

No. 42
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House of Representatives
89th Legislature
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House Chamber, Lansing, Wednesday, May 6, 1998.

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

e/d/s = entered during session

Rep. Clyde LeTarte, from the 65th District, offered the following invocation:

“Father God, we gather today to represent the people of this state. Give us wisdom to know what we should do, courage to do it and grace to enjoy and respect our differences in the process. Bless our state and our nation. We ask this in Christ’s Name. Amen.”

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

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

Third Reading of Bills

House Bill No. 5564, entitled

A bill to amend 1939 PA 288, entitled “An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act,” by amending sections 2, 2a, 2c, 14, 15, 17, 17c, 18, and 26 of chapter XIIA (MCL 712A.2, 712A.2a, 712A.2c, 712A.14, 712A.15, 712A.17, 712A.17c, 712A.18, and 712A.26), sections 2, 2a, 2c, and 17 as amended by 1996 PA 409, section 14 as amended by 1988 PA 224, section 15 as amended by 1987 PA 72, section 17c as amended by 1994 PA 264, and section 18 as amended by 1996 PA 244.

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

Roll Call No. 350

Yeas—101

Agee	Emerson	Johnson	Perricone
Alley	Fitzgerald	Kaza	Price
Anthony	Frank	Kelly	Profit
Baade	Freeman	Kilpatrick	Prusi
Bankes	Gagliardi	Kukuk	Quarles
Basham	Galloway	LaForge	Rackowski
Birkholz	Geiger	Law	Richner
Bobier	Gernaat	Leland	Rison
Bodem	Gilmer	LeTarte	Rocca
Bogardus	Gire	Llewellyn	Sanborn
Brackenridge	Goschka	London	Schauer
Brater	Green	Lowe	Schermesser
Brewer	Griffin	Mans	Scott
Brown	Gubow	Martinez	Scranton
Byl	Gustafson	Mathieu	Sikkema
Callahan	Hale	McBryde	Stallworth
Cassis	Hammerstrom	McNutt	Thomas
Cherry	Hanley	Middaugh	Vaughn
Ciaramitaro	Harder	Middleton	Voorhees
Crissman	Hertel	Nye	Walberg
Cropsey	Hood	Olshove	Wallace

Curtis
Dalman
DeHart
DeVuyst
Dobronski

Horton
Jansen
Jelinek
Jellema

Owen
Oxender
Palamara
Parks

Wetters
Whyman
Willard
Wojno

Nays—0

In The Chair: Hertel

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

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

A bill to amend 1939 PA 288, entitled “An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties,” by amending section 21 of chapter X and sections 2, 2a, 2c, 14, 15, 17, 17c, 18, and 26 of chapter XIIA (MCL 710.21, 712A.2, 712A.2a, 712A.2c, 712A.14, 712A.15, 712A.17, 712A.17c, 712A.18, and 712A.26), sections 2, 2a, and 2c of chapter XIIA as amended by 1996 PA 409, section 14 of chapter XIIA as amended by 1988 PA 224, section 15 of chapter XIIA as amended by 1987 PA 72, sections 17 and 17c of chapter XIIA as amended by 1997 PA 169, and section 18 of chapter XIIA as amended by 1997 PA 163.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Anthony, Baade, Bankes, Basham, Birkholz, Bodem, Brackenridge, Byl, Callahan, Ciaramitaro, Crissman, Dalman, DeHart, Dobb, Geiger, Gernaat, Gilmer, Gire, Godchaux, Goschka, Hood, Horton, Jansen, Jelinek, Jellema, Johnson, Kaza, Kelly, LaForge, Law, Llewellyn, London, Lowe, Mans, McBryde, Middaugh, Murphy, Nye, Palamara, Parks, Raczkowski, Richner, Rocca, Sanborn, Schermesser, Schroer, Scott, Stallworth, Varga, Vaughn, Voorhees, Wallace and Wojno were named co-sponsors of the bill.

Rep. Dobb entered the House Chambers.

Rep. Godchaux entered the House Chambers.

Rep. Varga entered the House Chambers.

House Bill No. 5567, entitled

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

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

Roll Call No. 351

Yeas—105

Agee
Alley

Fitzgerald
Frank

Kelly
Kilpatrick

Profit
Prusi

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

Nays—0

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

Reps. Agee, Anthony, Baade, Basham, Bogardus, DeHart, Dobb, Gagliardi, Hanley, Horton, Jansen, Jelinek, Kelly, Kukuk, LaForge, Law, Llewellyn, McBryde, Nye, Parks, Prusi, Rison, Rocca, Sanborn, Scott, Stallworth, Varga, Vaughn, Voorhees and Wojno were named co-sponsors of the bill.

House Bill No. 5657, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2529, 2950, and 2950a (MCL 600.2529, 600.2950, and 600.2950a), section 2529 as amended by 1994 PA 403 and sections 2950 and 2950a as amended by 1997 PA 115.

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

Roll Call No. 352**Yeas—103**

Agee	Emerson	Johnson	Price
Alley	Fitzgerald	Kaza	Profit
Anthony	Frank	Kelly	Prusi
Baade	Freeman	Kukuk	Quarles
Bankes	Gagliardi	LaForge	Rhead
Basham	Galloway	Law	Richner
Bobier	Geiger	Leland	Rison

Bodem	Gernaat	LeTarte	Rocca
Bogardus	Gilmer	Llewellyn	Sanborn
Brackenridge	Gire	London	Schauer
Brater	Godchaux	Lowe	Schermesser
Brewer	Goschka	Mans	Schroer
Brown	Green	Martinez	Scott
Byl	Griffin	Mathieu	Sikkema
Callahan	Gubow	McBryde	Stallworth
Cassis	Gustafson	McNutt	Thomas
Cherry	Hale	Middaugh	Varga
Ciaramitaro	Hammerstrom	Middleton	Vaughn
Crissman	Hanley	Murphy	Voorhees
Cropsey	Harder	Nye	Walberg
Curtis	Hertel	Olshove	Wallace
Dalman	Hood	Owen	Wetters
DeHart	Horton	Oxender	Whyman
DeVuyst	Jansen	Palamara	Willard
Dobb	Jelinek	Parks	Wojno
Dobronski	Jellema	Perricone	

Nays—0

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

Reps. Basham, Bogardus, Ciaramitaro, DeHart, Gagliardi, Gire, Goschka, Jelinek, Kelly, Kukuk, LaForge, London, Olshove, Raczkowski, Sanborn, Schermesser, Sikkema, Vaughn and Wojno were named co-sponsors of the bill.

House Bill No. 5658, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 15, 15a, 15b, 15c, and 15e of chapter IV (MCL 764.15, 764.15a, 764.15b, 764.15c, and 764.15e), section 15 as amended by 1996 PA 490, section 15a as amended by 1996 PA 138, sections 15b and 15c as amended by 1996 PA 15, and section 15e as amended by 1993 PA 52.

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

Roll Call No. 353**Yeas—105**

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

Brown	Gubow	McBryde	Scranton
Callahan	Gustafson	McNutt	Sikkema
Cassis	Hale	Middaugh	Stallworth
Cherry	Hammerstrom	Middleton	Thomas
Ciaramitaro	Hanley	Murphy	Varga
Crissman	Harder	Nye	Vaughn
Cropsey	Hertel	Olshove	Voorhees
Curtis	Horton	Owen	Walberg
Dalman	Jansen	Oxender	Wallace
DeHart	Jelinek	Palamara	Wetters
DeVuyst	Jellema	Parks	Whyman
Dobb	Johnson	Perricone	Willard
Dobronski	Kaza	Price	Wojno
Emerson			

Nays—0

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

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

Rep. Tesanovich entered the House Chambers.

House Bill No. 5659, entitled

A bill to amend 1935 PA 59, entitled “An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929,” by amending section 6 (MCL 28.6), as amended by 1989 PA 10.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

House Bill No. 5662, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 81 and 81a (MCL 750.81 and 750.81a), section 81 as amended by 1994 PA 64 and section 81a as amended by 1994 PA 65.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

House Bill No. 5663, entitled

A bill to amend 1953 PA 232, entitled “An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending section 36 (MCL 791.236), as amended by 1996 PA 554.

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

Roll Call No. 354**Yeas—107**

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

Nays—0

In The Chair: Gire

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

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

A bill to amend 1953 PA 232, entitled “An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the

supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 36 (MCL 791.236), as amended by 1996 PA 554, and by adding section 1a.

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.

House Bill No. 5664, entitled

A bill to amend 1978 PA 389, entitled "An act to provide for the prevention and treatment of domestic violence; to develop and establish policies, procedures, and standards for providing domestic violence assistance programs and services; to create a domestic violence prevention and treatment board and prescribe its powers and duties; to establish a domestic violence prevention and treatment fund and provide for its use; and to prescribe powers and duties of the department of social services," by amending the title and section 1 (MCL 400.1501).

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

Roll Call No. 355

Yeas—106

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 5596, entitled

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

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

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

Rep. Profit moved to amend the bill as follows:

1. Amend page 4, line 6, after "Operations—" by striking out "226.0" and inserting "228.0".
2. Amend page 4, line 6, by striking out "18,103,200" and inserting "18,603,000".
3. Amend page 4, line 8, by striking out "19,603,200" and inserting "20,103,200".
4. Amend page 4, line 14, by striking out "17,821,400" and inserting "18,321,400" and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Godchaux 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.

Rep. Prusi moved that Rep. LaForge be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5596, entitled

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

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

Roll Call No. 356

Yeas—81

Agee	Dobronski	Kilpatrick	Prusi
Anthony	Emerson	Law	Quarles
Baade	Fitzgerald	Leland	Rhead
Bankes	Frank	LeTarte	Rison
Basham	Freeman	Mans	Rocca
Birkholz	Gagliardi	Martinez	Sanborn
Bodem	Geiger	Mathieu	Schauer
Bogardus	Gernaat	McBryde	Schermesser
Brackenridge	Gire	McNutt	Schroer

Brater	Godchaux	Middaugh	Scott
Brewer	Griffin	Middleton	Scranton
Brown	Gubow	Murphy	Stallworth
Callahan	Gustafson	Nye	Tesanovich
Cassis	Hale	Olshove	Thomas
Cherry	Hammerstrom	Owen	Varga
Ciaramitaro	Hanley	Oxender	Vaughn
Crissman	Harder	Palamara	Wallace
Curtis	Hood	Parks	Wetters
Dalman	Jelinek	Price	Willard
DeHart	Kelly	Profit	Wojno
Dobb			

Nays—25

Alley	Goschka	Kaza	Raczkowski
Bobier	Green	Kukuk	Richner
Byl	Horton	Llewellyn	Sikkema
Cropsey	Jansen	London	Voorhees
DeVuyst	Jellema	Lowe	Walberg
Galloway	Johnson	Perricone	Whyman
Gilmer			

In The Chair: Gire

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

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

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

The 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.

House Bill No. 5197, entitled

A bill to amend 1957 PA 4, entitled "Charter water authority act," (MCL 121.1 to 121.29) by amending the title and by adding section 14b.

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

Roll Call No. 357**Yeas—104**

Agee	Dobronski	Johnson	Prusi
Alley	Emerson	Kaza	Quarles
Anthony	Fitzgerald	Kelly	Raczkowski
Baade	Frank	Kilpatrick	Rhead
Bankes	Freeman	Kukuk	Richner
Basham	Gagliardi	LaForge	Rison
Birkholz	Galloway	Law	Rocca
Bobier	Geiger	Leland	Sanborn
Bodem	Gernaat	LeTarte	Schauer

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

Nays—0

In The Chair: Gire

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

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

A bill to amend 1957 PA 4, entitled “Charter water authority act,” by amending the title and section 14a (MCL 121.14a).

The motion prevailed.

The House agreed to the title as amended.

House Bill No. 5198, entitled

A bill to amend 1948 (1st Ex Sess) PA 31, entitled “An act to provide for the incorporation of authorities to acquire, furnish, equip, own, improve, enlarge, operate, and maintain buildings, automobile parking lots or structures, recreational facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use of any county, city, village, or township, or for the use of any combination of 2 or more counties, cities, villages, or townships, or for the use of any school district and any city, village, or township wholly or partially within the district’s boundaries, or for the use of any school district and any combination of 2 or more cities, villages, or townships wholly or partially within the district’s boundaries, or for the use of any intermediate school district and any constituent school district or any city, village, or township, wholly or partially within the intermediate school district’s boundaries; to provide for compensation of authority commissioners; to permit transfers of property to authorities; to authorize the execution of contracts, leases, and subleases pertaining to authority property and the use of authority property; to authorize incorporating units to impose taxes without limitation as to rate or amount and to pledge their full faith and credit for the payment of contract of lease obligations in anticipation of which bonds are issued by an authority; to provide for the issuance of bonds by such authorities; to validate action taken and bonds issued; and to provide other powers, rights, and duties of authorities and incorporating units, including those for the disposal of authority property,” (MCL 123.951 to 123.965) by amending the title, as amended by 1995 PA 147, and by adding section 8c.

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

Roll Call No. 358**Yeas—106**

Agee	Emerson	Kelly	Prusi
Alley	Fitzgerald	Kilpatrick	Quarles
Anthony	Frank	Kukuk	Raczkowski

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

House Bill No. 5199, entitled

A bill to amend 1968 PA 191, entitled “An act to create a state boundary commission; to prescribe its powers and duties; to provide for municipal incorporation, consolidation and annexation; and to repeal certain acts and parts of acts,” (MCL 123.1001 to 123.1020) by amending the title and by adding section 7a.

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

Roll Call No. 359**Yeas—108**

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

Byl	Gubow	McBryde	Sikkema
Callahan	Gustafson	McNutt	Stallworth
Cassis	Hale	Middaugh	Tesanovich
Cherry	Hammerstrom	Middleton	Thomas
Ciaramitaro	Hanley	Murphy	Varga
Crissman	Harder	Nye	Vaughn
Cropsey	Hertel	Olshove	Voorhees
Curtis	Hood	Owen	Walberg
Dalman	Horton	Oxender	Wallace
DeHart	Jansen	Palamara	Wetters
DeVuyst	Jelinek	Parks	Whyman
Dobb	Jellema	Perricone	Willard
Dobronski	Johnson	Price	Wojno

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

House Bill No. 5200, entitled

A bill to amend 1984 PA 425, entitled “An act to permit the conditional transfer of property by contract between certain local units of government; to provide for permissive and mandatory provisions in the contract; and to provide for certain conditions upon termination, expiration, or nonrenewal of the contract,” (MCL 124.21 to 124.30) by amending the title and by adding section 5a.

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

Roll Call No. 360

Yeas—107

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

DeVuyst
Dobb
Dobronski

Jelinek
Jellema
Johnson

Perricone
Price
Profit

Willard
Wojno

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

House Bill No. 5202, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," (MCL 389.1 to 389.195) by amending the title and by adding section 2.

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

Roll Call No. 361

Yeas—105

Agee
Alley
Anthony
Banks
Basham
Birkholz
Bobier
Bodem
Bogardus
Brackenridge
Brater
Brewer
Brown
Byl
Callahan
Cassis
Cherry
Ciaramitaro
Crissman
Cropsey
Curtis
Dalman
DeHart
DeVuyst
Dobb
Dobronski
Emerson

Fitzgerald
Frank
Freeman
Gagliardi
Galloway
Geiger
Gernaat
Gire
Godchaux
Goschka
Green
Griffin
Gubow
Gustafson
Hale
Hammerstrom
Hanley
Harder
Hertel
Hood
Horton
Jansen
Jelinek
Jellema
Johnson
Kaza

Kelly
Kilpatrick
Kukuk
LaForge
Law
Leland
LeTarte
Llewellyn
London
Lowe
Mans
Martinez
Mathieu
McBryde
McNutt
Middaugh
Middleton
Murphy
Nye
Olshove
Owen
Oxender
Palamara
Parks
Perricone
Price

Profit
Prusi
Quarles
Raczkowski
Rhead
Richner
Rison
Rocca
Sanborn
Schauer
Schermesser
Schroer
Scott
Scranton
Sikkema
Stallworth
Tesanovich
Thomas
Varga
Vaughn
Voorhees
Walberg
Wallace
Whyman
Willard
Wojno

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

House Bill No. 5203, entitled

A bill to amend 1976 PA 448, entitled “Michigan energy employment act of 1976,” (MCL 460.801 to 460.848) by amending the title, as amended by 1983 PA 120, and by adding section 42a.

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

Roll Call No. 362**Yeas—106**

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

House Bill No. 4651, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 628 (MCL 257.628), as amended by 1996 PA 320.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Schroer moved to amend the bill as follows:

1. Amend page 2, line 16, after “COMMISSION” by striking out the balance of the line through “POLICE” on line 17.
2. Amend page 2, line 18, after “COMMISSION” by striking out the balance of the line through “DETERMINE” on line 19 and inserting “DETERMINES”.
3. Amend page 2, line 25, after “INVESTIGATION.” by inserting “NOTWITHSTANDING SECTION 51,”.

4. Amend page 2, line 26, after "MEANS" by striking out the balance of the sentence and inserting "EITHER OF THE FOLLOWING:

(A) A GRAVEL ROAD OF NOT LESS THAN 1 MILE WITH RESIDENTIAL LOTS WITH ROAD FRONTAGE OF 150 FEET OR LESS ALONG BOTH SIDES OF THE ROAD FOR THE LENGTH OF THAT PART OF THE ROAD THAT IS UNDER REVIEW FOR A PROPOSED REDUCED SPEED LIMIT.

(B) A GRAVEL ROAD OF NOT LESS THAN 3/4 OF A MILE THAT SERVES AS AN ENTRANCE AND EXIT TO A SUBDIVISION CONTAINING NOT LESS THAN 20 RESIDENCES."

5. Amend page 2, following line 27, by inserting:

"(2) IF AFTER AN INVESTIGATION THE COUNTY ROAD COMMISSION FINDS THAT IT IS NOT IN THE PUBLIC INTEREST TO POST A REDUCED SPEED LIMIT, THE TOWNSHIP MAY APPEAL THE DECISION OF THE COUNTY ROAD COMMISSION BY RESOLUTION WITHIN 30 DAYS AFTER THE DATE OF THE DECISION. THE COUNTY ROAD COMMISSION, WITHIN 30 DAYS AFTER RECEIPT OF SUCH A RESOLUTION, SHALL HOLD A HEARING TO DETERMINE WHETHER TO UPHOLD THE DECISION OF THE COUNTY ROAD COMMISSION. THE HEARING PANEL SHALL CONSIST OF A REPRESENTATIVE OF THE COUNTY ROAD COMMISSION, A REPRESENTATIVE OF THE TOWNSHIP BOARD, AND A REPRESENTATIVE OF THE STATE TRANSPORTATION DEPARTMENT'S REGIONAL TRANSPORTATION SERVICE CENTER. THE PANEL SHALL TAKE TESTIMONY AND RECEIVE DOCUMENTATION CONCERNING THE DECISION OF THE COUNTY ROAD COMMISSION. THE PANEL SHALL REVIEW ALL TESTIMONY AND DOCUMENTATION AND PRESENT THEIR RULING TO SUPPORT OR MODIFY THE COUNTY ROAD COMMISSION'S DECISION WITHIN 7 DAYS AFTER THE HEARING. THIS RULING SHALL BE FINAL. A HEARING HELD BY THE PANEL SHALL BE A PUBLIC MEETING CONDUCTED IN COMPLIANCE WITH THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275. PUBLIC NOTICE OF THE TIME, DATE, AND PLACE OF THE MEETING SHALL BE GIVEN IN THE MANNER REQUIRED BY THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275." and renumbering the remaining subsections.

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

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 363

Yeas—100

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

Nays—6Baade
GernaatGreen
Horton

Llewellyn

Rhead

In The Chair: Gire

The House agreed to the title of the bill.

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

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

House Bill No. 5212, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 1, 4a, and 9 (MCL 205.51, 205.54a, and 205.59), section 1 as amended by 1995 PA 209, section 4a as amended by 1996 PA 435, and section 9 as amended by 1991 PA 87.

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

Roll Call No. 364**Yeas—81**

Anthony
Baade
Banks
Birkholz
Bobier
Bodem
Brackenridge
Brewer
Brown
Callahan
Cassis
Cherry
Crissman
Cropsey
Curtis
Dalman
DeHart
DeVuyst
Dobb
Fitzgerald
Frank

Gagliardi
Galloway
Geiger
Gernaat
Gilmer
Goschka
Green
Griffin
Gustafson
Hammerstrom
Hanley
Harder
Hertel
Horton
Jansen
Jelinek
Jellema
Johnson
Kaza
Kukuk

Law
Leland
LeTarte
Llewellyn
London
Lowe
Mans
Mathieu
McBryde
McNutt
Middaugh
Middleton
Nye
Olshove
Owen
Oxender
Palamara
Perricone
Profit
Prusi

Quarles
Rackowski
Rhead
Richner
Rocca
Sanborn
Schauer
Schermesser
Scranton
Sikkema
Stallworth
Tesanovich
Thomas
Varga
Voorhees
Walberg
Wallace
Whyman
Willard
Wojno

Nays—21

Agee
Basham
Bogardus
Brater
Byl
Dobronski

Freeman
Gire
Godchaux
Gubow
Hale

Hood
Kelly
Kilpatrick
LaForge
Martinez

Parks
Price
Rison
Scott
Vaughn

In The Chair: Gire

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

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

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 1, 4a, and 9 (MCL 205.51, 205.54a, and 205.59), section 1 as amended by 1997 PA 193, section 4a as amended by 1996 PA 435, and section 9 as amended by 1991 PA 87.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Birkholz, Bodem, Dalman, DeVuyst, Dobb, Galloway, Gilmer, Goschka, Horton, Johnson, Kukuk, Law, McBryde, Oxender, Schroer and Sikkema were named co-sponsors of the bill.

House Bill No. 5213, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 2, 4, and 10 (MCL 205.92, 205.94, and 205.100), section 2 as amended by 1995 PA 208, section 4 as amended by 1996 PA 436, and section 10 as amended by 1993 PA 263.

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

Roll Call No. 365

Yeas—78

Anthony	Galloway	LeTarte	Quarles
Banks	Geiger	Llewellyn	Raczkowski
Birkholz	Gernaat	London	Rhead
Bobier	Gilmer	Lowe	Richner
Bodem	Goschka	Mans	Rocca
Brackenridge	Green	Mathieu	Sanborn
Brewer	Griffin	McBryde	Schauer
Brown	Gustafson	McNutt	Schermesser
Cassis	Hammerstrom	Middaugh	Scranton
Cherry	Hanley	Middleton	Sikkema
Crissman	Harder	Murphy	Stallworth
Cropsey	Hertel	Nye	Tesanovich
Curtis	Horton	Olshove	Thomas
Dalman	Jansen	Owen	Voorhees
DeHart	Jelinek	Oxender	Walberg
DeVuyst	Johnson	Palamara	Wallace
Dobb	Kaza	Perricone	Whyman
Fitzgerald	Kukuk	Profit	Willard
Frank	Law	Prusi	Wojno
Gagliardi	Leland		

Nays—25

Agee	Freeman	Jellema	Price
Basham	Gire	Kelly	Rison
Bogardus	Godchaux	Kilpatrick	Scott
Brater	Gubow	LaForge	Varga
Byl	Hale	Martinez	Vaughn
Ciaramitaro	Hood	Parks	Wetters
Dobronski			

In The Chair: Gire

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

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

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 2, 4, and 10 (MCL 205.92, 205.94, and 205.100), section 2 as amended by 1995 PA 208, section 4 as amended by 1997 PA 194, and section 10 as amended by 1993 PA 263.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Birkholz, Bodem, Dalman, DeVuyst, Dobb, Galloway, Gilmer, Goschka, Horton, Johnson, Kukuk, Law, McBryde, Oxender, Schroer and Sikkema were named co-sponsors of the bill.

House Bill No. 5580, entitled

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; and to declare the effect of this act," by amending section 28 (MCL 205.28), as amended by 1993 PA 13, and by adding section 30c.

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

Roll Call No. 366

Yeas—103

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

Reps. Bankes, Basham, Birkholz, Bodem, Brackenridge, Cassis, Crissman, DeHart, DeVuyst, Gilmer, Goschka, Horton, Jansen, Johnson, Kukuk, LaForge, Law, McBryde, Middleton, Palamara, Parks, Richner, Scott, Scranton, Vaughn and Voorhees were named co-sponsors of the bill.

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

House Bill No. 5613, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

Reps. Dalman, Kukuk and Voorhees moved to amend the bill as follows:

1. Amend page 2, line 10, after "(g)" by inserting "EXCEPT AS PROVIDED IN SUBSECTION (5),".
2. Amend page 2, line 14, after "(H)" by inserting "EXCEPT AS PROVIDED IN SUBSECTION (5),".
3. Amend page 3, following line 17, by inserting:

"(5) A COUNTY CLERK SHALL NOT SOLEMNIZE A MARRIAGE UNLESS THE PEOPLE BEING MARRIED PRESENT PROOF THAT THEY HAVE COMPLETED A PREMARITAL EDUCATION OR COUNSELING PROGRAM CONDUCTED BY 1 OR MORE OF THE FOLLOWING:

(A) A LICENSED PROFESSIONAL COUNSELOR, LICENSED MARRIAGE AND FAMILY THERAPIST, OR LICENSED OR LIMITED LICENSED PSYCHOLOGIST LICENSED AS PROVIDED IN ARTICLE 15 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.16101 TO 333.18838.

(B) A SOCIAL WORKER OR CERTIFIED SOCIAL WORKER MEETING THE REQUIREMENTS OF AND REGISTERED UNDER, RESPECTIVELY, SECTION 1605 OR 1606 OF THE OCCUPATIONAL CODE, 1980 PA 299, MCL 339.1605 AND 339.1606.

(C) A PSYCHIATRIST AS THAT TERM IS DEFINED IN SECTION 100C OF THE MENTAL HEALTH CODE, 1974 PA 258, MCL 330.1100C.

(D) AN OFFICIAL REPRESENTATIVE OF A RELIGIOUS INSTITUTION OR HIS OR HER DESIGNEE.".

The question being on the adoption of the amendments offered by Reps. Dalman, Kukuk and Voorhees,

Point of Order

Rep. Brater requested the Chair to rule on the question of whether or not the amendments offered by Reps. Dalman, Kukuk and Voorhees were germane.

The Chair ruled that the amendments were not germane pursuant to House Rule 64; they introduced a new proposition which was not germane to the subject matter of the bill as introduced and as it was before the House.

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. 367

Yeas—65

Agee
Alley

Dobb
Dobronski

Johnson
Kelly

Quarles
Richner

Anthony	Emerson	Kilpatrick	Rison
Basham	Fitzgerald	LaForge	Rocca
Bobier	Freeman	Leland	Schauer
Bodem	Gagliardi	London	Schermesser
Bogardus	Galloway	Mans	Schroer
Brackenridge	Gilmer	Martinez	Scott
Brater	Gire	Mathieu	Scranton
Brewer	Godchaux	Olshove	Stallworth
Brown	Gubow	Oxender	Tesanovich
Callahan	Hale	Palamara	Thomas
Cherry	Hanley	Parks	Varga
Ciaramitaro	Harder	Price	Vaughn
Crissman	Hertel	Profit	Wallace
Curtis	Jellema	Prusi	Wojno
DeHart			

Nays—42

Banks	Green	LeTarte	Perricone
Birkholz	Griffin	Llewellyn	Rackowski
Byl	Gustafson	Lowe	Rhead
Cassis	Hammerstrom	McBryde	Sanborn
Cropsey	Hood	McNutt	Sikkema
Dalman	Horton	Middaugh	Voorhees
DeVuyst	Jansen	Middleton	Walberg
Frank	Jelinek	Murphy	Wetters
Geiger	Kaza	Nye	Whyman
Gernaat	Kukuk	Owen	Willard
Goschka	Law		

In The Chair: Gire

The House agreed to the title of the bill.

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

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

Rep. Brackenridge moved that Rep. Crissman be excused from the balance of today's session.

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. Thomas, Dobronski, LaForge, Jansen, Schroer, Gilmer, Gernaat, Martinez, Crissman, Baade, DeHart, Schermesser, Hale, Freeman, Cropsey, Scranton, Jelinek, Cassis, Anthony, Bodem, Hammerstrom, DeVuyst, Voorhees, Jellema, Cherry, Brater, Middaugh, Llewellyn, London, Brackenridge, Kelly, Birkholz, Richner, McBryde, Price, Byl, Fitzgerald, Wojno, Kilpatrick, Hood, Bogardus, Green, Varga, Galloway, Godchaux, Profit, Dobb, Parks, Gubow and Vaughn offered the following resolution:

House Resolution No. 282.

A resolution to commemorate May 30, 1998, as Childhood Cancer Survivors Day.

Whereas, Today, over 200,000 Americans are survivors of childhood cancer, thanks to advances in early cancer detection, treatment and research; and

Whereas, Children's Hospital of Michigan, the oldest and largest hospital caring for the children of Michigan, has an active, productive cancer survivor population, demonstrating that a cancer diagnosis is no longer an automatic death sentence; and

Whereas, Communities all across America will be celebrating life on Sunday, June 7, as part of the world's largest cancer survivor event, the 11th annual National Cancer Survivor's Day; now, therefore, be it

Resolved by the House of Representatives, That May 30, 1998, be proclaimed Childhood Cancer Survivors Day in the State of Michigan and urge all citizens to join in this joyous celebration of life; and be it further

Resolved, That a copy of this resolution be transmitted to Children's Hospital of Michigan as evidence of our support for their endeavors.

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. Crissman, Dobronski, LaForge, Perricone, Jansen, Schroer, Gilmer, Johnson, Gernaat, Martinez, DeHart, Schermesser, Hale, Freeman, Kaza, Cropsey, Jelinek, Cassis, Anthony, Bodem, Hammerstrom, DeVuyst, Voorhees, Cherry, Middleton, Raczkowski, Middaugh, Llewellyn, London, Brackenridge, Kelly, Kukuk, Birkholz, Richner, Price, Gustafson, Byl, Fitzgerald, Kilpatrick, Green, Varga, Galloway, Godchaux, Sikkema, Sanborn, Rocca, Profit, Walberg, Dobb, Parks, Gubow and Vaughn offered the following resolution:

House Resolution No. 283.

A resolution honoring William Gray, City of Rochester Fire Chief, upon the occasion of his retirement.

Whereas, It is with great respect and appreciation for the hard work and unyielding commitment he has displayed in his service to the citizens of Rochester that we offer tribute to Fire Chief William Gray, upon the occasion of his retirement from the Rochester Fire Department. Chief Gray is retiring after 36 years of dedicated service. We offer thanks for his many contributions and praise his efforts. Chief Gray's guidance, experience, and knowledge will long be remembered throughout the state of Michigan; and

Whereas, A lifelong resident of Rochester, Chief Gray has a record of many achievements every bit as impressive as the length of his residence. He has served loyally to his mission and demonstrated a sincere concern for the best interest of the fire department and the community. Chief Gray has gone above and beyond the call of duty, being a professional of the highest caliber; and

Whereas, Chief Gray worked for Detroit Edison after high school and became a volunteer firefighter in 1962. He took a job with the Rochester police department 13 years later. He worked with the school liaison program during some of those years on the force, but returned to the fire department in 1982 as its chief; and

Whereas, Well-known and highly respected by colleagues and many others in the community, Chief Gray has distinguished himself as a role model for other firefighters and as a caring committed citizen. He has kept one step ahead of the many changes and advancements in the field of firefighting and is always willing to share his expertise with others; and

Whereas, In addition to his formal duties and titles, he has contributed a great deal to the community through the devotion to his family. We hope his retirement affords him more time with his wife, Judy, and his family. He certainly has earned this and more. Fire Chief Gray's years of experience and his professionalism will certainly be missed; now, therefore be it

Resolved by the House of Representatives, That a unanimous accolade of praise and tribute be hereby accorded Fire Chief William Gray, in recognition of his 36 years of effective service with the Rochester Fire Department; and be it further

Resolved, That a copy of this resolution be transmitted to Fire Chief William Gray as evidence of our admiration and esteem.

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. Crissman, Dobronski, LaForge, Perricone, Schroer, Gilmer, Johnson, Gernaat, DeHart, Schermesser, Freeman, Kaza, Cropsey, Scranton, Jelinek, Cassis, Anthony, Bodem, Hammerstrom, DeVuyst, Voorhees, Jellema, Cherry, Middleton, Raczkowski, Middaugh, Llewellyn, London, Brackenridge, Kelly, Birkholz, Richner, Price, Gustafson, Byl, Fitzgerald, Green, Varga, Galloway, Godchaux, Sikkema, Sanborn, Rocca, Profit, Walberg, Dobb, Geiger, Parks, Gubow and Vaughn offered the following resolution:

House Resolution No. 284.

A resolution commemorating the 100th anniversary of The Oxford Leader, 1898-1998, a centennial of community journalism.

Whereas, It is both a pleasure and a privilege to join in commemorating the 100th anniversary of The Oxford Leader, since its establishment in 1898; and

Whereas, In the 171 year history of Oxford and Addison townships, there have been only five businesses to reach the century mark. The Oxford Leader is one of them. Two others still prosper, the Oxford Bank and Bossardet Funeral Chapel. Robinson's Barber Shop and Tunstead Hardware are gone; and

Whereas, The Oxford Leader has had only two owners in its history. E. Henry Congdon founded the Oxford Intruder in April, 1898. The name was changed to The Oxford Leader in December, 1898. In 1955, James Sherman purchased The Oxford Leader and embarked upon a venture that has, over the years, flourished into a \$2 million a year company that employed hundreds of community people over the years; and

Whereas, As a weekly newspaper, The Oxford Leader published 5,200 uninterrupted editions, including students who made the honor roll, made the athletic teams, starred in plays, worked in the auto shop, became band and vocal participants and earned scholarships; and

Whereas, The Oxford Leader has been the source of local news of sales, zonings, tax proposals and results, candidates for public office, school related events, industrial comings and goings, fund raisers for charity and matters religious in nature; and

Whereas, The Oxford Leader also carried accounts of the murders and marriages, wrecks and reunions, given opinions and written obituaries, pictured the fires and told readers of governmental changes; and

Whereas, The Oxford Leader has devoted hundreds of inches of type to clubs, festivals, drownings, growth, central business district, new books at the library, new arrivals and parks and recreation; and

Whereas, The Oxford Leader is a fine community weekly newspaper and it is fitting that the members of this legislative body recognize its service to the people of Michigan; now, therefore, be it

Resolved by the House of Representatives, That we commemorate the 100th anniversary The Oxford Leader; and be it further

Resolved, That a copy of this resolution be transmitted to The Oxford Leader as evidence of our esteem.

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. Crissman, Dobronski, LaForge, Perricone, Jansen, Schroer, Gilmer, Johnson, Gernaat, DeHart, Schermesser, Hale, Freeman, Kaza, Cropsey, Jelinek, Cassis, Anthony, Bodem, Hammerstrom, Voorhees, Cherry, Middleton, Raczkowski, Middaugh, Llewellyn, London, Brackenridge, Kelly, Birkholz, Richner, McBryde, Price, Gustafson, Byl, Kilpatrick, Green, Varga, Galloway, Godchaux, Sikkema, Sanborn, Rocca, Profit, Walberg, Dobb, Geiger, Parks, Gubow and Vaughn offered the following resolution:

House Resolution No. 285.

A resolution honoring Russell M. Shelton, President of Shelton Pontiac-Buick, Inc., upon being selected as a finalist of the 1998 TIME Magazine Quality Dealer Award (TMQDA).

Whereas, Russell Shelton and other award winners were honored at the opening business meeting of this year's National Automobile Dealers Association (NADA) convention, attended by more than 20,000 individuals involved in the automobile industry; and

Whereas, As a finalist, Mr. Shelton was selected as one of the top 10 in the nation among the 74 dealers, from more than 20,500 nationwide, nominated for the magazine's 29th annual award. Sponsored in association with Goodyear, and in cooperation with the NADA, the TMQDA program recognizes outstanding new car dealers for exceptional performance in their dealership and distinguished community service. Finalists are selected by a panel of faculty members from the University of Michigan Graduate School of Business Administration. Acknowledging the University's participation, TIME Magazine makes an annual grant of scholarship funds to the Michigan Business School in the names of TIME, Goodyear, and NADA and all TMQDA recipients; and

Whereas, A native of Pontiac, Michigan, Russell Shelton got his start in the automotive business at age nine, but it was in his college years that he knew he would work for his father, C.M. "Bud" Shelton at Shelton Pontiac-Buick. Becoming the youngest dealer in Detroit at 23, Shelton learned from the ground floor up. By 1994, Shelton purchased his father's dealership. Nominated to receive the 29th annual TMQDA by Rod Alberts, Executive Director of the Detroit Auto Dealers Association, Shelton is following in his father's footsteps as he too was a TMQDA recipient; and

Whereas, Shelton is active in the community where he serves as the president of the Detroit Auto Dealers Association and vice chairman of the Leader Dog for the Blind. He is also a member of the Rochester Rotary Club, Rochester Hills Lions Club, Greater Rochester Community Foundation, Greater Rochester Chamber of Commerce and the Detroit Better Business Bureau; and

Whereas, Russell Shelton attended General Motors Institute and Northwood University. He currently lives in Rochester Hills with his wife, Kathy; now, therefore, be it

Resolved by the House of Representatives, That tribute be accorded to Russell M. Shelton, recipient of the 1998 TIME Magazine Quality Dealer Award (TMQDA); and be it further

Resolved, That a copy of this resolution be transmitted to Russell Shelton as evidence of our admiration and esteem.

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.

Rep. Willard offered the following concurrent resolution:

House Concurrent Resolution No. 100.

A concurrent resolution to call on the Michigan Jobs Commission to maintain the quality of employment services for veterans.

Whereas, Executive Order No. 1997-12 separated the principal functions of the Michigan Employment Security Agency. Under the provisions of this reorganization, the state's unemployment insurance functions are under the authority of the Department of Consumer and Industry Services, and the employment services are within the Michigan Jobs Commission. As part of this order, duties will be shifted to local workforce development boards; and

Whereas, The Michigan Employment Security Agency (formerly the Michigan Employment Security Commission) has operated in partnership with the federal government in several areas of service. One of the key components of the partnership is responsibility for serving veterans by providing help with finding employment. This is a requirement set in federal law. Apart from the legal requirement, Michigan has a moral obligation to live up to its promises to help veterans find meaningful employment; and

Whereas, During the implementation of Executive Order No. 1997-12, it is imperative that services for veterans continue uninterrupted. Administrative shifting of duties and personnel must not interfere with the way the state handles responsibilities to veterans under the law and under our obligations to men and women who have already worked so hard on our behalf; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we call on the Michigan Jobs Commission to maintain the quality of employment services for veterans and urge that the Michigan Jobs Commission maintain the same level of preferential treatment with respect to incoming job orders and placement; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor and to the Michigan Jobs Commission.

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

Reports of Select Committees

Senate Bill No. 796, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 1996 PA 205.

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

The Conference Report was read as follows:

First Conference Report

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

Senate Bill No. 796, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 1996 PA 205.

Recommends:

First: That the House agree to the Senate amendment numbered 2, which reads as follows:

2. Amend page 7, following line 12, by striking out all of subsection (10).

Second: That the Senate and House agree to Senate amendment numbered 1 amended to read as follows:

1. Amend page 7, following line 12, subsection (9), after the first "WHO" by striking out the balance of the subsection and inserting "DEMONSTRATES HE OR SHE IS EXEMPT UNDER LAW FROM OBTAINING A SOCIAL SECURITY NUMBER OR TO AN APPLICANT WHO FOR RELIGIOUS CONVICTIONS IS EXEMPT UNDER LAW FROM DISCLOSURE OF HIS OR HER SOCIAL SECURITY NUMBER UNDER THESE CIRCUMSTANCES. THE SECRETARY OF STATE SHALL INFORM THE APPLICANT OF THIS POSSIBLE EXEMPTION."

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

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 307 (MCL 257.307), as amended by 1996 PA 205.

R. Robert Geake
Jon A. Cisky
Gary Peters
Conferees for the Senate

Edward LaForge
Jack Horton
Conferees for the House

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

Senate Bill No. 797, entitled

A bill to amend 1996 PA 236, entitled "Regulated occupation support enforcement act," (MCL 338.3431 to 338.3436) by amending the title and by adding section 4a.

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

The Conference Report was read as follows:

First Conference Report

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

Senate Bill No. 797, entitled

A bill to amend 1996 PA 236, entitled "Regulated occupation support enforcement act," (MCL 338.3431 to 338.3436) by amending the title and by adding section 4a.

Recommends:

First: That the House agree to the Senate amendments numbered 2 and 3, which read as follows:

2. Amend page 2, following line 4, by striking out all of subsection (4).

3. Amend page 2, following line 4, enacting section 1, after "effect" by striking out "July 1" and inserting "June 30".

Second: That the Senate and House agree to Senate amendment numbered 1 amended to read as follows:

1. Amend page 2, following line 4, subsection (3), after the first "WHO" by striking out the balance of the subsection and inserting "DEMONSTRATES HE OR SHE IS EXEMPT UNDER LAW FROM OBTAINING A SOCIAL SECURITY NUMBER OR TO AN APPLICANT WHO FOR RELIGIOUS CONVICTIONS IS EXEMPT UNDER LAW FROM DISCLOSURE OF HIS OR HER SOCIAL SECURITY NUMBER UNDER THESE CIRCUMSTANCES. THE OCCUPATIONAL REGULATORY AGENCY SHALL INFORM THE APPLICANT OF THIS POSSIBLE EXEMPTION."

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

A bill to amend 1996 PA 236, entitled "An act to provide for the suspension of certain occupational licenses under certain circumstances; and to provide for certain powers and duties for certain state agencies," (MCL 338.3431 to 338.3436) by amending the title and by adding section 4a.

R. Robert Geake
Jon A. Cisky
Gary Peters
Conferees for the Senate

Edward LaForge
Jack Horton
Conferees for the House

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

Senate Bill No. 798, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2813 and 16177 (MCL 333.2813 and 333.16177), section 16177 as amended by 1993 PA 80, and by adding section 21533.

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

The Conference Report was read as follows:

First Conference Report

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

Senate Bill No. 798, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2813 and 16177 (MCL 333.2813 and 333.16177), section 16177 as amended by 1993 PA 80, and by adding section 21533.

Recommends:

First: That the House agree to the Senate amendments numbered 2 and 3, which read as follows:

2. Amend page 5, following line 7, by striking out all of subsection (5).

3. Amend page 5, following line 16, enacting section 1, after "effect" by striking out "July 1" and inserting "June 30".

Second: That the Senate and House agree to Senate amendment numbered 1 amended to read as follows:

1. Amend page 5, following line 7, subsection (4), after the first "WHO" by striking out the balance of the subsection and inserting "DEMONSTRATES HE OR SHE IS EXEMPT UNDER LAW FROM OBTAINING A SOCIAL SECURITY NUMBER OR TO AN APPLICANT WHO FOR RELIGIOUS CONVICTIONS IS EXEMPT UNDER LAW FROM DISCLOSURE OF HIS OR HER SOCIAL SECURITY NUMBER UNDER THESE CIRCUMSTANCES. THE DEPARTMENT SHALL INFORM THE APPLICANT OF THIS POSSIBLE EXEMPTION."

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

A bill to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending the title and sections 2811, 2813, and 16177 (MCL 333.2811, 333.2813, and 333.16177), the title as amended by 1994 PA 170 and section 16177 as amended by 1993 PA 80, and by adding section 21533.

R. Robert Geake
Jon A. Cisky
Gary Peters
Conferees for the Senate

Edward LaForge
Jack Horton
Conferees for the House

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

Senate Bill No. 799, entitled

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages, for the requiring of a civil license in order to marry, and the due registration of the same, and to provide a penalty for the violation of the provisions of the same," by amending section 2 (MCL 551.102).

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

The Conference Report was read as follows:

First Conference Report

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

Senate Bill No. 799, entitled

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages, for the requiring of a civil license in order to marry, and the due registration of the same, and to provide a penalty for the violation of the provisions of the same," by amending section 2 (MCL 551.102).

Recommends:

First: That the House agree to the Senate amendments numbered 2 and 3, which read as follows:

2. Amend page 2, following line 14, by striking out all of subsection (4).

3. Amend page 2, following line 14, enacting section 1, after "effect" by striking out "July 1" and inserting "June 30".

Second: That the Senate and House agree to Senate amendment numbered 1 amended to read as follows:

1. Amend page 2, following line 14, subsection (3), after the first "WHO" by striking out the balance of the subsection and inserting "DEMONSTRATES HE OR SHE IS EXEMPT UNDER LAW FROM OBTAINING A SOCIAL SECURITY NUMBER OR TO AN APPLICANT WHO FOR RELIGIOUS CONVICTIONS IS EXEMPT UNDER LAW FROM DISCLOSURE OF HIS OR HER SOCIAL SECURITY NUMBER UNDER THESE CIRCUMSTANCES. THE COUNTY CLERK SHALL INFORM THE APPLICANT OF THIS POSSIBLE EXEMPTION."

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

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages, for the requiring of a civil license in order to marry, and the due registration of the same, and to provide a penalty for the violation of the provisions of the same," by amending the title and section 2 (MCL 551.102).

R. Robert Geake

Jon A. Cisky

Gary Peters

Conferees for the Senate

Edward LaForge

Jack Horton

Conferees for the House

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

Senate Bill No. 803, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 2, 3, 4, 7, 9, 11, 11a, 12, 13, 14, 17, 19, 23, 25, 26, 26a, 26b, 28, 29, 30, 33, 35, 44, and 45 (MCL 552.602, 552.603, 552.604, 552.607, 552.609, 552.611, 552.611a, 552.612, 552.613, 552.614, 552.617, 552.619, 552.623, 552.625, 552.626, 552.626a, 552.626b, 552.628, 552.629, 552.630, 552.633, 552.635, 552.644, and 552.645), sections 2, 3, and 23 as amended and sections 28, 29, 30, and 45 as added by 1996 PA 239, sections 4 and 19 as amended by 1992 PA 291, sections 7 and 14 as amended and section 25 as added by 1985 PA 210, sections 9 and 11a as amended and sections 26, 26a, and 26b as added by 1995 PA 236, sections 11 and 17 as amended by 1996 PA 367, sections 33 and 35 as amended by 1996 PA 336, and section 44 as amended by 1996 PA 301, and by adding sections 24a, 25a, and 25b.

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

The Conference Report was read as follows:

First Conference Report

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

Senate Bill No. 803, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 2, 3, 4, 7, 9, 11, 11a, 12, 13, 14, 17, 19, 23, 25, 26, 26a, 26b, 28, 29, 30, 33, 35, 44, and 45 (MCL 552.602, 552.603, 552.604, 552.607, 552.609, 552.611, 552.611a, 552.612, 552.613, 552.614, 552.617, 552.619, 552.623, 552.625, 552.626, 552.626a, 552.626b, 552.628, 552.629, 552.630, 552.633, 552.635, 552.644, and 552.645), sections 2, 3, and 23 as amended and sections 28, 29, 30, and 45 as added by 1996 PA 239, sections 4 and 19 as amended by 1992 PA 291, sections 7 and 14 as amended and section 25 as added by 1985 PA 210, sections 9 and 11a as amended and sections 26, 26a, and 26b as added by 1995 PA 236, sections 11 and 17 as amended by 1996 PA 367, sections 33 and 35 as amended by 1996 PA 336, and section 44 as amended by 1996 PA 301, and by adding sections 24a, 25a, and 25b.

Recommends:

First: That the House agree to the Senate amendments numbered 2 and 3, which read as follows:

2. Amend page 11, following line 9, by striking out all of subsection (7) and renumbering the remaining subsection.

3. Amend page 26, line 8, after "COURT" by striking out "SHALL" and inserting "MAY".

Second: That the Senate and House agree to Senate amendment numbered 1 amended to read as follows:

1. Amend page 11, line 9, after the first "WHO" by striking out the balance of the subdivision and inserting "DEMONSTRATES HE OR SHE IS EXEMPT UNDER LAW FROM OBTAINING A SOCIAL SECURITY NUMBER OR TO A PAYER OR PAYEE WHO FOR RELIGIOUS CONVICTIONS IS EXEMPT UNDER LAW FROM DISCLOSURE OF HIS OR HER SOCIAL SECURITY NUMBER UNDER THESE CIRCUMSTANCES. THE COURT SHALL INFORM THE PAYER AND PAYEE OF THIS POSSIBLE EXEMPTION."

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

A bill to amend 1982 PA 295, entitled "An act to provide for and to supplement statutes that provide for the enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody, and spouse support; to prescribe certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts," by amending sections 2, 3, 4, 7, 9, 11, 11a, 12, 13, 14, 17, 19, 23, 25, 26, 26a, 26b, 28, 29, 30, 33, 35, 44, and 45 (MCL 552.602, 552.603, 552.604, 552.607, 552.609, 552.611, 552.611a, 552.612, 552.613, 552.614, 552.617, 552.619, 552.623, 552.625, 552.626, 552.626a, 552.626b, 552.628, 552.629, 552.630, 552.633, 552.635, 552.644, and 552.645), sections 2, 3, and 23 as amended and sections 28, 29, 30, and 45 as added by 1996 PA 239, sections 4 and 19 as amended by 1992 PA 291, sections 7 and 14 as amended and section 25 as added by 1985 PA 210, sections 9 and 11a as amended and sections 26, 26a, and 26b as added by 1995 PA 236, sections 11 and 17 as amended by 1996 PA 367, sections 33 and 35 as amended by 1996 PA 336, and section 44 as amended by 1996 PA 301, and by adding sections 24a, 25a, and 25b.

R. Robert Geake
Jon A. Cisky
Gary Peters
Conferees for the Senate

Edward LaForge
Jack Horton
Conferees for the House

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

Reports of Standing Committees

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

House Bill No. 5595, entitled

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 1999, and supplemental appropriations for the fiscal year ending September 30, 1998; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 1999; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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 5595 To Report Out:

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

Nays: Reps. Gilmer, Bobier, Geiger, Johnson, Oxender.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 5, 1998, at 11:00 a.m.,

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

Absent: Rep. Parks,

Excused: Rep. Parks.

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

House Bill No. 4789, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16336 and part 179.

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

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

Favorable Roll Call

HB 4789 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Gubow, Leland, Profit, Thomas, Wojno, Law, Rocca,

Nays: Reps. Griffin, Raczkowski, Scranton.

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

House Bill No. 5561, entitled

A bill to provide for the licensing and regulation of lead abatement contractors; to create the lead abatement contractors licensing board; to establish powers and duties of certain state agencies and officials; to create certain funds and to provide for expenditures from the funds; to impose certain fees; and to prescribe penalties and provide remedies.

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

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

Favorable Roll Call

HB 5561 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Gubow, Leland, Profit, Thomas, Wojno,

Nays: None.

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

House Bill No. 5736, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending sections 502 and 502a (MCL 550.1502 and 550.1502a), section 502 as amended by 1997 PA 184 and section 502a as amended by 1994 PA 440.

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

1. Amend page 9, line 19, by striking out all of enacting section 1.

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

Favorable Roll Call

HB 5736 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Gubow, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Llewellyn, Raczkowski, Rocca, Scranton,

Nays: None.

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

House Bill No. 5737, entitled

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

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

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

Favorable Roll Call

HB 5737 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Gubow, Leland, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Llewellyn, Raczkowski, Rocca, Scranton,

Nays: None.

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

Senate Bill No. 1047, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 54a.

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

SB 1047 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Gubow, Leland, Profit, Thomas, Wojno,

Nays: Rep. Llewellyn.

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, May 5, 1998, at 10:30 a.m.,

Present: Reps. Palamara, Schauer, Gire, Griffin, Gubow, Leland, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Llewellyn, Raczkowski, Rocca, Scranton,

Absent: Rep. Murphy,

Excused: Rep. Murphy.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 6, 1998, at 9:30 a.m.,

Present: Reps. Brater, DeHart, Basham, Brown, Freeman, Crissman, Cropsey, Perricone,

Absent: Rep. Law.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 6, 1998, at 10:30 a.m.,

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

Absent: Reps. Schermesser, McManus,

Excused: Reps. Schermesser, McManus.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, April 30, for his approval of the following bills:

Enrolled Senate Bill No. 377 at 3:37 p.m.

Enrolled Senate Bill No. 384 at 3:39 p.m.

Enrolled Senate Bill No. 387 at 3:41 p.m.

Enrolled Senate Bill No. 388 at 3:43 p.m.

Enrolled Senate Bill No. 398 at 3:45 p.m.

Enrolled Senate Bill No. 400 at 3:47 p.m.

Enrolled Senate Bill No. 402 at 3:49 p.m.

Enrolled Senate Bill No. 415 at 3:51 p.m.

Enrolled Senate Bill No. 720 at 3:53 p.m.

Enrolled Senate Bill No. 800 at 3:55 p.m.

Enrolled Senate Bill No. 802 at 3:57 p.m.

Enrolled Senate Bill No. 1028 at 4:31 p.m.

Enrolled Senate Bill No. 794 at 4:33 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, April 30:

Senate Bill Nos. 1085 1089 1090 1091

The Clerk announced the enrollment printing, certification and filing with the Secretary of State on Friday, May 1, the following joint resolution:

Enrolled Senate Joint Resolution I at 10:40 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, May 4:

Senate Bill Nos. 1092 1093 1094 1095 1096 1097 1098

The Clerk announced that the following Senate bills had been received on Wednesday, May 6:

Senate Bill Nos. 1079 1080 1081 1082 1083

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

Enrolled Senate Bill No. 1028 - Public Act No. 66

Enrolled Senate Bill No. 362 - Public Act No. 67

Enrolled Senate Bill No. 371 - Public Act No. 68

Enrolled Senate Bill No. 373 - Public Act No. 69

Enrolled Senate Bill No. 381 - Public Act No. 70

Enrolled Senate Bill No. 391 - Public Act No. 71

Enrolled Senate Bill No. 392 - Public Act No. 72

Enrolled Senate Bill No. 393 - Public Act No. 73

Enrolled Senate Bill No. 394 - Public Act No. 74

Enrolled Senate Bill No. 395 - Public Act No. 75

Enrolled Senate Bill No. 396 - Public Act No. 76

Enrolled Senate Bill No. 397 - Public Act No. 77

Enrolled Senate Bill No. 399 - Public Act No. 78

Enrolled Senate Bill No. 401 - Public Act No. 79

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 1079, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 1995 PA 194.

The Senate has passed the bill.

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

Senate Bill No. 1080, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51c.

The Senate has passed the bill.

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

Senate Bill No. 1081, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51d.

The Senate has passed the bill.

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

Senate Bill No. 1082, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51e.

The Senate has passed the bill.

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

Senate Bill No. 1083, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51f.

The Senate has passed the bill.

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

Notices

Public Hearing Revised Time and Location

Subcommittee on Community Colleges

Date: Thursday, May 7, 1998

Time: 4:30 p.m.

Place: 2nd Floor Conference Room, 5805 E. Pickard, Mt. Pleasant, Michigan
Rep. Price
Chair

Agenda: Fiscal Year 1998-1999 Community College
and any/or all business properly before the subcommittee

Introduction of Bills

Rep. Griffin introduced

House Bill No. 5826, entitled

A bill to amend 1977 PA 135, entitled "An act to prohibit certain mortgage lending practices by a credit granting institution; to prescribe the powers and duties of the commissioner of the financial institutions bureau in relation to those practices; to permit the establishment of local mortgage review boards; and to provide remedies and penalties," by repealing section 6 (MCL 445.1606).

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

Rep. Leland introduced

House Bill No. 5827, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 605, 724, and 909 (MCL 257.605, 257.724, and 257.909), section 724 as amended by 1988 PA 346.

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

Rep. Leland introduced

House Bill No. 5828, entitled

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending sections 7b and 11 (MCL 480.17b and 480.21), section 7b as amended by 1990 PA 339 and section 11 as amended by 1995 PA 265.

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

Rep. Leland introduced

House Bill No. 5829, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8379 (MCL 600.8379), as amended by 1990 PA 54.

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

Reps. Cherry, Hale, Prusi, Tesanovich, LaForge, Thomas, Stallworth, Schermesser, DeHart, Hanley, Agee, Brater and Emerson introduced

House Bill No. 5830, entitled

A bill to provide for the establishment of a state matching grant program to fund programs that help preschool and elementary school aged students to read; to provide certain grants; and to prescribe the powers and duties of certain state and local agencies and officials.

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

Rep. DeHart moved that the House adjourn.

The motion prevailed, the time being 4:25 p.m.

The Associate Speaker Pro Tempore declared the House adjourned until Thursday, May 7, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.