

No. 90
JOURNAL OF THE HOUSE

House Chamber, Lansing, Wednesday, November 12, 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	Emerson—present	Kaza—present	Price—present
Alley—present	Fitzgerald—present	Kelly—present	Profit—present
Anthony—present	Frank—present	Kilpatrick—present	Prusi—present
Baade—present	Freeman—present	Kukuk—present	Quarles—present
Baird—present	Gagliardi—present	LaForge—present	Rackowski—present
Bankes—present	Galloway—e/d/s	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—excused	Lowe—present	Schermesser—present
Brackenridge—present	Goschka—present	Mans—present	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—present	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—excused	Perricone—present	Wojno—present
Dobronski—present	Johnson—present		

e/d/s = entered during session

Alison Roberts, from Erickson Elementary School in Ypsilanti, offered the following invocation:

“Dear Lord, Thank You for allowing me the opportunity to be here today to speak to the House of Representatives. Lord, please open their hearts and minds to truly hear one voice, even though it is only the voice of a small nine year old girl. I pray that You help the members of the House of Representatives develop good laws that would help all children and adults in our state to live in a safe and happy place. In Jesus’ name we pray, Amen.”

Rep. Hammerstrom moved that Reps. Godchaux and Jellema be excused from today’s session.
The motion prevailed.

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

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 908-911. Had I been present, I would have voted “yes” on Roll Call Nos. 908 and 909, and “no” on Roll Call Nos. 910 and 911.”

Notices

November 12, 1997

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

Sincerely,
Curtis Hertel
Speaker of the House

November 12, 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

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 4049, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 518.

(The bill was received from the Senate on November 5, with substitute (S-4), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 6, see House Journal No. 88, p. 2314.)

The question being on concurring in the adoption of the substitute (S-4) made to the bill by the Senate,

The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 917

Yeas—105

Agee	Dobronski	Kelly	Price
Alley	Emerson	Kilpatrick	Profit
Anthony	Fitzgerald	Kukuk	Prusi
Baade	Frank	LaForge	Quarles

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

Nays—0

In The Chair: Hertel

The House agreed to the title as amended.

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

The Speaker called Acting Speaker DeHart to the Chair.

Rep. Galloway entered the House Chambers.

Second Reading of Bills

House Bill No. 4284, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 658 (MCL 257.658), as amended by 1984 PA 328.

(The bill was considered on Second Reading, amendment offered and postponed temporarily on October 30, see House Journal No. 86, p. 2257.)

The question being on the amendment offered previously by Reps. Callahan, Ciaramitaro and Walberg,

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

Rep. Gagliardi moved to reconsider the vote by which the House adopted the amendment offered previously by Reps. Callahan, Ciaramitaro and Walberg.

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

The question being on the adoption of the amendment offered previously by Reps. Callahan, Ciaramitaro and Walberg,

The amendment was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 495, entitled

A bill to amend 1986 PA 89, entitled "Michigan BIDCO act," by amending sections 102, 104, 105, 106, 211, 217, 301, 303, 305, 311, 315, 317, 401, 403, 405, 407, 503, 505, 507, 509, 511, 601, 603, 709, 711, 713, 801, 807, 813, and 905 (MCL 487.1102, 487.1104, 487.1105, 487.1106, 487.1211, 487.1217, 487.1301, 487.1303, 487.1305, 487.1311, 487.1315, 487.1317, 487.1401, 487.1403, 487.1405, 487.1407, 487.1503, 487.1505, 487.1507, 487.1509, 487.1511, 487.1601, 487.1603, 487.1709, 487.1711, 487.1713, 487.1801, 487.1807, 487.1813, and 487.1905).

(The bill was read a third time and postponed temporarily on November 5, see House Journal No. 88, p. 2286.)

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. 918

Yeas—102

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

Nays—0

In The Chair: DeHart

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

"An act to promote economic development by providing for the licensing and regulation of business and industrial development corporations; to provide penalties; 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

The House returned to the consideration of

House Bill No. 4284, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 658 (MCL 257.658), as amended by 1984 PA 328.

(The bill was considered earlier today, see today's Journal, p. 2335.)

Reps. Ciaramitaro and Walberg moved to amend the bill as follows:

1. Amend page 2, following line 14, following enacting section 1, by inserting:

"Enacting section 2. This amendatory act shall not take effect unless the insurance code of 1956, 1956 PA 218, MCL 500.100 to 500.8302 is amended to require motorcyclists to be insured and to provide that insurance companies may charge premiums based upon whether a motorcyclist uses a crash helmet approved by the department of state police and carries personal injury insurance."

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

Rep. Walberg 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. 4284, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 658 (MCL 257.658), as amended by 1984 PA 328.

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. 919

Yeas—58

Alley	Geiger	LeTarte	Rackowski
Basham	Goschka	Llewellyn	Rhead
Bodem	Green	Lowe	Rison
Brewer	Harder	Mathieu	Rocca
Brown	Hertel	Middaugh	Schauer
Ciaramitaro	Horton	Middleton	Scott
Crissman	Jansen	Nye	Stallworth
Cropsey	Jaye	Olshove	Tesanovich
Curtis	Jelinek	Owen	Varga
DeHart	Kaza	Oxender	Vaughn
Dobb	Kelly	Parks	Walberg
Emerson	Kilpatrick	Profit	Wallace
Frank	Kukuk	Prusi	Wetters
Freeman	Law	Quarles	Whyman
Galloway	Leland		

Nays—46

Anthony	Dalman	Hanley	Perricone
Baade	DeVuyst	Hood	Price
Baird	Dobronski	Johnson	Richner
Bankes	Fitzgerald	LaForge	Schermesser
Birkholz	Gagliardi	London	Schroer
Bobier	Gernaat	Mans	Scranton
Bogardus	Gilmer	Martinez	Sikkema

Brater
Byl
Callahan
Cassis
Cherry

Griffin
Gubow
Gustafson
Hale
Hammerstrom

McBryde
McManus
McNutt
Palamara

Thomas
Voorhees
Willard
Wojno

In The Chair: DeHart

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

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

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 312b and 658 (MCL 257.312b and 257.658), section 312b as amended by 1996 PA 345 and section 658 as amended by 1984 PA 328.

The motion prevailed.

The House agreed to the title as amended.

The Speaker resumed the Chair.

Second Reading of Bills

House Bill No. 4640, entitled

A bill to amend 1915 PA 312, entitled "An act to establish, protect and enforce by lien the rights of garage keepers who furnish labor or material for storing, repairing, maintaining, keeping or otherwise supplying automobiles or other vehicles," by amending sections 1, 2, and 3 (MCL 570.301, 570.302, and 570.303), sections 1 and 2 as amended by 1990 PA 58, and by adding sections 4, 5, 6, and 7; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4)* previously recommended by the Committee on Commerce,

The substitute (H-4)* was adopted, a majority of the members serving voting therefor.

Rep. Profit moved to amend the bill as follows:

1. Amend page 11, line 19, after "257.1340," by inserting "AS TO THE VEHICLE IN QUESTION".

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

Rep. Profit 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. 4640, entitled

A bill to amend 1915 PA 312, entitled "An act to establish, protect and enforce by lien the rights of garage keepers who furnish labor or material for storing, repairing, maintaining, keeping or otherwise supplying automobiles or other vehicles," by amending sections 1, 2, and 3 (MCL 570.301, 570.302, and 570.303), sections 1 and 2 as amended by 1990 PA 58, and by adding sections 4, 5, 6, and 7; and to repeal acts and parts of acts.

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

Roll Call No. 920

Yeas—103

Agee
Alley
Anthony

Dobronski
Emerson
Fitzgerald

Kelly
Kilpatrick
Kukuk

Price
Profit
Prusi

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

Nays—2

Brewer

Jaye

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.

Second Reading of Bills

House Bill No. 5259, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16909 (MCL 333.16909), as amended by 1996 PA 536.

The bill was read a second time.

Rep. Law 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. 5259, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16909 (MCL 333.16909), as amended by 1996 PA 536.

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

Roll Call No. 921**Yeas—99**

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

Nays—6

Jaye	Nye	Quarles	Rhead
Kaza	Profit		

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.

The Speaker called Acting Speaker Hanley to the Chair.

House Bill No. 4741, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by amending the title, as amended by 1991 PA 98, and by adding section 831.

(The bill was read a third time, amended and postponed for the day on June 24, see House Journal No. 59, p. 1385.)

The question being on the passage of the bill,

Reps. Hood and Galloway moved to amend the bill as follows:

1. Amend page 4, following line 14, by inserting:

"(6) IF A PERSON RESERVES THE RENTAL OF A MOTOR VEHICLE WITH A RENTAL COMPANY FOR A SPECIFIC TIME AND DATE AND OBTAINS A CONFIRMATION NUMBER FOR A QUALIFIED

GUARANTEED RENTAL RESERVATION, THE RENTAL COMPANY SHALL RENT THAT VEHICLE OR A VEHICLE OF UPGRADED VALUE TO THE PERSON AT THAT TIME AND DATE.”.

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

Reps. Stallworth and Galloway moved to amend the bill as follows:

1. Amend page 3, line 9, after “LESS.” by inserting “HOWEVER IF THE MOTOR VEHICLE IS RENTED FOR MORE THAN 1 CONSECUTIVE PERIOD WITHIN A 31-DAY PERIOD, THE 2% TRANSACTION FEE SHALL BE COLLECTED ONLY ONCE DURING THAT PERIOD.”.

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

Rep. Gagliardi moved to reconsider the vote by which the House adopted the amendment.

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

The question being on the adoption of the amendment offered by Reps. Stallworth and Galloway,

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

The question being on the passage of the bill,

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

The motion prevailed.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Voorhees, Dalman, Cropsey, Kukuk, Sikkema, Hammerstrom, Rhead, DeVuyst, Lowe, Horton, Geiger, Goschka, Gernaat, Bodem, Jansen, McBryde, Crissman, Llewellyn, Brackenridge, Baade, Vaughn, Birkholz, Rocca, Whyman, Parks and Scott offered the following resolution:

House Resolution No. 175.

A resolution to recognize November 16, 1997, as International Day of Prayer for the Persecuted Church.

Whereas, Our country has been blessed with the Constitutional protection of religious freedom; and

Whereas, Direct persecution and suppression of religious expression continues to occur in countries throughout the world; and

Whereas, Christians have become targets of regimes in Saudi Arabia, Iran, Algeria, the Philippines, Pakistan, Turkey, and Egypt; and

Whereas, Religious expression outside of state-controlled religious organizations continues in China, Vietnam, North Korea, Laos, and Cuba, which comprise nearly a quarter of the world’s population; and

Whereas, More Christians have been martyred in the 20th century than the past 19 combined, with more than 160,000 Christians martyred in 1996 and the number of persecutions rising; and

Whereas, America has always been the beacon of hope for the ideals of liberty and religious freedom; now, therefore, be it

Resolved by the House of Representatives, That the members of the Michigan House of Representatives call on the citizens of this great state to observe November 16, 1997, as International Day of Prayer for the Persecuted Church; and be it further

Resolved, That copies of this resolution be transmitted to coordinators of this event.

Pending the reference of the resolution to a committee,

Rep. Gagliardi moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

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

Reps. Sikkema, Profit, McManus, Birkholz, McBryde, Green, LeTarte, Jelinek, Jansen, Voorhees, Geiger, Goschka, Cassis, Johnson, Kaza, Horton, Richner, Kukuk, Brackenridge and Perricone offered the following resolution:

House Resolution No. 176.

A resolution to memorialize the President and the Congress of the United States to oppose religious persecution around the world.

Whereas, In a country such as ours, blessed with constitutionally protected religious freedom, there is an unfortunate tendency to overlook the restrictions of religious liberty placed upon people of faith worldwide; and

Whereas, Disturbing incidents of anti-Semitic violence and oppression, including neo-Nazi slogans and practices in Europe and the former Soviet republics, are rekindling memories of the Holocaust; and

Whereas, It is reported that 200 million Christians worldwide are being harassed, fined, tortured, imprisoned, or otherwise persecuted for their faith, and that an additional 400 million live under severe restrictions on religious liberty; and

Whereas, The recent Chinese and American summit has reminded the world of the persecution of the Tibetan Buddhist believers; and

Whereas, The suffering or death of any human, of any or no religious faith, is wrong before God; now, therefore, be it Resolved by the House of Representatives, That we memorialize the President and the United States Congress to exercise a stance of uncompromising opposition to religious persecution around the world; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the President of the United States, 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 resolution was referred to the Committee on Constitutional and Civil Rights.

Reps. Gagliardi and Gustafson offered the following resolution:

House Concurrent Resolution No. 74.

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives and Senate adjourn on Thursday, November 13, 1997, they stand adjourned until Tuesday, December 2, 1997.

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 Regulatory Affairs, by Rep. Varga, Chair, reported

House Bill No. 4330, entitled

A bill to license and regulate the conducting of bingo and certain forms of gambling; to provide for the conducting of charity games and numeral games; to impose certain duties and authority upon certain state departments, agencies, and officers; to provide a tax exemption; to provide for remedies and penalties; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-4) 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 4330 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Profit, Quarles, Scott, Fitzgerald, Jaye, Richner, Rocca,

Nays: None.

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

House Bill No. 4475, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13101 and 13102 (MCL 333.13101 and 333.13102), as added by 1996 PA 223, and by adding sections 13104, 13105, 13106, 13107, 13108, and 13109.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4475 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Quarles, Scott, Fitzgerald, Rocca, Voorhees,

Nays: None.

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

House Bill No. 5086, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," by amending section 3 (MCL 432.203), as amended by 1997 PA 69.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5086 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Profit, Quarles, Scott, Vaughn,

Nays: Reps. Fitzgerald, Jaye, Richner, Rocca, Voorhees.

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

House Bill No. 5087, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 310c. With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 1, line 2, after "BY" by striking out the balance of the subsection and inserting "A VETERANS' ORGANIZATION."

2. Amend page 1, following line 5, by inserting:

"(2) EACH ESTABLISHMENT CONDUCTING GAMING UNDER THIS SECTION SHALL CONSPICUOUSLY POST AT THE ENTRANCE AND EXIT OF EACH LOCATION AT WHICH GAMES ARE PRESENT THE FOLLOWING NOTICE: "COMPULSIVE GAMBLING CAN BE TREATED. IF YOU OR SOMEONE YOU KNOW HAS A GAMBLING PROBLEM, CALL TO TOLL-FREE MICHIGAN PROBLEM GAMBLING HOTLINE AT 1-800-270-7117." " and renumbering the remaining subsection.

3. Amend page 1, line 6, after "SECTION" by striking out the comma and inserting a colon and "(A)".

4. Amend page 1, following line 10, by inserting:

"(B) "VETERANS' ORGANIZATION" MEANS THAT TERM AS DEFINED BY SECTION 3 OF THE TRAXLER-MCCAULEY-LAW-BOWMAN BINGO ACT, 1972 PA 382, MCL 432.103.".

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

Favorable Roll Call

HB 5087 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Profit, Quarles, Scott, Vaughn,

Nays: Reps. Fitzgerald, Jaye, Richner, Rocca, Voorhees.

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

House Bill No. 5120, entitled

A bill to amend 1962 PA 192, entitled "Professional service corporation act," by amending sections 2 and 4 (MCL 450.222 and 450.224), as amended by 1990 PA 166.

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 5120 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Profit, Scott, Vaughn, Fitzgerald, Jaye, Richner, Rocca, Voorhees,

Nays: None.

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

House Bill No. 5127, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 25 (MCL 432.25), as amended by 1996 PA 167.

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

1. Amend page 1, line 3, after "INSTALLMENTS." by inserting "THIS OPTION SHALL BE MADE AVAILABLE TO AND EXERCISED BY THE PURCHASER OF THE TICKET AT THE POINT OF PURCHASE."

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

Favorable Roll Call

HB 5127 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Profit, Quarles, Scott, Vaughn, Jaye, Richner, Rocca, Voorhees,

Nays: Rep. Fitzgerald.

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

House Bill No. 5304, entitled

A bill to amend 1997 PA 16, entitled "The playground equipment safety act," by amending section 4 (MCL 408.684).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5304 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Quarles, Scott, Fitzgerald, Richner, Rocca, Voorhees,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Varga, Chair of the Committee on Regulatory Affairs, was received and read:

Meeting held on: Thursday, November 6, 1997, at 9:00 a.m.,

Present: Reps. Varga, Wojno, Anthony, Leland, Profit, Quarles, Scott, Vaughn, Fitzgerald, Jaye, Richner, Rocca, Voorhees,

Absent: Reps. Olshove, Scranton,

Excused: Reps. Olshove, Scranton.

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

House Bill No. 5300, entitled

A bill to amend 1996 PA 522, entitled "The Michigan biologic products institute transfer act," by amending the title and sections 3 and 9 (MCL 333.26333 and 333.26339) and by adding sections 3a and 3b.

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 5300 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno,

Nays: Reps. Gustafson, DeVuyst, Fitzgerald, Richner, Voorhees.

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: Monday, November 10, 1997, at 2:00 p.m.,

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

Absent: Reps. Agee, Perricone,

Excused: Reps. Agee, Perricone.

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

House Bill No. 5351, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1538 (MCL 380.1538), as added by 1988 PA 339.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5351 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 12, 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. 5254, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 503 and 509 (MCL 324.503 and 324.509), section 503 as amended by 1996 PA 133.

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 5254 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Mans, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, Walberg,

Nays: None.

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

House Bill No. 5278, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 503 and 509 (MCL 324.503 and 324.509), section 503 as amended by 1996 PA 133.

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 5278 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Mans, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, Walberg,

Nays: None.

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

Senate Bill No. 727, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 831.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 727 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Mans, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, Walberg,

Nays: None.

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

Senate Bill No. 742, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 63101 (MCL 324.63101), as added by 1995 PA 57, and by adding sections 63103a, 63103b, 63103c, 63103d, and 63103e.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 742 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Mans, Basham, Middaugh, Birkholz, Bodem, Byl, McManus, McNutt, Walberg,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 12, 1997, at 10:30 a.m.,

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

Absent: Rep. Schermesser.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, November 6, 1997, at 12:00 p.m.,

Present: Reps. Wallace, Baird, Freeman, Gubow, Schauer, Vaughn, Willard, Nye, Cropsey, Fitzgerald, McNutt, Richner,

Absent: Reps. Curtis, Kilpatrick, Wojno, Dalman, Law,

Excused: Reps. Curtis, Kilpatrick, Wojno, Dalman, Law.

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, November 12, 1997, at 9:00 a.m.,

Present: Reps. Profit, Agee, Hanley, Palamara, Perricone, Brackenridge, Dobb, Goschka, Middleton,

Absent: Reps. Quarles, Freeman, Gubow, Wallace, Wetters, Wojno, Cassis, Whyman,

Excused: Reps. Quarles, Freeman, Gubow, Wallace, Wetters, Wojno, Cassis, Whyman.

Messages from the Senate**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.

The Senate has appointed Senators DeGrow, Schwarz and Conroy as conferees to join with Reps. Emerson, Hood and Gilmer.

The bill was referred to the Conference Committee on November 7, 1997.

Senate Bill No. 178, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 17a (MCL 388.1617a), as amended by 1996 PA 300, and by adding section 147a.

The Senate has appointed Senators DeGrow, Schwarz and Conroy as conferees to join with Reps. Emerson, Kelly and Oxender.

The message was referred to the Clerk for record.

House Bill No. 4386, entitled

A bill to amend 1968 PA 317, entitled "An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts," by amending sections 3 and 8 (MCL 15.323 and 15.328), section 3 as amended by 1984 PA 184.

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

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

House Bill No. 4149, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7405, 16106, 17708, 17751, and 17763 (MCL 333.7405, 333.16106, 333.17708, 333.17751, and 333.17763), section 7405 as amended by 1988 PA 30, section 17708 as amended by 1994 PA 384, and section 17763 as amended by 1993 PA 79.

The Senate has amended the bill as follows:

1. Amend page 3, line 11, after "STATE" by inserting a comma and "OR THE COUNTRY OF CANADA,".

2. Amend page 3, line 12, after "STATE" by inserting a comma and "OR THE COUNTRY OF CANADA,".

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

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

House Bill No. 4850, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 4 (MCL 436.4).

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title of the bill.

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

Senate Bill No. 719, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending the title and sections 4, 5, 22, 34, 36, and 41 (MCL 38.1304, 38.1305, 38.1322, 38.1334, 38.1336, and 38.1341), the title and sections 4, 22, and 34 as amended by 1996 PA 488, section 5 as amended by 1994 PA 272, section 36 as added by 1989 PA 194, and section 41 as amended by 1996 PA 278, and by adding section 113.

The Senate has substituted (S-1)* the House substitute (H-1).

The Senate has concurred in the House substitute (H-1) as substituted (S-1)*, ordered that the bill be given immediate effect and amended the title to read as follows:

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 4, 8, 22, 25, 26, 34, 36, 41, and 91 (MCL 38.1304, 38.1308, 38.1322, 38.1325, 38.1326, 38.1334, 38.1336, 38.1341, and 38.1391), sections 4, 8, 22, 25, 26, 34, and 91 as amended by 1996 PA 488, section 36 as added by 1989 PA 194, and section 41 as amended by 1996 PA 278; and to repeal acts and parts of acts.

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

Notices**Public Hearing**

House Appropriations Subcommittee on Gas Price

Date: Monday, November 17, 1997

Time: 9:00 a.m.

Place: Michigan Technological University, Memorial Union Building, Alumni Lounge, Houghton, Michigan
Rep. Harder
Chair

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, November 5:

Senate Bill Nos. 786 789

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

House Bill Nos. 5345 5346 5347 5348 5349 5350 5351

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

Enrolled House Bill No. 5092 at 2:01 p.m.

Enrolled House Bill No. 5093 at 2:03 p.m.

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, November 12, for his approval of the following bills:

Enrolled House Bill No. 5079 at 2:40 p.m.

Enrolled House Bill No. 4944 at 2:42 p.m.

Enrolled House Bill No. 4814 at 2:44 p.m.

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

House Bill Nos. 5352 5353 5354 5355 5356 5357 5358 5359 5360

The Clerk announced that the following Senate bills had been received on Wednesday, November 12:

Senate Bill Nos. 459 460 461 462 463 636 682 698 699 761

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

Enrolled Senate Bill No. 262 - Public Act No. 125

Enrolled Senate Bill No. 19 - Public Act No. 126

Enrolled Senate Bill No. 277 - Public Act No. 127

Enrolled Senate Bill No. 408 - Public Act No. 128

Enrolled Senate Bill No. 444 - Public Act No. 129

Communications from State Officers

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

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

November 5, 1997

Financial Audit of the

Michigan State Fair and Exposition Center

Department of Consumer and Industry Services

October 1, 1995, through September 30, 1996

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

November 5, 1997

Performance Audit of the

Cadillac Local Development Finance Authority

October 1997

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

November 7, 1997

Financial Audit, Including the Provisions of the Single

Audit Act, of the Department of Attorney General

October 1, 1995, through September 30, 1996

November 12, 1997

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

Performance Audit of the Automated Information Systems
Department of Agriculture
November 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. Frank, Mans, Kelly, Thomas, Hale, Bogardus, Brewer, DeHart, Cherry, Schermesser, LaForge, Goschka, Griffin, Wetters, McBryde, Gire, Anthony, Wojno, Schauer, Callahan, Prusi, Tesanovich, Hood and Godchaux introduced **House Bill No. 5361, entitled**

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

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

Reps. DeVuyst, Godchaux, McBryde, Baird, Voorhees, Geiger, Bobier, Goschka, Jansen, McManus and LeTarte introduced

House Bill No. 5362, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20104 and 20106 (MCL 333.20104 and 333.20106), section 20106 as amended by 1996 PA 267, and by adding part 204.

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

Reps. LeTarte, Rhead, DeVuyst, Byl, Middleton, Llewellyn, Agee, Tesanovich, Cherry, Griffin, Walberg, Cassis, Jelinek, Jellema, Dalman and Hammerstrom introduced

House Bill No. 5363, entitled

A bill to amend 1996 PA 193, entitled "Michigan do-not-resuscitate procedure act," by amending section 11 (MCL 333.1061).

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

Reps. Richner, McBryde, Raczkowski, Jellema, Scranton and Voorhees introduced

House Bill No. 5364, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7gg.

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

Rep. Leland moved that the House adjourn.
The motion prevailed, the time being 4:45 p.m.

Acting Speaker Hanley declared the House adjourned until Thursday, November 13, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

