gustafson	Lowe	Rhead
Cropsey	Hammerstrom	McBryde	Rocca
DeVuyst	Jansen	McManus	Voorhees
Dobb	Jaye	McNutt	Walberg
Galloway	Johnson	Middaugh	Whyman
Geiger	Kaza	Middleton	

**Nays—69**

Agee	DeHart	Kelly	Quarles
Alley	Dobronski	Kilpatrick	Richner
Anthony	Emerson	LaForge	Rison
Baird	Fitzgerald	Leland	Schauer
Bankes	Frank	LeTarte	Schermesser
Basham	Freeman	London	Schroer
Bogardus	Gire	Martinez	Scott
Brackenridge	Godchaux	Mathieu	Scranton
Brater	Griffin	Murphy	Sikkema
Brewer	Gubow	Olshove	Stallworth
Brown	Hale	Owen	Tesanovich
Byl	Hanley	Oxender	Thomas
Callahan	Harder	Palamara	Vaughn
Cassis	Hertel	Parks	Wallace
Cherry	Hood	Price	Wetters
Ciaramitaro	Jelinek	Profit	Willard
Curtis	Jellema	Prusi	Wojno
Dalman			

In The Chair: Hertel

Rep. Stallworth, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

Mr. Speaker and members, I rise to oppose this amendment on the grounds of more need to fully fund special education.

There is no question that every member of this distinguished body would like to provide a small check to the tax paying constituents in their district. But this benefit of less than five dollars per family, juxtaposed to providing long over-due funding of special education is infantismal, therefore unwarranted.

In the very near future I will be asking members of this Chamber to support a 3 million dollar supplemental for improved security on and around the grounds of Detroit Public Schools. In our first four weeks of school, five children have been the victim of gun fire. Four have perished. We need help!

The Governor has not yet agreed to return “At Risk Funding” to the K-12 Budget. In my district this will result in layoffs of not less than 200 employees, but could mean a layoff of as many as 2000. This is intolerable.

Therefore, Mr. Speaker and members; in the name of moral responsibility to those who cannot take responsibility for the environment we provide them with, I ask my colleagues to put aside our partisanship and vote with me to defeat this amendment.”

Rep. Emerson moved to amend the bill as follows:

1. Amend page 2, line 16, after "EDUCATION" by inserting "IN CONSULTATION WITH THE DEPARTMENT OF TREASURY AND THE DEPARTMENT OF ATTORNEY GENERAL".

2. Amend page 3, following line 3, by inserting:

"(3) IT IS THE INTENT OF THE LEGISLATURE TO CONTINUE TO APPROPRIATE MONEY FROM THE FUND AND TO MAKE PAYMENTS TO SCHOOL DISTRICTS AND INTERMEDIATE SCHOOL DISTRICTS DESCRIBED IN SUBSECTION (2) IN THE SAME AMOUNT AND MANNER AS PROVIDED UNDER SUBSECTION (2) FOR EACH FISCAL YEAR THROUGH THE FISCAL YEAR ENDING SEPTEMBER 30, 2007, SUBJECT TO THE SAME WAIVER REQUIREMENTS AND OTHER CONDITIONS DESCRIBED IN SUBSECTION (2)."

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

Reps. Middleton, Johnson and Goschka moved to amend the bill as follows:

1. Amend page 3, following line 3, following subsection (3), by inserting:

"(4) NOT LATER THAN 90 DAYS AFTER RECEIPT OF FUNDS UNDER THIS SECTION, AND BEFORE EXPENDING ANY OF THOSE FUNDS, THE BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT THAT RECEIVES FUNDS UNDER THIS SECTION SHALL HOLD A PUBLIC MEETING OF THE BOARD TO DISCUSS HOW THE BOARD WILL USE THOSE FUNDS. THE BOARD MAY HOLD THIS MEETING AS PART OF A REGULARLY SCHEDULED BOARD MEETING IF THE PUBLIC NOTICE OF THAT REGULAR MEETING CLEARLY INDICATES THAT THE ISSUE OF USE OF FUNDS RECEIVED UNDER THIS SECTION WILL BE ON THE AGENDA AT THE REGULAR MEETING."

The question being on the adoption of the amendment offered by Reps. Middleton, Johnson and Goschka, Rep. Middleton demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Middleton, Johnson and Goschka,

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

### Roll Call No. 808

### Yeas—105

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



**Nays—0**

In The Chair: Hertel

Rep. Gilmer moved to amend the bill as follows:

1. Amend page 3, following line 3, following subsection (4), by inserting:

“(5) NOTWITHSTANDING SECTION 352, FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1997 AND THE FISCAL YEAR ENDING SEPTEMBER 30, 1998 ONLY, ALL UNEXPENDED AND UNENCUMBERED GENERAL FUND GENERAL PURPOSE BALANCES AT THE CLOSE OF THE FISCAL YEAR SHALL BE TRANSFERRED TO THE FUND. IF AN AMOUNT IS REQUIRED TO BE TRANSFERRED TO THE FUND FOR 1 OF THESE FISCAL YEARS UNDER SECTION 352, ANY AMOUNT TRANSFERRED UNDER THIS SUBSECTION SHALL BE CONSIDERED A PART OF THE TRANSFER REQUIRED UNDER SECTION 352.”.

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

Rep. Gilmer demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 809****Yeas—52**

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

**Nays—50**

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

In The Chair: Hertel

Rep. Emerson 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. 5083, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 353e.

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

**Roll Call No. 810**

**Yeas—74**

Agee	Dobb	Kukuk	Raczkowski
Alley	Dobronski	LaForge	Richner
Anthony	Emerson	Law	Rison
Baird	Frank	Leland	Rocca
Bankes	Freeman	Martinez	Schauer
Basham	Gagliardi	Mathieu	Schermesser
Bodem	Galloway	McManus	Schroer
Bogardus	Gire	McNutt	Scott
Brater	Godchaux	Middaugh	Scranton
Brewer	Goschka	Murphy	Stallworth
Brown	Gubow	Olshove	Tesanovich
Callahan	Hale	Owen	Thomas
Cassis	Hanley	Palamara	Varga
Cherry	Harder	Parks	Vaughn
Ciaramitaro	Hertel	Price	Wallace
Crissman	Hood	Profit	Wetters
Curtis	Kaza	Prusi	Willard
Dalman	Kelly	Quarles	Wojno
DeHart	Kilpatrick		

**Nays—32**

Birkholz	Gernaat	Jellema	Nye
Bobier	Gilmer	Johnson	Oxender
Brackenridge	Green	LeTarte	Perricone
Byl	Gustafson	Llewellyn	Rhead
Cropsey	Hammerstrom	London	Sikkema
DeVuyst	Jansen	Lowe	Voorhees
Fitzgerald	Jaye	McBryde	Walberg
Geiger	Jelinek	Middleton	Whyman

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, 2/3 of the members serving voting therefor.

Reps. London and Gernaat, 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 because this body turned their back on the Republican plan. The Republican plan would pay all of the school districts the same. The Democrat plan would take ten years to pay the non litigants. This is simply not fair. Secondly, under our plan, all school districts would get more money. Thirdly, at the conclusion of the Republican plan, the BSF (Rainy Day Fund) would have about 1.2 billion. However the House Democrat plan would cut the BSF in half.”

Rep. Jaye, 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 since the \$982 million of the taxpayer’s money is being returned to the school teachers and bureaucrats instead of the taxpayers. The taxpayers are now abused twice. The taxpayers were forced to pay higher property taxes (\$982 million) for 17 years since past state legislators refused to pay for special education. Now the taxpayers are being forced to pay another (\$982 million) to the school districts out of the state rainy day fund. The state constitution clearly prohibits the courts from ordering the legislature to appropriate money for any specific task. This separation of powers item was clearly established during the 1996 Miller Brothers \$100 million lawsuit. This legislature is now just as guilty of ripping off the taxpayers as the legislature 17 years ago.”

Rep. Hammerstrom, 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:

I voted ‘No’ on HB 5083 because I believe all school districts should be treated equally rather than differently as proposed in HB 5083. To approve only a one year allocation to those schools not associated with the lawsuit is a dangling carrot with not substance; there is no guarantee that funding will be provided in future years. With term limits hovering in the near future, we will lose not only members who might support future funding, but also the historical perspective and knowledge of this ‘promise’. It’s the children of this state who stand to lose under this bill; we owe them more.”

Rep. Middleton, 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 this bill because it treats the Durant districts in one year and the non Durant districts only 1/10 of a payment with the hope that other legislature will make the other 9 payments.”

---

The Speaker called the Speaker Pro Tempore to the Chair.

### **Second Reading of Bills**

#### **House Bill No. 4923, entitled**

A bill to designate an official wildflower of this state.

The bill was read a second time.

Rep. Brater 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. 4923, entitled**

A bill to designate an official wildflower of this state.

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

**Roll Call No. 811****Yeas—71**

Agee	Frank	Kelly	Richner
Alley	Freeman	Kilpatrick	Rison
Anthony	Gilmer	Kukuk	Rocca
Basham	Gire	Law	Schauer
Birkholz	Godchaux	Leland	Schermesser
Bobier	Goschka	Martinez	Schroer
Bodem	Green	Mathieu	Scott
Bogardus	Griffin	McBryde	Scranton
Brater	Gubow	McManus	Stallworth
Brewer	Gustafson	Middaugh	Tesanovich
Brown	Hale	Murphy	Thomas
Callahan	Hanley	Olshove	Varga
Cassis	Harder	Parks	Vaughn
Cherry	Hood	Price	Voorhees
Curtis	Jansen	Profit	Wallace
DeHart	Jelinek	Prusi	Willard
DeVuyst	Jellema	Quarles	Wojno
Dobronski	Kaza	Raczkowski	

**Nays—31**

Baird	Fitzgerald	LeTarte	Palamara
Bankes	Galloway	London	Perricone
Brackenridge	Geiger	Lowe	Rhead
Byl	Gernaat	McNutt	Sikkema
Crissman	Hammerstrom	Middleton	Walberg
Cropsey	Jaye	Nye	Wetters
Dalman	Johnson	Owen	Whyman
Dobb	LaForge	Oxender	

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

**Second Reading of Bills****Senate Bill No. 227, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2001 (MCL 339.2001), as amended by 1992 PA 103.

The bill was read a second time.

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

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

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****Senate Bill No. 227, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2001 (MCL 339.2001), as amended by 1992 PA 103.

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

**Roll Call No. 812****Yeas—105**

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

**Nays—0**

In The Chair: Murphy

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

“An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,”

The House agreed to the full title of the bill.

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

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

**Second Reading of Bills****Senate Bill No. 228, entitled**

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending section 904 (MCL 450.4904).

The bill was read a second time.

Rep. Profit moved to substitute (H-1) the bill.

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

Rep. Dobb moved to amend the bill as follows:

1. Amend page 2, following line 13, by inserting:

“(5) A PROFESSIONAL LIMITED LIABILITY COMPANY ORGANIZED UNDER THIS ARTICLE MAY ENGAGE IN THE PRACTICE OF PUBLIC ACCOUNTING IN THIS STATE IF NOT LESS THAN 2/3 OF THE EQUITY AND VOTING RIGHTS OF THE PROFESSIONAL LIMITED LIABILITY COMPANY ARE HELD DIRECTLY OR BENEFICIALLY BY INDIVIDUALS WHO ARE LICENSED IN GOOD STANDING AS CERTIFIED PUBLIC ACCOUNTANTS OF THIS OR ANOTHER STATE OR THE EQUIVALENT IN ANOTHER LICENSING JURISDICTION ACCEPTABLE TO THE BOARD OF ACCOUNTANCY. AS USED IN THIS SUBSECTION, “BOARD OF ACCOUNTANCY” MEANS THAT BOARD CREATED IN SECTION 721 OF THE OCCUPATIONAL CODE, 1980 PA 299, MCL 339.721.”.

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

Rep. Profit moved to amend the bill as follows:

1. Amend page 2, line 8, by striking out all of subsection (4), and inserting:

“(4) A LIMITED LIABILITY COMPANY MAY ENGAGE IN THE PRACTICE OF ARCHITECTURE, PROFESSIONAL ENGINEERING, OR PROFESSIONAL SURVEYING IN THIS STATE IF NOT LESS THAN 2/3 OF THE MEMBERS OR MANAGERS OF THE LIMITED LIABILITY COMPANY ARE LICENSED IN THIS STATE TO RENDER 1 OR MORE OF THE PROFESSIONAL SERVICES OFFERED. A PROFESSIONAL LIMITED LIABILITY COMPANY ORGANIZED UNDER THIS ARTICLE MAY ENGAGE IN THE PRACTICE OF ARCHITECTURE, PROFESSIONAL ENGINEERING, OR PROFESSIONAL SURVEYING IN THIS STATE IF ALL OF THE MEMBERS AND MANAGERS OF THE PROFESSIONAL LIMITED LIABILITY COMPANY ORGANIZED UNDER THIS ARTICLE ARE LICENSED IN THIS STATE TO RENDER 1 OR MORE OF THE PROFESSIONAL SERVICES OFFERED.”.

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

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

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

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

#### Senate Bill No. 228, entitled

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending section 904 (MCL 450.4904).

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

#### Roll Call No. 813

#### Yeas—104

Agee	Dobronski	Kaza	Price
Alley	Emerson	Kelly	Profit
Anthony	Fitzgerald	Kilpatrick	Prusi
Baird	Frank	Kukuk	Quarles
Banks	Freeman	LaForge	Raczkowski
Basham	Gagliardi	Law	Rhead
Birkholz	Galloway	Leland	Richner
Bobier	Geiger	LeTarte	Rison
Bodem	Gernaat	Llewellyn	Rocca
Bogardus	Gilmer	London	Schauer
Brackenridge	Gire	Lowe	Schermesser
Brater	Godchaux	Martinez	Scott
Brewer	Goschka	Mathieu	Scranton
Brown	Green	McBryde	Sikkema
Byl	Gubow	McManus	Stallworth
Callahan	Gustafson	McNutt	Tesanovich
Cassis	Hale	Middaugh	Thomas

Cherry	Hammerstrom	Middleton	Varga
Ciaramitaro	Hanley	Murphy	Vaughn
Crissman	Harder	Nye	Voorhees
Cropsey	Hood	Olshove	Walberg
Curtis	Jansen	Owen	Wallace
Dalman	Jaye	Oxender	Wetters
DeHart	Jelinek	Palamara	Whyman
DeVuyst	Jellema	Parks	Willard
Dobb	Johnson	Perricone	Wojno

### Nays—0

In The Chair: Murphy

The question being on agreeing to the title of the bill,

Rep. Gagliardi moved to amend the title to read as follows:

A bill to amend 1993 PA 23, entitled “An act to provide for the organization and regulation of limited liability companies; to prescribe their duties, rights, powers, immunities, and liabilities; to prescribe the powers and duties of certain state departments and agencies; and to provide for penalties and remedies,” by amending section 904 (MCL 450.4904), as amended by 1997 PA 52.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

### Motions and Resolutions

Reps. Schermesser, Goschka, DeHart, Tesanovich, Callahan, Hale, Kelly, Bogardus, Hanley, Wojno, Martinez, Prusi, Anthony, Kilpatrick, Freeman, McBryde, Bodem, Cherry, Richner, Raczkowski, Wetters, Dobronski, Scott, Baird, Brater, LaForge, Kukuk, Vaughn, Leland, Murphy, Parks, Dalman, Middleton, Gernaat, Llewellyn, Gubow, Palamara, Schroer, Hood, Profit and DeVuyst offered the following concurrent resolution:

#### House Concurrent Resolution No. 65.

A concurrent resolution to memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained.

Whereas, With the move to a balanced federal budget, many people are concerned over the impact of increasingly limited funds for vitally important services. An area of special concern is the health care provided to our veterans, especially through the facilities and programs of the Department of Veterans Affairs; and

Whereas, For those who served our country with sacrifice and valor in the Armed Forces, the VA health programs represent a fulfillment of a promise. The programs and facilities are literally a lifeline for many. This promise on the part of our nation—to care for our veterans in their times of need—cannot be forgotten or abandoned. The move to bring austerity and fiscal responsibility to government spending cannot override the needs of the veterans who now rely on us as we relied on them in our nation’s times of need; and

Whereas, Funding to care for veterans who have suffered grave injuries must not be jeopardized. Veterans bedridden by injuries and dependent on VA health services have every right to the same level of dedication they gave to America in battles to preserve our way of life. To decrease our financial and emotional commitment to these patriots through inadequate care is wrong. Continuing cutbacks in funding and reductions in service and personal care represent a flawed approach to caring for men and women who have earned our lasting gratitude; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained; and be it further

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

The concurrent resolution was referred to the Committee on Senior Citizens and Veterans Affairs.

Reps. Gagliardi and Gustafson offered the following concurrent resolution:

**House Concurrent Resolution No. 66.**

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

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, October 23, 1997, at 10:45 a.m., to receive the State of the Judiciary message from the Honorable Conrad Mallett, Jr., Chief Justice of the Michigan State Supreme Court.

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.

### Reports of Standing Committees

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

**House Joint Resolution M, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 46 of article IV, to provide for the death penalty in certain circumstances.

The committee recommended that the joint resolution be referred to the Committee on Judiciary.

#### Favorable Roll Call

**HJR M** To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, DeHart, Hanley, Gustafson, Fitzgerald, Richner, Voorhees,

Nays: None.

The recommendation was concurred in and the joint resolution was referred to the Committee on Judiciary.

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gagliardi, Chair of the Committee on House Oversight and Ethics, was received and read:

Meeting held on: Tuesday, October 7, 1997, at 2:00 p.m.,

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

Absent: Reps. Wallace, Wojno, Perricone,

Excused: Reps. Wallace, Wojno, Perricone.

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

**House Bill No. 4944, entitled**

A bill to amend 1962 PA 192, entitled "Professional service corporation act," by amending section 4 (MCL 450.224), as amended by 1990 PA 166.

With the recommendation that the bill pass.

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

#### Favorable Roll Call

**HB 4944** To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Gubow, Leland, Murphy, Thomas, Wojno, Hammerstrom, Crissman, Law, Llewellyn, Raczkowski, Rocca, 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, October 7, 1997, at 10:30 a.m.,  
 Present: Reps. Palamara, Schauer, Gire, Griffin, Gubow, Leland, Murphy, Thomas, Wojno, Hammerstrom, Crissman, Law, Llewellyn, Raczkowski, Rocca, Scranton,  
 Absent: Rep. Profit,  
 Excused: Rep. Profit.

The Committee on Local Government, by Rep. Dobronski, Chair, reported  
**House Bill No. 5084, entitled**  
 A bill to amend 1990 PA 345, entitled "State survey and remonumentation act," by amending sections 2, 6, 8, and 12 (MCL 54.262, 54.266, 54.268, and 54.272).  
 With the recommendation that the substitute (H-1) be adopted and that the bill then pass.  
 The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

**HB 5084** To Report Out:

Yeas: Reps. Dobronski, Brater, Brewer, Callahan, Brackenridge, Birkholz, Crissman,  
 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, October 7, 1997, at 9:00 a.m.,  
 Present: Reps. Dobronski, Brater, Brewer, Callahan, Brackenridge, Birkholz, Crissman,  
 Absent: Reps. Mans, Hammerstrom,  
 Excused: Reps. Mans, Hammerstrom.

## 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, October 7, 1997, at 8:30 a.m.,  
 Present: Reps. LaForge, Scott, Bogardus, Schauer, London,  
 Absent: Reps. Gire, Horton, Jaye, McManus,  
 Excused: Reps. Gire, Horton, Jaye, McManus.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Anthony, Chair of the Committee on Forestry and Mineral Rights, was received and read:  
 Meeting held on: Tuesday, October 7, 1997, at 10:30 a.m.,  
 Present: Reps. Anthony, Callahan, Bogardus, Brater, Middleton, DeVuyst, Gernaat, Lowe,  
 Absent: Rep. Alley,  
 Excused: Rep. Alley.

**Notices**

## Public Hearings

Committee on Public Utilities  
 Date: Friday, October 10, 1997  
 Time: 11:00 a.m.  
 Place: Ramada Inn, 3290 I-75 business Spur, Sault Ste. Marie, Michigan

Rep. Olshove  
 Chair

Agenda: Electric deregulation  
 and any/or all business properly before the committee

## House Appropriations Subcommittee on Gas Price

Date: Monday, October 13, 1997

Time: 1:00 p.m.

Place: City Council Chambers, City Hall, Saginaw, Michigan

Rep. Harder

Chair

Agenda: Gas prices  
and any/or all business properly before the subcommittee

## Committee on Agriculture

Date: Thursday, October 16, 1997

Time: 6:00 p.m.

Place: Vienna Township Hall, 3400 West Vienna Road, Clio, Michigan

Rep. Wetters

Chair

Agenda: House Bill No. 4337 - Drains; code, revision; provide for  
and any/or all business properly before the committee

## House Appropriations Subcommittee on State Police and Military Affairs

Date: Monday, October 20, 1997

Time: 1:00 p.m.

Place: Wayne State University, Student Center Building, 5221 Gullen Mall, 2nd Floor Ballroom, Detroit, Michigan

Rep. Schroer

Chair

Agenda: HR 75 and HCR 44 - memorializing the Congress of the United States to redirect some military spending  
to the states to enable them to meet domestic needs  
and any/or all business properly before the subcommittee

### Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Tuesday, September 30:

<b>Senate Bill Nos.</b>	<b>677</b>	<b>678</b>	<b>679</b>	<b>680</b>	<b>681</b>	<b>682</b>	<b>683</b>	<b>684</b>	<b>685</b>	<b>686</b>	<b>687</b>	<b>688</b>	<b>689</b>	<b>690</b>
	<b>691</b>	<b>693</b>	<b>694</b>	<b>695</b>	<b>696</b>	<b>697</b>	<b>698</b>	<b>699</b>	<b>700</b>	<b>701</b>	<b>702</b>	<b>703</b>	<b>704</b>	<b>705</b>
	<b>710</b>	<b>711</b>	<b>716</b>	<b>717</b>	<b>721</b>									
<b>Senate Joint Resolution</b>	<b>M</b>													

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, October 6:

<b>House Bill Nos.</b>	<b>5100</b>	<b>5101</b>	<b>5102</b>	<b>5103</b>	<b>5104</b>	<b>5105</b>	<b>5106</b>	<b>5107</b>	<b>5108</b>	<b>5109</b>	<b>5110</b>	<b>5111</b>	<b>5112</b>	<b>5113</b>
	<b>5114</b>	<b>5115</b>	<b>5117</b>	<b>5118</b>	<b>5119</b>	<b>5120</b>	<b>5121</b>	<b>5122</b>	<b>5123</b>	<b>5124</b>	<b>5125</b>	<b>5126</b>	<b>5127</b>	<b>5128</b>
	<b>5129</b>	<b>5130</b>	<b>5131</b>	<b>5132</b>	<b>5133</b>	<b>5134</b>	<b>5135</b>	<b>5136</b>	<b>5137</b>	<b>5138</b>	<b>5139</b>	<b>5140</b>	<b>5141</b>	<b>5142</b>
	<b>5143</b>	<b>5144</b>	<b>5145</b>	<b>5146</b>	<b>5147</b>	<b>5148</b>	<b>5149</b>	<b>5150</b>	<b>5151</b>	<b>5152</b>	<b>5153</b>	<b>5154</b>	<b>5155</b>	<b>5156</b>
	<b>5157</b>	<b>5158</b>	<b>5159</b>	<b>5160</b>	<b>5161</b>	<b>5162</b>	<b>5163</b>	<b>5164</b>	<b>5165</b>	<b>5166</b>	<b>5167</b>	<b>5168</b>	<b>5169</b>	<b>5170</b>
	<b>5171</b>	<b>5172</b>	<b>5173</b>	<b>5174</b>	<b>5175</b>	<b>5176</b>	<b>5177</b>	<b>5178</b>	<b>5179</b>	<b>5180</b>	<b>5181</b>	<b>5182</b>	<b>5183</b>	<b>5184</b>
	<b>5185</b>	<b>5186</b>	<b>5187</b>	<b>5188</b>	<b>5189</b>	<b>5190</b>	<b>5191</b>	<b>5192</b>	<b>5193</b>	<b>5194</b>	<b>5195</b>	<b>5196</b>	<b>5197</b>	<b>5198</b>
	<b>5199</b>	<b>5200</b>	<b>5201</b>	<b>5202</b>	<b>5203</b>	<b>5204</b>	<b>5205</b>	<b>5206</b>	<b>5207</b>	<b>5208</b>				

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

<b>House Bill Nos.</b>	<b>5209</b>	<b>5210</b>	<b>5211</b>	<b>5212</b>	<b>5213</b>	<b>5214</b>	<b>5215</b>	<b>5216</b>	<b>5217</b>	<b>5218</b>	<b>5219</b>	<b>5220</b>
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### Communications from State Officers

The following communication from the Schoolcraft College was received and read:

September 29, 1997

As required, we are enclosing a copy of the audited financial statements and the management letter for Schoolcraft College for the fiscal year ended June 30, 1997.

Sincerely,  
Jill O'Sullivan  
Executive Director-Financial Services

The communication was referred to the Clerk.

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

October 2, 1997

Enclosed is a copy of the following audit report and/or executive digest:  
Performance audit of Central Michigan University  
Intercollegiate Athletics Program  
October 1997

October 3, 1997

Enclosed is a copy of the following audit report and/or executive digest:  
Performance Audit of Charter Schools Office and  
Michigan Resource Center for Charter Schools  
Central Michigan University  
October 1997

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.

### Introduction of Bills

Reps. Baird, Wallace, Wojno, Martinez, Willard, Goschka, Gire, Scranton, LaForge, Hale and Parks introduced  
**House Bill No. 5221, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 21051a and 21051b.

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

Reps. Alley, Gagliardi, Profit and Middaugh introduced

**House Bill No. 5222, entitled**

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

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

Rep. Schroer introduced

**House Bill No. 5223, entitled**

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

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

Reps. Rison, Wallace, Hanley, Quarles, Kilpatrick, Thomas, Hale, Schauer, Stallworth, Price, Parks, Vaughn, Emerson, Voorhees, Hood, LaForge, Cherry, Murphy and Schermesser introduced

**House Bill No. 5224, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2229.

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

Reps. Gire, Callahan, Perricone, Martinez, LaForge and Law introduced

**House Bill No. 5225, entitled**

A bill to amend 1978 PA 59, entitled "Condominium act," (MCL 559.101 to 559.275) by adding sections 107a, 107b, 107c, 107d, and 107e.

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

Reps. Brown, Bogardus, Cropsey, Schermesser, Callahan, Hale, Quarles, McBryde, Leland, DeHart, LaForge, Tesanovich, Kaza, Cherry, Schauer, Gire and Wojno introduced

**House Bill No. 5226, entitled**

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," (MCL 445.901 to 445.922) by adding section 3c.

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

Rep. DeHart introduced

**House Bill No. 5227, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 309 (MCL 257.309), as amended by 1996 PA 551.

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

Reps. Gire, Dalman, LeTarte, Jelinek, Agee, Schauer, Bogardus, Kilpatrick, Callahan, Kaza, Martinez, Goschka, Brackenridge, Cherry, Schermesser, London, Middleton, LaForge, Oxender, Wojno, Hammerstrom, Byl, Sikkema, Scranton and Raczkowski introduced

**House Bill No. 5228, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1279 (MCL 380.1279), as amended by 1997 PA 25, and by adding section 1279a.

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

Reps. Schauer, Bogardus, Kilpatrick, Gire, Agee, Dalman, LeTarte, Jelinek, Martinez, Callahan, Goschka, Cherry, Kaza, Schermesser, Brackenridge, Bodem, Oxender, Hale, Wojno, Hammerstrom, Byl, London, Sikkema, Scranton and Raczkowski introduced

**House Bill No. 5229, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 104a (MCL 388.1704a), as amended by 1997 PA 24.

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

Reps. Jelinek, Dalman, LeTarte, Gire, Agee, Schauer, Bogardus, Kilpatrick, Callahan, Kaza, Martinez, Goschka, Middleton, Brackenridge, Schermesser, Cherry, London, Birkholz, Bodem, Hammerstrom, Wojno, Geiger, Byl, Sikkema, Scranton and Raczkowski introduced

**House Bill No. 5230, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1279f (MCL 380.1279f), as added by 1996 PA 169.

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

Reps. Bogardus, Kilpatrick, Schauer, Agee, Gire, Callahan, Martinez, Rison, Murphy, Goschka, Curtis, Cherry, Kelly, Schermesser, Kaza, Brackenridge, Tesanovich, Bodem, Wojno, Hammerstrom, London, Byl, Sikkema, Scranton and Raczkowski introduced

**House Bill No. 5231, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1525 (MCL 380.1525), as amended by 1995 PA 289.

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

Reps. Dalman, Gire, Jelinek, LeTarte, Kilpatrick, Schauer, Oxender, Middleton, Martinez, Bodem, Johnson, Cherry, Brackenridge, Schermesser, London, Geiger, Wojno, Hammerstrom, Byl, Sikkema, Scranton and Raczkowski introduced  
**House Bill No. 5232, entitled**

A bill to amend 1996 PA 160, entitled "Postsecondary enrollment options act," by amending section 3 (MCL 388.513).

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

Reps. Agee, Schauer, Bogardus, Kilpatrick, Dalman, LeTarte, Jelinek, Gire, Callahan, Martinez, Kaza, LaForge, Cherry, Goschka, Schermesser, Brackenridge, London, Bodem, Oxender, Hale, Wojno, Hammerstrom, Hanley, Byl, Sikkema, Scranton and Raczkowski introduced

**House Bill No. 5233, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1277 (MCL 380.1277), as amended by 1995 PA 289.

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

Reps. LeTarte, Jelinek, Dalman, Gire, Agee, Schauer, Bogardus, Kilpatrick, Martinez, Middleton, Brackenridge, Kaza, Cherry, Bodem, Schermesser, London, Hammerstrom, Oxender, Geiger, Wojno, Byl, Sikkema, Scranton and Raczkowski introduced

**House Bill No. 5234, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1280 (MCL 380.1280), as amended by 1995 PA 289.

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

Reps. Kilpatrick, Bogardus, Agee, Gire, Dalman, LeTarte, Jelinek, Cherry, Schermesser, Kaza, Martinez, Brackenridge, Callahan, Wojno, Bodem, Rison, Murphy, Hammerstrom, London, Byl, Sikkema, Scranton and Raczkowski introduced

**House Bill No. 5235, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1282 (MCL 380.1282), as amended by 1993 PA 335.

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

Reps. Hammerstrom and Brackenridge introduced

**House Bill No. 5236, entitled**

A bill to amend 1937 PA 103, entitled "An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds," by amending section 1 (MCL 565.201), as amended by 1996 PA 459.

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

Rep. Law introduced

**House Bill No. 5237, entitled**

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

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

Rep. Law introduced

**House Bill No. 5238, entitled**

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," by amending sections 2, 3, and 5 (MCL 52.202, 52.203, and 52.205), section 5 as amended by 1980 PA 401.

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

Reps. Scranton, Godchaux, Birkholz, Basham, Gustafson, Jelinek, Fitzgerald, LeTarte, Rocca, Dobb and Perricone introduced

**House Bill No. 5239, 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.

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

Reps. Llewellyn, Law, Varga, London, Rhead and Johnson introduced

**House Bill No. 5240, entitled**

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending sections 16, 20, 30, and 31 (MCL 431.316, 431.320, 431.330, and 431.331).

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

Reps. Llewellyn, Law, Gire, London and Johnson introduced

**House Bill No. 5241, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending sections 207, 402b, and 502 (MCL 550.1207, 550.1402b, and 550.1502), section 207 as amended by 1993 PA 201, section 402b as added by 1996 PA 516, and section 502 as amended by 1994 PA 440.

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

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Rep. Raczkowski moved that the House adjourn.

The motion prevailed, the time being 5:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, October 8, at 2:00 p.m.

MARY KAY SCULLION  
Clerk of the House of Representatives.