

No. 56
STATE OF MICHIGAN
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House of Representatives
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House Chamber, Lansing, Tuesday, June 9, 1998.

10:00 a.m.

The House was called to order by Acting Speaker Hanley.

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

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

e/d/s = entered during session

Father Morlino, of St. Augustine Cathedral in Kalamazoo, offered the following invocation:

“Lord God, we do well to join all of creation in Heaven and on earth in praising You our Mighty God. You have spoken to all, a message of peace, and taught us to live as brothers and sisters. Your message took form in the vision of the founders of our nation, which calls us all together to live as one. Your message lives on as our task for today and our promise for tomorrow. Lord look down upon us all, especially upon Your children who are not allowed to be born. Look upon women, minorities, the poor, whose lives are made difficult so often. Look down upon all victims of violence. Upon the elderly and sick in danger of death through indifference or misguided mercy. May we always celebrate the gift of life with joy and gratitude and bear witness to that gift with courage as we carry out our duty, especially this day, to build a civilization of truth and love. For You are our God, the Creator and Lover of life, and we glorify You today and every day forever and ever. Amen.”

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

Notices

June 9, 1998

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
Third Reading of Bills

House Bill No. 5648, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 6023 (MCL 600.6023), as amended by 1989 PA 5.

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

Roll Call No. 542

Yeas—90

Agee	Dalman	Horton	Parks
Alley	DeHart	Jansen	Perricone
Anthony	DeVuyst	Jelinek	Price
Baade	Dobb	Jellema	Prusi
Baird	Dobronski	Johnson	Quarles
Bankes	Emerson	Kelly	Rackowski
Basham	Fitzgerald	LaForge	Richner
Birkholz	Frank	Law	Rocca
Bobier	Freeman	Leland	Sanborn
Bodem	Gagliardi	LeTarte	Schauer
Bogardus	Galloway	Mans	Schermesser
Brackenridge	Geiger	Martinez	Schroer
Brater	Gilmer	Mathieu	Sikkema
Brewer	Gire	McBryde	Tesanovich
Brown	Godchaux	McManus	Thomas
Byl	Goschka	McNutt	Varga
Callahan	Green	Middaugh	Vaughn
Cassis	Gubow	Middleton	Voorhees

Cherry	Gustafson	Olshove	Walberg
Ciaramitaro	Hale	Owen	Wallace
Crissman	Hammerstrom	Oxender	Willard
Cropsey	Hanley	Palamara	Wojno
Curtis	Harder		

Nays—9

Gernaat	London	Nye	Rhead
Kaza	Lowe	Profit	Whyman
Kukuk			

In The Chair: Hanley

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 1961 PA 236, entitled "Revised judiciary act of 1961," by amending section 6023 (MCL 600.6023), as amended by 1998 PA 61.

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.

Senate Bill No. 583, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 10 (MCL 125.2690).

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

Roll Call No. 543**Yeas—103**

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

Dalman
DeHart
DeVuyst

Jelinek
Jellema
Johnson

Perricone
Price
Profit

Willard
Wojno

Nays—0

In The Chair: Hanley

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

“An act to create certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials.”.

The House agreed to the full title.

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

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

Reps. Griffin and Llewellyn entered the House Chambers.

Senate Bill No. 586, entitled

A bill to amend 1990 PA 100, entitled “City utility users tax act,” by amending section 5 (MCL 141.1155), as amended by 1996 PA 455.

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

Roll Call No. 544

Yeas—104

Agee
Alley
Anthony
Baade
Baird
Banks
Basham
Birkholz
Bobier
Bodem
Bogardus
Brackenridge
Brater
Brewer
Brown
Byl
Callahan
Cassis
Cherry
Ciaramitaro
Crissman
Cropsey
Curtis

Dobb
Dobronski
Emerson
Fitzgerald
Frank
Freeman
Gagliardi
Galloway
Geiger
Gernaat
Gilmer
Gire
Godchaux
Goschka
Green
Griffin
Gubow
Gustafson
Hale
Hammerstrom
Hanley
Harder
Horton

Johnson
Kaza
Kelly
Kukuk
LaForge
Law
Leland
LeTarte
Llewellyn
London
Lowe
Mans
Martinez
Mathieu
McBryde
McManus
McNutt
Middaugh
Middleton
Nye
Olshove
Owen
Oxender

Price
Profit
Prusi
Quarles
Raczkowski
Rhead
Richner
Rocca
Sanborn
Schauer
Schermesser
Schroer
Scranton
Sikkema
Stallworth
Tesanovich
Thomas
Varga
Vaughn
Voorhees
Walberg
Wallace
Wetters

Dalman
DeHart
DeVuyst

Jansen
Jelinek
Jellema

Palamara
Parks
Perricone

Whyman
Willard
Wojno

Nays—0

In The Chair: Hanley

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

“An act to permit the imposition, revival, and continued collection by cities of a population of 1,000,000 or more of a utility users tax; to provide the procedure for, and to require the adoption of a prescribed uniform city utility users tax ordinance by cities desiring to impose and collect such a tax; to limit the rate of such tax; to prescribe the powers and duties of the state commissioner of revenue; and to provide for appeals,”.

The House agreed to the full title.

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

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

Senate Bill No. 587, entitled

A bill to amend 1985 PA 224, entitled “Enterprise zone act,” by amending section 21c (MCL 125.2121c), as added by 1996 PA 444.

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

Roll Call No. 545

Yeas—103

Agee
Alley
Anthony
Baade
Baird
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
Gilmer
Godchaux
Goschka
Green
Griffin
Gubow
Gustafson
Hale
Hammerstrom
Hanley
Harder
Horton
Jansen
Jelinek
Jellema
Johnson

Kaza
Kelly
Kukuk
LaForge
Law
Leland
LeTarte
Llewellyn
London
Lowe
Mans
Martinez
Mathieu
McBryde
McManus
McNutt
Middaugh
Middleton
Nye
Olshove
Owen
Oxender
Palamara
Perricone
Price
Profit

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

Nays—0

In The Chair: Hanley

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

“An act to promote economic growth within economically distressed local governmental units; to provide for the creation of enterprise zones; to provide for the creation of an enterprise zone authority; to prescribe the powers and duties of officials and agencies of the state and certain local governmental units; to provide for the establishment of citizens’ councils and to prescribe their powers and duties; to authorize the levy and collection of specific taxes; and to provide qualifications for certification of and incentives for certain businesses located in enterprise zones.”.

The House agreed to the full title.

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

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

Senate Bill No. 590, entitled

A bill to amend 1978 PA 255, entitled “Commercial redevelopment act,” by amending section 12 (MCL 207.662), as amended by 1996 PA 450.

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

Roll Call No. 546

Yeas—103

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

Nays—0

In The Chair: Hanley

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

“An act to provide for the establishment of commercial redevelopment districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide remedies and penalties.”.

The House agreed to the full title.

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

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

Senate Bill No. 591, entitled

A bill to amend 1953 PA 189, entitled “An act to provide for the taxation of lessees and users of tax-exempt property,” by amending section 1 (MCL 211.181), as amended by 1996 PA 447.

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

Roll Call No. 547**Yeas—103**

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

Nays—0

In The Chair: Hanley

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. 4816, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 2150 (MCL 324.2150), as amended by 1996 PA 585.

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

Roll Call No. 548**Yeas—93**

Agee	DeVuyst	Johnson	Price
Alley	Dobronski	Kelly	Profit
Anthony	Emerson	Kukuk	Prusi
Baade	Fitzgerald	LaForge	Quarles

Baird	Frank	Law	Rhead
Basham	Freeman	Leland	Rison
Birkholz	Gagliardi	LeTarte	Rocca
Bobier	Galloway	Llewellyn	Sanborn
Bodem	Geiger	London	Schauer
Bogardus	Gernaat	Lowe	Schermesser
Brackenridge	Gire	Mans	Scranton
Brater	Goschka	Martinez	Stallworth
Brewer	Green	Mathieu	Tesanovich
Brown	Griffin	McBryde	Thomas
Byl	Gubow	McManus	Varga
Callahan	Gustafson	McNutt	Vaughn
Cassis	Hale	Middaugh	Voorhees
Cherry	Hammerstrom	Middleton	Walberg
Ciaramitaro	Hanley	Olshove	Wallace
Crissman	Harder	Owen	Wetters
Cropsey	Horton	Oxender	Whyman
Curtis	Jelinek	Palamara	Willard
Dalman	Jellema	Parks	Wojno
DeHart			

Nays—12

Bankes	Godchaux	Nye	Richner
Dobb	Jansen	Perricone	Schroer
Gilmer	Kaza	Rackowski	Sikkema

In The Chair: Hanley

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 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 2150a.

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. 5812, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2150 (MCL 324.2150), as amended by 1996 PA 585.

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

Roll Call No. 549**Yeas—93**

Agee	DeVuyst	Johnson	Price
Alley	Dobronski	Kelly	Profit
Anthony	Emerson	Kukuk	Prusi
Baade	Fitzgerald	LaForge	Quarles
Baird	Frank	Law	Rhead
Bankes	Freeman	Leland	Rison
Basham	Gagliardi	LeTarte	Rocca

Birkholz	Galloway	Llewellyn	Sanborn
Bobier	Geiger	Lowe	Schauer
Bodem	Gernaat	Mans	Schermesser
Bogardus	Gire	Martinez	Scranton
Brackenridge	Goschka	Mathieu	Stallworth
Brater	Green	McBryde	Tesanovich
Brewer	Griffin	McManus	Thomas
Brown	Gubow	McNutt	Varga
Byl	Gustafson	Middaugh	Vaughn
Callahan	Hale	Middleton	Voorhees
Cassis	Hammerstrom	Nye	Walberg
Cherry	Hanley	Olshove	Wallace
Crissman	Harder	Owen	Wetters
Cropsey	Horton	Oxender	Whyman
Curtis	Jelinek	Palamara	Willard
Dalman	Jellema	Parks	Wojno
DeHart			

Nays—11

Dobb	Jansen	Perricone	Schroer
Gilmer	Kaza	Rackowski	Sikkema
Godchaux	London	Richner	

In The Chair: Hanley

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.

Senate Bill No. 116, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 35 (MCL 208.35), as amended by 1995 PA 255, and by adding section 22g.

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

Roll Call No. 550**Yeas—101**

Agee	Dobronski	Kaza	Profit
Alley	Fitzgerald	Kelly	Prusi
Anthony	Frank	Kukuk	Quarles
Baade	Freeman	LaForge	Rackowski
Baird	Gagliardi	Law	Rhead
Banks	Galloway	Leland	Richner
Basham	Geiger	LeTarte	Rison
Birkholz	Gernaat	Llewellyn	Rocca
Bobier	Gilmer	London	Sanborn
Bodem	Gire	Lowe	Schauer
Bogardus	Godchaux	Mans	Schermesser
Brackenridge	Goschka	Martinez	Schroer
Brater	Green	McBryde	Scranton
Brewer	Griffin	McManus	Sikkema
Brown	Gubow	McNutt	Stallworth

Byl	Gustafson	Middaugh	Tesanovich
Callahan	Hale	Middleton	Thomas
Cassis	Hammerstrom	Nye	Varga
Cherry	Hanley	Olshove	Vaughn
Crissman	Harder	Owen	Voorhees
Cropsey	Horton	Oxender	Walberg
Curtis	Jansen	Palamara	Wetters
Dalman	Jelinek	Parks	Whyman
DeHart	Jellema	Perricone	Willard
DeVuyst	Johnson	Price	Wojno
Dobb			

Nays—0

In The Chair: Hanley

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 1975 PA 228, entitled “An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation,” by amending section 35 (MCL 208.35), as amended by 1997 PA 124.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

Senate Concurrent Resolution No. 79.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Lake Michigan College relative to the Lake Michigan College South Campus Center.

(For text of resolution, see House Journal No. 44, p. 985.)

(The concurrent resolution was reported by the Committee on Appropriations on June 4, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 551

Yeas—104

Agee	Dobb	Kaza	Profit
Alley	Dobronski	Kelly	Prusi
Anthony	Fitzgerald	Kukuk	Quarles

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

Nays—0

In The Chair: Hanley

The Speaker laid before the House

Senate Concurrent Resolution No. 80.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Delta College relative to the Delta College Science and Learning Center.

(For text of resolution, see House Journal No. 44, p. 986.)

(The concurrent resolution was reported by the Committee on Appropriations on June 4, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 552

Yeas—100

Agee	Emerson	Kaza	Profit
Alley	Fitzgerald	Kelly	Prusi
Anthony	Frank	Kukuk	Raczkowski
Baade	Freeman	LaForge	Rhead
Baird	Gagliardi	Law	Richner
Bankes	Galloway	Leland	Rison
Basham	Geiger	LeTarte	Rocca
Birkholz	Gernaat	Llewellyn	Sanborn
Bobier	Gilmer	London	Schauer

Bodem	Gire	Lowe	Schermesser
Bogardus	Godchaux	Mans	Schroer
Brackenridge	Goschka	Martinez	Scranton
Brater	Green	Mathieu	Sikkema
Brown	Griffin	McBryde	Stallworth
Callahan	Gubow	McManus	Tesanovich
Cassis	Gustafson	McNutt	Thomas
Ciaramitaro	Hale	Middaugh	Varga
Crissman	Hammerstrom	Middleton	Vaughn
Cropsey	Hanley	Olshove	Voorhees
Curtis	Harder	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: Hanley

The Speaker laid before the House

Senate Concurrent Resolution No. 81.

A concurrent resolution to change the scope of the Michigan State Police Crime Lab project.

(For text of resolution, see House Journal No. 44, p. 987.)

(The concurrent resolution was reported by the Committee on Appropriations on June 4, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 553**Yeas—102**

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

DeVuyst
Dobb
Dobronski

Jellema
Johnson
Kaza

Perricone
Price

Willard
Wojno

Nays—0

In The Chair: Hanley

The Speaker laid before the House

Senate Concurrent Resolution No. 82.

A concurrent resolution approving an amended conveyance of property to the State Building Authority and amending the lease relative to the Mid Michigan Community College Instructional Classrooms, Laboratories, and Student Facilities Harrison Campus.

(For text of resolution, see House Journal No. 44, p. 988.)

(The concurrent resolution was reported by the Committee on Appropriations on June 4, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 554

Yeas—101

Agee
Alley
Anthony
Baade
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
Gilmer
Gire
Godchaux
Goschka
Green
Gubow
Gustafson
Hale
Hammerstrom
Hanley
Harder
Horton
Jansen
Jelinek
Jellema
Johnson

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

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

Nays—0

In The Chair: Hanley

The Speaker laid before the House

Senate Concurrent Resolution No. 83.

A concurrent resolution to change the scope of the South County Extension Center project at Southwestern Michigan College.

(For text of resolution, see House Journal No. 44, p. 988.)

(The concurrent resolution was reported by the Committee on Appropriations on June 4, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 555

Yeas—100

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

Nays—1

Kaza

In The Chair: Hanley

The Speaker laid before the House

House Resolution No. 286.

A resolution commemorating The Legend of Sleeping Bear as the State of Michigan's official children's book.

(For text of resolution, see House Journal No. 43, p. 944.)

(The resolution was reported by the Committee on House Oversight and Ethics on June 3, consideration of which was postponed until June 4 under the rules.)

The question being on the adoption of the resolution,

Rep. Gagliardi moved to amend the resolution as follows:

1. Amend the third Whereas clause, line 1, after "Whereas," by striking out "The Legend of Sleeping Bear" and inserting "The Legend of Dancing Bear".

The question being on the adoption of the amendment offered by Rep. Gagliardi, Rep. Gagliardi demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Gagliardi, Rep. Gagliardi moved that consideration of the resolution be postponed temporarily.

The motion prevailed.

Second Reading of Bills

Senate Bill No. 907, entitled

A bill to make appropriations for community colleges for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

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.

Reps. Price and McBryde moved to amend the bill as follows:

1. Amend page 13, following line 21, by inserting:

“Sec. 224. It is the intent of the legislature to establish a per student funding floor from all sources of \$7,421.00 which shall be recognized as a permanent part of the base funding for community colleges. Furthermore, the concept of maintaining reasonable per student funding shall be continued for future state fiscal years.”.

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

The Associate Speaker Pro Tempore assumed the Chair.

Rep. Gustafson moved to amend the bill as follows:

1. Amend page 13, following line 21, following section 224, by inserting:

“Sec. 225. In order to assess the changes in the costs of construction as a result of prevailing wage, by November 15, 1998, each community college shall report on an analysis of the average cost of construction of capital facilities, providing at least cost per square foot expenditures between January 1995 and June 27, 1997, and comparing it to the average cost of construction of capital facilities after June 27, 1997. Each institution shall submit the report to the house and senate appropriations subcommittees on community colleges and the house and senate fiscal agencies.”.

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

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 556

Yeas—49

Bankes	Galloway	Johnson	Nye
Birkholz	Geiger	Kaza	Oxender
Bobier	Gernaat	Kukuk	Perricone
Bodem	Gilmer	Law	Raczkowski
Brackenridge	Godchaux	Llewellyn	Rhead
Byl	Green	London	Richner
Cassis	Gustafson	Lowe	Sanborn
Crissman	Hammerstrom	McBryde	Scranton
Cropsey	Horton	McManus	Sikkema
Dalman	Jansen	McNutt	Voorhees

DeVuyst
Dobb
Fitzgerald

Jelinek
Jellema

Middaugh
Middleton

Walberg
Whyman

Nays—54

Agee
Alley
Anthony
Baade
Baird
Basham
Bogardus
Brater
Brewer
Brown
Callahan
Cherry
Ciaramitaro
Curtis

DeHart
Dobronski
Emerson
Frank
Freeman
Gagliardi
Gire
Goschka
Griffin
Gubow
Hale
Hanley
Harder
Kelly

LaForge
Leland
LeTarte
Mans
Martinez
Mathieu
Olshove
Owen
Parks
Price
Profit
Prusi
Quarles

Rison
Rocca
Schauer
Schermesser
Schroer
Stallworth
Tesanovich
Thomas
Vaughn
Wallace
Wetters
Willard
Wojno

In The Chair: Gire

Rep. Cassis moved to amend the bill as follows:

1. Amend page 13, following line 21, by inserting:

“Sec. 225. (1) Of the funding appropriated in part 1 to each community college for operations, if there is an amount that is greater than 3% than that appropriated for the fiscal year ending September 30, 1998, this funding increment is the Michigan legislative tuition restraint incentive. To be eligible to receive funding under this initiative, each community college shall certify to the state budget director by October 1, 1998 that the increase in required annual tuition and fees for resident students as established by the community college’s board of control for the 1998-1999 academic year is not greater than the projected increase in the Detroit consumer price index, as determined by the May 1998 consensus revenue conference established under section 367b of the management and budget act, 1984 PA 431, MCL 18.1367b, or 3%, whichever is greater.

(2) By October 15, 1998, the state budget director shall allocate any remaining funding under this initiative among the eligible community colleges pro rata to the operations appropriations in part 1 for all eligible community colleges. The Michigan legislative tuition restraint initiative funding shall be paid out of the state treasury in the same manner and time as provided in section 203.”.

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

Rep. Cassis demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 557

Yeas—51

Baird
Bankes
Birkholz
Bodem
Brewer
Brown
Byl
Cassis
Crissman

Dobb
Fitzgerald
Frank
Freeman
Galloway
Geiger
Gernaat
Goschka
Green

Jellema
Johnson
Kaza
Kukuk
Law
Llewellyn
Lowe
Mans
McBryde

Olshove
Perricone
Raczkowski
Richner
Rocca
Sanborn
Scranton
Sikkema
Voorhees

Cropsey
Curtis
Dalman
DeHart

Gustafson
Hammerstrom
Horton
Jansen

McManus
McNutt
Middleton
Nye

Walberg
Whyman
Wojno

Nays—46

Agee
Alley
Anthony
Baade
Basham
Bobier
Bogardus
Brackenridge
Brater
Cherry
Ciaramitaro
DeVuyst

Dobronski
Emerson
Gagliardi
Gilmer
Godchaux
Griffin
Gubow
Hale
Hanley
Harder
Jelinek
Kelly

LaForge
Leland
LeTarte
London
Mathieu
Middaugh
Oxender
Parks
Price
Profit
Prusi

Quarles
Rhead
Rison
Schauer
Schermesser
Schroer
Stallworth
Tesanovich
Thomas
Varga
Willard

In The Chair: Gire

Rep. Richner moved to amend the bill as follows:

1. Amend page 13, following line 21, by inserting:

“Sec. 225. Funds appropriated in part 1 shall not be used to offer courses or programs through a community college in casino management or casino operations.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Hertel entered the House Chambers.

Rep. Dalman moved to amend the bill as follows:

1. Amend page 13, following line 21, following section 224, by inserting:

“Sec. 225. (1) A community college receiving funding under this act and also subject to the student right-to-know and campus security act, Public Law 101-542, 104 Stat. 2381, shall furnish by September 1, 1998 to the department of education a copy of all material prepared pursuant to the public information reporting requirements under the crime awareness and campus security act of 1990, title II of the student right-to-know and campus security act, Public Law 101-542, 104 Stat. 2384.

(2) The department of education shall compile and make information received under subsection (1) available in written and electronic format accessible through the Internet for school districts, parents, and students.”.

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

Rep. Dalman demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 558

Yeas—104

Agee
Alley
Anthony
Baade
Baird

Dobronski
Emerson
Fitzgerald
Frank
Freeman

Johnson
Kaza
Kelly
Kukuk
LaForge

Profit
Prusi
Quarles
Raczkowski
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	Scranton
Brewer	Green	McBryde	Sikkema
Brown	Griffin	McManus	Stallworth
Byl	Gubow	McNutt	Tesanovich
Callahan	Gustafson	Middaugh	Thomas
Cassis	Hale	Middleton	Varga
Cherry	Hammerstrom	Nye	Vaughn
Crissman	Hanley	Olshove	Voorhees
Cropsey	Harder	Owen	Walberg
Curtis	Hertel	Oxender	Wallace
Dalman	Horton	Palamara	Wetters
DeHart	Jansen	Parks	Whyman
DeVuyst	Jelinek	Perricone	Willard
Dobb	Jellema	Price	Wojno

Nays—0

In The Chair: Gire

Rep. Cassis moved to reconsider the vote by which the House did not adopt the amendment offered previously by Rep. Cassis.

The question being on the motion made by Rep. Cassis,

Rep. Cassis moved to postpone the motion temporarily.

Rep. Kilpatrick entered the House Chambers.

Rep. Scott moved to amend the bill as follows:

1. Amend page 2, following line 18, by inserting:

“Highland Park Community College \$ 6,545,650”

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 19, following line 17, by inserting:

“Sec. 503. (1) The appropriation for Highland Park Community College operations shall not be expended unless Highland Park Community College does all of the following:

(a) Corrects all current state and local health and safety code violations by not later than September 1, 1998.

(b) Adopts clear rules and procedures that separate the finances of the college from those of the Highland Park school district, follows those rules and procedures, and expeditiously takes all steps necessary and appropriate to have restrictions on the college’s financial aid programs removed.

(c) To rehabilitate the college’s instructional and administrative facilities, adopts a plan by January 15, 1999 and implements the plan according to schedule.

(d) Adopts a plan that will obtain a positive year-end balance in each of the college’s operating funds by June 30, 1998 and implements the plan according to schedule. Until the date when each of the college’s operating funds has a positive year-end balance, the college shall freeze the salary of all college employees, expend no funds for out-of-state travel for college employees or board members, and reduce administrative costs. Upon the conclusion of each quarter of the college’s fiscal year, the college shall submit to the department of management and budget and the house and senate fiscal agencies a report on compliance with all of the requirements in this section.

(2) If the department of management and budget and the house and senate fiscal agencies agree that the college is not in substantial compliance with any of the requirements of this section, they shall report this finding to the legislature and may recommend that funding for the college be terminated. Administrative costs shall be cut.”.

The question being on the adoption of the amendments offered by Rep. Scott,
Rep. Vaughn demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 559**Yeas—39**

Agee	Godchaux	Martinez	Scranton
Anthony	Griffin	Mathieu	Stallworth
Baird	Hale	Palamara	Tesanovich
Basham	Hanley	Parks	Thomas
Brater	Hertel	Profit	Varga
Brewer	Kilpatrick	Prusi	Vaughn
Cherry	Kukuk	Quarles	Voorhees
DeHart	LaForge	Rison	Wallace
Emerson	Leland	Schermesser	Wetters
Freeman	Mans	Schroer	

Nays—61

Baade	Dobb	Jansen	Nye
Bankes	Dobronski	Jelinek	Olshove
Birkholz	Fitzgerald	Jellema	Oxender
Bobier	Frank	Johnson	Perricone
Bodem	Galloway	Kaza	Price
Bogardus	Geiger	Kelly	Rackowski
Brackenridge	Gernaat	LeTarte	Rhead
Brown	Gilmer	Llewellyn	Richner
Byl	Gire	London	Rocca
Callahan	Goschka	Lowe	Sanborn
Cassis	Green	McBryde	Sikkema
Crissman	Gustafson	McManus	Walberg
Cropsey	Hammerstrom	McNutt	Whyman
Curtis	Harder	Middaugh	Willard
Dalman	Horton	Middleton	Wojno
DeVuyst			

In The Chair: Gire

Rep. Jansen moved to amend the bill as follows:

1. Amend page 13, following line 21, following section 225, by inserting:

“Sec. 226. (1) A community college shall not expend funds appropriated under this act to provide health care coverage for community college employees or their dependents for abortion services, other than for spontaneous abortion or to prevent the death of the woman upon whom the abortion is performed. A community college shall not approve a collective bargaining agreement or enter into any other employment contract that includes health care coverage for abortion services other than spontaneous abortion or to prevent the death of the woman upon whom the abortion is performed.

(2) If a community college expends funds appropriated under this act in violation of subsection (1), the community college shall repay to this state an amount equal to the amount of funds spent in violation of subsection (1).”.

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

Rep. Martinez moved to amend the Jansen amendment as follows:

1. Amend the Jansen Amendment, page 13, following line 21, section 224, subsection (1), after “death” by inserting “or preserve the physical health”.

The question being on the adoption of the amendment offered by Rep. Martinez, Rep. Jansen demanded the yeas and nays.
 The demand was supported.
 The question being on the adoption of the amendment offered by Rep. Martinez, After debate,
 Rep. Bobier demanded the previous question.
 The demand was supported.
 The question being, "Shall the main question now be put?"
 The previous question was ordered.
 The question being on the adoption of the amendment offered by Rep. Martinez,
 The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 560**Yeas—47**

Agee	Dobb	Hertel	Schauer
Anthony	Dobronski	Kilpatrick	Schermesser
Baird	Emerson	LaForge	Schroer
Bankes	Fitzgerald	Leland	Scranton
Bobier	Freeman	Martinez	Stallworth
Bogardus	Galloway	Oxender	Tesanovich
Brater	Gilmer	Parks	Thomas
Brewer	Gire	Price	Varga
Cherry	Godchaux	Profit	Vaughn
Crissman	Gubow	Prusi	Wallace
Curtis	Hale	Quarles	Willard
DeHart	Hanley	Rison	

Nays—58

Alley	Gagliardi	Law	Owen
Baade	Geiger	LeTarte	Palamara
Basham	Gernaat	Llewellyn	Perricone
Birkholz	Goschka	London	Raczkowski
Bodem	Green	Lowe	Rhead
Brackenridge	Gustafson	Mans	Richner
Brown	Hammerstrom	Mathieu	Rocca
Byl	Harder	McBryde	Sanborn
Callahan	Horton	McManus	Sikkema
Cassis	Jansen	McNutt	Voorhees
Ciaramitaro	Jelinek	Middaugh	Walberg
Cropsey	Jellema	Middleton	Wetters
Dalman	Kaza	Nye	Whyman
DeVuyst	Kelly	Olshove	Wojno
Frank	Kukuk		

In The Chair: Gire

The question being on the adoption of the amendment offered previously by Rep. Jansen, The amendment was not adopted, a majority of the members serving not voting therefor.
 Rep. Sikkema moved to reconsider the vote by which the House did not adopt the Jansen amendment.
 The question being on the motion made by Rep. Sikkema,
 Rep. Agee demanded the yeas and nays.
 The demand was supported.
 The question being on the motion made by Rep. Sikkema,
 The motion prevailed, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 561**Yeas—54**

Birkholz	Frank	Law	Owen
Bodem	Gagliardi	Llewellyn	Oxender
Brackenridge	Geiger	London	Palamara
Brewer	Gernaat	Lowe	Perricone
Brown	Goschka	Mans	Rackowski
Byl	Green	Mathieu	Richner
Callahan	Gustafson	McBryde	Rocca
Cassis	Harder	McManus	Sanborn
Ciaramitaro	Horton	McNutt	Sikkema
Cropsey	Jansen	Middaugh	Voorhees
Curtis	Jelinek	Middleton	Walberg
Dalman	Jellema	Nye	Whyman
DeVuyst	Kaza	Olshove	Wojno
Fitzgerald	Kukuk		

Nays—46

Agee	Dobb	Kilpatrick	Schermesser
Alley	Dobronski	LaForge	Schroer
Anthony	Emerson	Leland	Scranton
Baade	Freeman	LeTarte	Stallworth
Baird	Galloway	Martinez	Tesanovich
Banks	Gire	Parks	Thomas
Basham	Godchaux	Price	Varga
Bogardus	Gubow	Profit	Vaughn
Brater	Hale	Prusi	Wallace
Cherry	Hanley	Quarles	Wetters
Crissman	Hertel	Schauer	Willard
DeHart	Kelly		

In The Chair: Gire

The question being on the adoption of the amendment offered previously by Rep. Jansen, Rep. Gustafson demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 562**Yeas—56**

Baade	Frank	Kukuk	Owen
Basham	Gagliardi	Law	Oxender
Birkholz	Geiger	Llewellyn	Palamara
Bodem	Gernaat	London	Perricone
Brackenridge	Goschka	Lowe	Rackowski
Brown	Green	Mans	Rhead
Byl	Gustafson	Mathieu	Richner
Callahan	Hammerstrom	McBryde	Rocca
Cassis	Harder	McManus	Sanborn
Ciaramitaro	Horton	McNutt	Sikkema
Cropsey	Jansen	Middaugh	Voorhees
Curtis	Jelinek	Middleton	Walberg
Dalman	Jellema	Nye	Whyman
DeVuyst	Kaza	Olshove	Wojno

Nays—44

Agee	Dobronski	Johnson	Quarles
Baird	Emerson	Kelly	Schauer
Bankes	Freeman	Kilpatrick	Schermesser
Bobier	Galloway	LaForge	Schroer
Bogardus	Gilmer	Leland	Scranton
Brater	Gire	LeTarte	Stallworth
Brewer	Godchaux	Martinez	Thomas
Cherry	Gubow	Parks	Varga
Crissman	Hale	Price	Vaughn
DeHart	Hanley	Profit	Wallace
Dobb	Hertel	Prusi	Willard

In The Chair: Gire

Rep. Jansen moved to amend the bill as follows:

1. Amend page 13, following line 21, following section 226, by inserting:

“Sec. 227. In light of section 1 of 1846 RS 83, MCL 551.1, and section 1 of 1939 PA 168, MCL 551.271, it is the intent of the legislature that a community college receiving funding under this act shall not use part 1 funds to extend employee benefits to the unmarried partners of the community college’s employees.”.

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

Rep. Jansen demanded the yeas and nays.

The demand was supported.

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

Rep. Anthony moved to amend the Jansen amendment as follows:

1. Amend the Jansen Amendment, page 13, following line 21, section 227, after “employees” by inserting “except for pre- and post-natal costs”.

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

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

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

Roll Call No. 563**Yeas—65**

Anthony	Fitzgerald	Kukuk	Oxender
Baade	Frank	Law	Palamara
Basham	Gagliardi	LeTarte	Perricone
Birkholz	Galloway	Llewellyn	Rackowski
Bodem	Geiger	London	Rhead
Brackenridge	Gernaat	Lowe	Richner
Brown	Goschka	Mans	Rocca
Byl	Green	Mathieu	Sanborn
Callahan	Gustafson	McBryde	Schauer
Cassis	Hammerstrom	McManus	Schermesser
Crissman	Harder	McNutt	Sikkema
Cropsey	Horton	Middaugh	Tesanovich
Curtis	Jansen	Middleton	Voorhees
Dalman	Jelinek	Nye	Walberg
DeHart	Jellema	Olshove	Whyman
DeVuyst	Kaza	Owen	Wojno
Dobb			

Nays—33

Agee	Gilmer	Kelly	Quarles
Baird	Gire	Kilpatrick	Schroer

Bogardus	Godchaux	LaForge	Stallworth
Brater	Gubow	Leland	Thomas
Brewer	Hale	Parks	Varga
Cherry	Hanley	Price	Vaughn
Dobronski	Hertel	Profit	Wallace
Emerson	Johnson	Prusi	Willard
Freeman			

In The Chair: Gire

Rep. Crissman moved to amend the bill as follows:

1. Amend page 13, following line 21, following section 227, by inserting:

“Sec. 228. A community college shall not use funds appropriated in part 1 to adjust a test score, use a different cutoff score, or otherwise alter the results of a test on the basis of religion, race, color, national origin, or gender for the purpose of selecting or referring an applicant or candidate for employment or a current administrator or employee for promotion at that community college.”.

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

Rep. Crissman demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 564

Yeas—78

Agee	DeVuyst	Johnson	Palamara
Alley	Dobb	Kaza	Perricone
Anthony	Fitzgerald	Kukuk	Profit
Baade	Frank	Law	Prusi
Bankes	Freeman	LeTarte	Rackzkowski
Basham	Gagliardi	Llewellyn	Rhead
Birkholz	Galloway	London	Richner
Bobier	Geiger	Lowe	Rocca
Bodem	Gernaat	Mans	Sanborn
Bogardus	Gilmer	Mathieu	Schauer
Brackenridge	Godchaux	McBryde	Scranton
Brown	Goschka	McManus	Sikkema
Byl	Green	McNutt	Tesanovich
Callahan	Gustafson	Middaugh	Voorhees
Cassis	Hammerstrom	Middleton	Walberg
Crissman	Harder	Nye	Wetters
Cropsey	Horton	Olshove	Whyman
Curtis	Jansen	Owen	Willard
Dalman	Jelinek	Oxender	Wojno
DeHart	Jellema		

Nays—20

Baird	Hertel	Parks	Stallworth
Brater	Kelly	Price	Thomas
Dobronski	Kilpatrick	Quarles	Varga
Hale	Leland	Rison	Vaughn
Hanley	Martinez	Schermesser	Wallace

In The Chair: Gire

Reps. Whyman and McManus moved to amend the bill as follows:

1. Amend page 8, line 26, by striking out all of section 210 and inserting:

“Sec. 210. A community college shall not use funds appropriated in part 1 to discriminate or grant preferential treatment based upon religion, race, color, national origin, or gender for the purpose of employment or promotion of administrators or employees or for the purpose of awarding contracts at that community college.”.

The question being on the adoption of the amendment offered by Reps. Whyman and McManus,

Rep. Whyman demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Whyman and McManus,

Rep. Bogardus moved to amend the Whyman and McManus amendment as follows:

1. Amend the Whyman and McManus Amendment, page 8, line 26, section 210, after “origin,” by striking out “or”.

2. Amend the Whyman and McManus Amendment, page 8, line 26, section 210, after “gender” by inserting a comma and “or family relationship”.

3. Amend the Whyman and McManus Amendment, page 8, line 26, section 210, after “college” by inserting a comma and “or with regard to participation in athletic activities”.

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

Rep. Whyman demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 565

Yeas—35

Agee	Cherry	Hale	Prusi
Anthony	Ciaramitaro	Hanley	Quarles
Baird	Curtis	Harder	Stallworth
Basham	DeHart	Kelly	Tesanovich
Bogardus	Dobronski	LaForge	Thomas
Brater	Freeman	Leland	Varga
Brewer	Gagliardi	Martinez	Vaughn
Brown	Gire	Parks	Willard
Callahan	Gubow	Price	

Nays—63

Alley	Geiger	Law	Palamara
Bankes	Gernaat	LeTarte	Perricone
Birkholz	Gilmer	Llewellyn	Profit
Bobier	Godchaux	London	Raczkowski
Bodem	Goschka	Lowe	Rhead
Brackenridge	Green	Mans	Richner
Byl	Gustafson	Mathieu	Rocca
Cassis	Hammerstrom	McBryde	Sanborn
Crissman	Horton	McManus	Scranton
Cropsey	Jansen	McNutt	Sikkema
Dalman	Jelinek	Middaugh	Voorhees
DeVuyst	Jellema	Middleton	Walberg
Dobb	Johnson	Nye	Wetters
Fitzgerald	Kaza	Olshove	Whyman
Frank	Kilpatrick	Owen	Wojno
Galloway	Kukuk	Oxender	

In The Chair: Gire

The question being on the adoption of the amendment offered previously by Reps. Whyman and McManus,
The amendment was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 566**Yeas—68**

Alley	Dobb	Kaza	Oxender
Anthony	Fitzgerald	Kukuk	Palamara
Baade	Galloway	Law	Perricone
Banks	Geiger	LeTarte	Prusi
Basham	Gernaat	Llewellyn	Raczkowski
Birkholz	Gilmer	London	Rhead
Bobier	Godchaux	Lowe	Richner
Bodem	Goschka	Mans	Rocca
Brackenridge	Green	Mathieu	Sanborn
Brown	Gustafson	McBryde	Scranton
Callahan	Hammerstrom	McManus	Sikkema
Cassis	Harder	McNutt	Tesanovich
Crissman	Horton	Middaugh	Voorhees
Cropsey	Jansen	Middleton	Walberg
Dalman	Jelinek	Nye	Whyman
DeHart	Jellema	Olshove	Willard
DeVuyst	Johnson	Owen	Wojno

Nays—32

Agee	Frank	Kilpatrick	Rison
Baird	Gagliardi	LaForge	Schauer
Bogardus	Gire	Leland	Schroer
Brater	Gubow	Martinez	Stallworth
Brewer	Hale	Parks	Thomas
Cherry	Hanley	Price	Varga
Dobronski	Hertel	Profit	Vaughn
Emerson	Kelly	Quarles	Wallace

In The Chair: Gire

The question being on the motion made previously by Rep. Cassis to reconsider the vote by which the Cassis amendment was not adopted,

Rep. Cassis withdrew the motion.

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

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

Rep. Gagliardi moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 907, entitled**

A bill to make appropriations for community colleges for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

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

Roll Call No. 567**Yeas—98**

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

Nays—6

Bankes	Godchaux	Richner	Vaughn
Bobier	Johnson		

In The Chair: Gire

The House agreed to the title of the bill.

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

“Mr. Speaker and members of the House:

I cannot in good conscience vote for this budget because this bill ignores the needs of poor, mainly African-American students in Highland Park and Detroit.

How can you vote to fund Community Colleges in the state and ignore Highland Park Community College?

The Governor is planning a new prison in Highland Park but he doesn’t have the moral strength to support a 77 year old Community College.

This Legislature talks a lot about jobs and work first. I suggest we educate first.

I will continue my fight for poor and disadvantaged people in Detroit and in this state.

Highland Park Community must be reopened. We must do the right thing.”

The Speaker assumed the Chair.

Comments and Recommendations

Rep. Gagliardi moved that the following remarks be printed in the Journal.
The motion prevailed.

Speaker Hertel:

“Colleagues, we have a very special guest with us this afternoon. We appreciate him taking time out from his very, very busy schedule. Many people who don’t follow closely college athletics and college basketball in particular, may not know that perhaps the busiest time for a university coach is not during the season, but during that time of year when the coach is busy recruiting prospects for the upcoming season. It’s a time consuming and very exhausting trek around the entire country and that’s why it is so special that Coach Izzo is taking a few minutes out of his busy schedule to be here with us today. We in turn are going to take this opportunity to honor Coach Izzo, not only for the job that he and his team did on the court as the Big Ten Champions, but perhaps more importantly a tremendous individual honor has been bestowed on Coach Izzo. He has been chosen as the NCAA Division One College Basketball Coach of the Year.

At this time I would like to invite all of my colleagues who represent the East Lansing and Lansing area to be up here on the podium with us as well as my colleagues from the Upper Peninsula. For those of you who don’t know it Coach Izzo is a native Yupper from Iron Mountain. So I would ask that all of you come up here at this time. On behalf of Representative Sikkema, the Republican Leader, and all of my colleagues in the House of Representatives we are proud and honored to give you this resolution in recognition of a very, very special year for you and for Michigan State University, congratulations.”

Tom Izzo:

“I have to admit that it has been a great year for me and I’ve had a lot of honors, but you’ve outdone yourselves. This is quite a treat for me, I’ve never been on the floor and I really enjoyed it. I kind of enjoy the little squabbles, it reminds me of Jud and Bobby Knight. I really appreciate all of you and for you taking your time out of your busy schedule to bestow this honor on me. Speaker Hertel, I can’t tell you how much I appreciate it. Thank you.”

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5593, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 1999; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

(The bill was received from the Senate on May 27, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 28, see House Journal No. 51, p. 1195.)

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

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 568

Yeas—0

Nays—100

Agee	Dobb	Kelly	Price
Alley	Dobronski	Kilpatrick	Profit
Anthony	Emerson	Kukuk	Prusi
Baade	Fitzgerald	LaForge	Quarles
Baird	Frank	Law	Raczkowski
Bankes	Freeman	Leland	Rhead
Basham	Gagliardi	LeTarte	Richner
Birkholz	Galloway	Llewellyn	Rison
Bodem	Gernaat	London	Rocca
Bogardus	Gilmer	Lowe	Sanborn

Brackenridge	Gire	Mans	Schauer
Brater	Godchaux	Martinez	Schermesser
Brewer	Goschka	Mathieu	Schroer
Brown	Gubow	McBryde	Scranton
Byl	Gustafson	McManus	Sikkema
Callahan	Hale	McNutt	Stallworth
Cassis	Hammerstrom	Middaugh	Tesanovich
Cherry	Hanley	Middleton	Thomas
Ciaramitaro	Harder	Nye	Vaughn
Crissman	Hertel	Olshove	Voorhees
Cropsey	Horton	Owen	Walberg
Curtis	Jansen	Oxender	Wetters
Dalman	Jelinek	Palamara	Whyman
DeHart	Jellema	Parks	Willard
DeVuyst	Kaza	Perricone	Wojno

In The Chair: Hertel

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Schroer, Hale and McBryde.

Messages from the Governor

The following message from the Governor was received and read:

June 4, 1998

Ms. Mary Kay Scullion, Clerk
House of Representatives
State Capitol Building
Lansing, Michigan 48909
Dear Ms. Scullion:

Per the request of the House of Representatives, I am returning Enrolled House Bill 5304.

Sincerely,
John Engler
Governor

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Gagliardi moved to vacate the enrollment of **House Bill No. 5304**.
The motion prevailed.

June 9, 1998

Ms. Carol Morey Viventi
Secretary of the Senate
Capitol Building
Lansing, MI 48909
Dear Ms. Viventi:

Pursuant to Joint Rule 12, this is to notify the Senate that, upon enrollment, an error has been found in House Bill No. 5304 on page 2, line 3. Therefore, the following amendment has been adopted, by record roll call vote of the House of Representatives:

1. Amend page 2, line 3, by striking out "1487-95" and inserting "F1487-97".

Very respectfully,
Mary Kay Scullion, Clerk
House of Representatives

The House approved the letter correcting the amendment, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 569**Yeas—102**

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

Nays—0

In The Chair: Hertel

Rep. Hood entered the House Chambers.

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

Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Wednesday, June 10, at 10:00 a.m.
The motion prevailed.

Reps. Thomas, Bankes, Dobronski, LaForge, Kelly, Baade, Martinez, Baird, Anthony, Schauer, Hale, Cherry, Brater, Gire, Quarles, Bogardus, Schermesser, Vaughn, DeHart, McNutt, London, Bodem, Tesanovich, Varga, Parks, Gubow, Freeman, Palamara, Gernaat, Profit, Richner, Raczkowski, Birkholz, Green, Godchaux, Jellema and Scranton offered the following resolution:

House Resolution No. 315.

A resolution declaring the month of June as Healthy Detroit Month.

Whereas, The Healthy Detroit Initiative was organized as a collaborative effort to enhance the quality of life for metropolitan Detroit area residents as a means of improving health status; and

Whereas, Healthy Detroit believes in the inherent worth, dignity and equality of every person, and in the right of every person to our basic needs as human beings: love, good housing, food, health care, a clean and nurturing environment, meaningful and purposeful work, quality education, recreation, safety of person and property; and

Whereas, Healthy Detroit is committed to live in harmony with one another in vibrant communities, to place special emphasis on the unique needs of our youth and elders, to respect our different beliefs and to protect our natural environment for the sake of ourselves and future generations; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body declare the month of June as Healthy Detroit Month, 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 Healthy Detroit 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.

Reports of Select Committees

Senate Bill No. 3, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7410 (MCL 333.7410), as amended by 1994 PA 174.

The Senate has adopted the report of the Committee of Conference and ordered that the bill be given immediate effect.

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. 3, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7410 (MCL 333.7410), as amended by 1994 PA 174.

Recommends:

First: That the House recede from its amendments numbered 1 to 7, which read as follows:

1. Amend page 1, line 9, after "not" by striking out "less than 1 year nor".
2. Amend page 2, line 14, after the fourth "PARK" by striking out "shall" and inserting "MAY".
3. Amend page 2, line 16, after "not" by striking out "less than 2 years or".
4. Amend page 2, line 26, after "7214(a)(iv)" by striking out "shall" and inserting "MAY".
5. Amend page 2, line 27, after "not" by striking out "less than 2 years or".
6. Amend page 3, line 10, by striking out all of subsection (5) and renumbering the remaining subsections.
7. Amend page 4, following line 3, by striking out all of enacting section 1 and inserting:
"Enacting section 1. This amendatory act takes effect August 1, 1998."

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

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 7410a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SEC. 7410A. (1) AN INDIVIDUAL 18 YEARS OF AGE OR OVER WHO DOES ANY OF THE FOLLOWING MAY BE PUNISHED BY A TERM OF IMPRISONMENT OF NOT MORE THAN 2 YEARS:

(A) VIOLATES SECTION 7401(2)(A)(iv) BY DELIVERING A CONTROLLED SUBSTANCE DESCRIBED IN SCHEDULE 1 OR 2 THAT IS EITHER A NARCOTIC DRUG OR DESCRIBED IN SECTION 7214(A)(iv) TO A MINOR WHO IS IN A PUBLIC PARK OR PRIVATE PARK OR WITHIN 1,000 FEET OF A PUBLIC PARK OR PRIVATE PARK.

(B) VIOLATES SECTION 7401(2)(A)(iv) BY POSSESSING WITH INTENT TO DELIVER A CONTROLLED SUBSTANCE DESCRIBED IN SCHEDULE 1 OR 2 THAT IS EITHER A NARCOTIC DRUG OR DESCRIBED IN SECTION 7214(A)(iv) TO A MINOR WHO IS IN A PUBLIC PARK OR PRIVATE PARK OR WITHIN 1,000 FEET OF A PUBLIC PARK OR PRIVATE PARK.

(C) VIOLATES SECTION 7403(2)(A)(v), (B), (C), OR (D) BY POSSESSING A CONTROLLED SUBSTANCE IN A PUBLIC PARK OR PRIVATE PARK.

(2) THE TERM OF IMPRISONMENT AUTHORIZED UNDER SUBSECTION (1) IS IN ADDITION TO THE TERM OF IMPRISONMENT AUTHORIZED FOR THE VIOLATION OF SECTION 7401(2)(A)(iv) OR SECTION 7403(2)(A)(v), (B), (C), OR (D).

(3) AS USED IN THIS SECTION:

(A) "PRIVATE PARK" MEANS REAL PROPERTY OWNED OR MAINTAINED BY A PRIVATE INDIVIDUAL OR ENTITY AND THAT IS OPEN TO THE GENERAL PUBLIC OR LOCAL RESIDENTS FOR RECREATION OR AMUSEMENT.

(B) "PUBLIC PARK" MEANS REAL PROPERTY OWNED OR MAINTAINED BY THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE THAT IS DESIGNATED BY THIS STATE OR BY THAT POLITICAL SUBDIVISION AS A PUBLIC PARK.

Enacting section 1. This amendatory act takes effect October 1, 1998.

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," (MCL 333.1101 to 333.25211) by adding section 7410A.

Michael J. Bouchard
Virgil Clark Smith
Conferees for the Senate

Ted Wallace
Laura Baird
Michael E. Nye
Conferees for the House

The Speaker announced that under Joint Rule 9 the conference report would lie over one day to fulfill the Journal printing requirements.

Reports of Standing Committees

The Committee on Corrections, by Rep. Freeman, Chair, reported

Senate Bill No. 838, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 11a, 51, and 56 (MCL 791.211a, 791.251, and 791.256), sections 11a and 56 as added by 1994 PA 93 and section 51 as amended by 1994 PA 217.

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

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

Favorable Roll Call

SB 838 To Report Out:

Yeas: Reps. Freeman, Mans, Agee, Callahan, Galloway, Nye, Sanborn,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 4, 1998, at 9:00 a.m.,

Present: Reps. Freeman, Mans, Agee, Callahan, Galloway, Nye, Perricone, Sanborn,

Absent: Rep. DeHart,

Excused: Rep. DeHart.

The Committee on Agriculture, by Rep. Wetters, Chair, reported

House Bill No. 5792, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," (MCL 46.1 to 46.32) by adding section 22.

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 5792 To Report Out:

Yeas: Reps. Wetters, Vaughn, Baade, Brewer, LaForge, Gernaat, Horton, Jelinek, Nye,

Nays: Rep. Willard.

The Committee on Agriculture, by Rep. Wetters, Chair, reported

House Bill No. 5793, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 9301, 9302, 9303, 9304, 9305, 9306, 9307, 9308, 9310, 9311, 9312, and 9313 (MCL 324.9301, 324.9302, 324.9303, 324.9304, 324.9305, 324.9306, 324.9307, 324.9308, 324.9310, 324.9311, 324.9312, and 324.9313), as added by 1995 PA 60, and by adding section 9314; and to repeal acts and parts of acts.

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 5793 To Report Out:

Yeas: Reps. Wetters, Vaughn, Baade, Brewer, LaForge, Green, DeVuyst, Gernaat, Horton, Jelinek, Nye,

Nays: Rep. Willard.

The Committee on Agriculture, by Rep. Wetters, Chair, reported

House Resolution No. 281.

A resolution to memorialize the United States Department of Agriculture to continue operations in Niles, Michigan, of its Plant Protection Center.

(For text of resolution, see House Journal No. 41, p. 888.)

With the recommendation that the resolution be adopted.

The Speaker announced that under Rule 77 the resolution would lie over one day.

Favorable Roll Call

HR 281 To Report Out:

Yeas: Reps. Wetters, Vaughn, Baade, Bogardus, Brewer, LaForge, Willard, Green, DeVuyst, Gernaat, Horton,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 4, 1998, at 8:30 a.m.,

Present: Reps. Wetters, Vaughn, Baade, Bogardus, Brewer, LaForge, Willard, Green, DeVuyst, Gernaat, Horton, Jelinek, Nye.

The Committee on Constitutional and Civil Rights, by Rep. Vaughn, Chair, reported

House Bill No. 4674, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 147b (MCL 750.147b), as added by 1988 PA 371.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4674 To Report Out:

Yeas: Reps. Vaughn, Freeman, Baird, Dobronski, Wallace,

Nays: Reps. McManus, Kaza, Llewellyn, Whyman.

The Committee on Constitutional and Civil Rights, by Rep. Vaughn, Chair, reported

House Resolution No. 176.

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

(For text of resolution, see House Journal No. 90 of 1997, p. 2341.)

With the recommendation that the resolution be adopted.

The Speaker announced that under Rule 77 the resolution would lie over one day.

Favorable Roll Call

HR 176 To Report Out:

Yeas: Reps. Vaughn, Freeman, Baird, Dobronski, Wallace, McManus, Kaza, Whyman,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Vaughn, Chair of the Committee on Constitutional and Civil Rights, was received and read:

Meeting held on: Tuesday, June 9, 1998, at 1:05 p.m.,

Present: Reps. Vaughn, Freeman, Baird, Dobronski, Wallace, McManus, Kaza, Llewellyn, Whyman.

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, June 3:

Senate Bill Nos. 1172 1174

The Clerk announced that the following Senate bills had been received on Thursday, June 4:

Senate Bill Nos. 888 1149 1159 1170

The Clerk announced the enrollment printing and presentation to the Governor on Friday, June 5, for his approval of the following bills:

Enrolled House Bill No. 5071 at 10:12 a.m.

Enrolled House Bill No. 5343 at 10:14 a.m.

The Clerk announced that the following bill had been printed and placed upon the files of the members, Friday, June 5:

House Bill No. 5915

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, June 8:

House Bill Nos. 5906 5907 5908 5909 5910 5911 5912 5913 5914

The Clerk announced that the following Senate bill had been received on Tuesday, June 9:

Senate Bill No. 1152

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

Enrolled Senate Bill No. 864 - Public Act No. 108

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

House Bill No. 4289, entitled

A bill to amend 1931 PA 328, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending sections 200, 201, 204, and 211a (MCL 750.200, 750.201, 750.204, and 750.211a) and by adding section 209a.

The Senate has amended the House amendment as follows:

1. Amend the House Amendment, page 7, following line 20, enacting section 1, after "effect" by striking out "July" and inserting "October".

The Senate has concurred in the House amendment as amended, ordered that the bill be given immediate effect and agreed to the title as amended.

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

House Bill No. 4738, entitled

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

The Senate has substituted (S-6) the bill.

The Senate has passed the bill as substituted (S-6), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 251 (MCL 257.251), as amended by 1993 PA 300.

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

House Bill No. 4740, entitled

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

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

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

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

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

House Bill No. 5424, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1311 (MCL 380.1311), as amended by 1995 PA 250, and by adding section 1311b.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 1311 (MCL 380.1311), as amended by 1995 PA 250.

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

House Bill No. 5561, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 5451, 5457, 5458, 5459, 5460, 5460a, 5461, 5468, 5469, 5470, 5472, 5473a, 5474, 5475, 5477, and 5478.

The Senate has amended the bill as follows:

1. Amend page 13, line 20, after "TO" by striking out "CONTROL" and inserting "MINIMIZE".
2. Amend page 17, line 1, by striking out all of section 5478.

The Senate has passed the bill as amended, ordered that it be given immediate effect and amended the title 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," (MCL 333.1101 to 333.25211) by adding sections 5451, 5457, 5458, 5459, 5460, 5460a, 5461, 5468, 5469, 5470, 5472, 5473a, 5474, 5475, and 5477.

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

House Bill No. 5138, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 482 (MCL 168.482), as amended by 1993 PA 137, and by adding section 488.

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

The House agreed to the full title.

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

House Bill No. 5139, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," (MCL 41.1a to 41.110c) by adding section 9.

The Senate has passed the bill.

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

House Bill No. 5140, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," (MCL 42.1 to 42.34) by amending the title and by adding section 2a.

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

The House agreed to the full title.

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

House Bill No. 5141, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," (MCL 61.1 to 74.25) by amending the title, as amended by 1983 PA 44, and by adding section 14 to chapter III.

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

The House agreed to the full title.

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

House Bill No. 5142, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," (MCL 46.1 to 46.32) by adding section 10c.

The Senate has passed the bill.

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

House Bill No. 5143, entitled

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; and to provide for the exercise by a charter county of certain powers whether or not authorized by its charter," (MCL 45.501 to 45.521) by amending the title, as amended by 1994 PA 20, and by adding section 2a.

The Senate has passed the bill.

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

House Bill No. 5144, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," (MCL 78.1 to 78.28) by amending the title and by adding section 2a.

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

The House agreed to the full title.

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

House Bill No. 5145, entitled

A bill to amend 1895 PA 215, entitled "The fourth class city act," by amending the title, section 3 of chapter I, sections 11 and 13 of chapter XXVIII, and section 1 of chapter XXXIII (MCL 81.3, 108.11, 108.13, and 113.1), the title as amended by 1983 PA 45, and by adding section 11 to chapter VI.

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

The House agreed to the full title.

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

House Bill No. 5146, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by amending the title, as amended by 1986 PA 64, and by adding section 25a.

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

The House agreed to the full title.

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

House Bill No. 5147, entitled

A bill to amend 1943 PA 183, entitled "County zoning act," (MCL 125.201 to 125.240) by amending the title, as amended by 1996 PA 569, and by adding section 12a.

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

The House agreed to the full title.

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

House Bill No. 5148, entitled

A bill to amend 1943 PA 184, entitled "Township zoning act," (MCL 125.271 to 125.310) by amending the title, as amended by 1996 PA 570, and by adding section 12a.

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

The House agreed to the full title.

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

House Bill No. 5149, entitled

A bill to amend 1959 PA 168, entitled "An act to provide for township planning; for the creation, organization, powers and duties of township planning commissions; and for the regulation and subdivision of land," (MCL 125.321 to 125.333) by amending the title and by adding section 3a.

The Senate has passed the bill.

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

House Bill No. 5150, entitled

A bill to amend 1941 PA 107, entitled "An act to authorize township water supply and sewage disposal services and facilities; to provide for financing of those services and facilities; and to prescribe the powers and duties of township boards with respect to those services and facilities," (MCL 41.331 to 41.350t) by amending the title, as amended by 1989 PA 83, and by adding section 20u.

The Senate has passed the bill.

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

House Bill No. 5151, entitled

A bill to amend 1933 PA 94, entitled "The revenue bond act of 1933," (MCL 141.101 to 141.140) by amending the title, as amended by 1987 PA 263, and by adding section 33b.

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

The House agreed to the full title.

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

House Bill No. 5152, entitled

A bill to amend 1921 PA 50, entitled "An act to authorize and empower townships to own and acquire land by gift or purchase for the erection of memorials to soldiers and sailors; to authorize the erection of such memorials; to provide for the assessment, levy and collection of taxes therefor, for the custody, control and management of such memorials and providing for a referendum by the electors thereof," (MCL 35.861 to 35.864) by amending the title and by adding section 5.

The Senate has passed the bill.

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

House Bill No. 5153, entitled

A bill to amend 1965 PA 246, entitled "An act to establish and provide a civil service system in certain townships; to create a civil service commission, and to prescribe the duties thereof; to provide certain exemptions from and classifications in civil service; to prescribe penalties for the violation of the provisions of this act; and to prescribe the manner of adoption of this act by townships," (MCL 38.451 to 38.470) by adding section 1a.

The Senate has passed the bill.

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

House Bill No. 5154, entitled

A bill to amend 1935 PA 78, entitled "An act to establish and provide a board of civil service commissioners in cities, villages, and municipalities having full-time paid members in the fire or police departments, or both; to provide a civil service system based upon examination and investigation as to merit, efficiency, and fitness for appointment, employment, and promotion of all full-time paid members appointed in the fire and police departments and respective cities, villages, and municipalities; to regulate the transfer, reinstatement, suspension, and discharge of officers, fire fighters, and police officers; and to repeal certain acts and parts of acts," (MCL 38.501 to 38.518) by amending the title, as amended by 1986 PA 155, and by adding section 17b.

The Senate has passed the bill.

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

House Bill No. 5155, entitled

A bill to amend 1937 PA 345, entitled "Fire fighters and police officers retirement act," (MCL 38.551 to 38.562) by amending the title, as amended by 1989 PA 7, and by adding section 11a.

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

The House agreed to the full title.

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

House Bill No. 5156, entitled

A bill to amend 1973 PA 139, entitled "An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; and to provide methods for abolition of a unified form of county government," by amending the title and section 23 (MCL 45.573), section 23 as amended by 1980 PA 100, and by adding section 3a.

The Senate has passed the bill.

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

House Bill No. 5157, entitled

A bill to amend 1939 PA 342, entitled "County public improvement act of 1939," (MCL 46.171 to 46.188) by amending the title and by adding section 4a.

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

The House agreed to the full title.

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

House Bill No. 5158, entitled

A bill to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; and to repeal certain acts and parts of acts," (MCL 46.401 to 46.416) by amending the title and by adding section 11b.

The Senate has passed the bill.

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

House Bill No. 5159, entitled

A bill to amend 1966 PA 298, entitled "An act to establish and provide a board of civil service commissioners for sheriffs' departments in certain counties; to provide a civil service system based upon examination and investigation as to merit, efficiency and fitness for appointment, employment and promotion of all officers and men appointed in the departments; to regulate the transfer, reinstatement, suspension and discharge of said officers; and to provide for referendums," (MCL 51.351 to 51.367) by amending the title and section 16 (MCL 51.366).

The Senate has passed the bill.

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

House Bill No. 5160, entitled

A bill to amend 1921 PA 378, entitled "An act to provide for the several counties of the state of Michigan purchasing or making, establishing and maintaining systems of abstracts of title of lands in such counties; the making and selling of abstracts of title and furnishing of information concerning the condition of titles and charging of fees therefor; the employing of persons to keep and maintain such systems of abstracts, and the doing of all things necessary for the carrying on of a general business of making and furnishing abstracts of title to the lands in such counties," (MCL 53.141 to 53.151) by amending the title and by adding section 12.

The Senate has passed the bill.

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

House Bill No. 5161, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," (MCL 141.501 to 141.787) by amending the title, as amended by 1996 PA 478, and by adding section 3d to chapter 1.

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

The House agreed to the full title.

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

House Bill No. 5162, entitled

A bill to amend 1921 PA 144, entitled "An act to provide a primary election system for the nomination of village officers," (MCL 200.61 to 200.65) by amending the title and by adding section 1a.

The Senate has passed the bill.

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

House Bill No. 5163, entitled

A bill to amend 1978 PA 485, entitled "An act to permit the creation of a county officers compensation commission; and to prescribe the powers and duties of the commission and other public officers," (MCL 45.471 to 45.477) by amending the title and by adding section 6a.

The Senate has passed the bill.

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

House Bill No. 5164, entitled

A bill to amend 1923 PA 116, entitled "Township and village public improvement and public service act," by amending the title and section 3a (MCL 41.413a), the title as amended by 1989 PA 82 and section 3a as amended by 1992 PA 177.

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

The House agreed to the full title.

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

House Bill No. 5165, entitled

A bill to amend 1905 PA 157, entitled "An act to provide for the acquisition, maintenance, management, and control of township parks, resorts, bathing beaches, and places of recreation; to provide for the creation of a township park commission; to provide for a board of commissioners to provide for the issuance of bonds and the levy of taxes; to provide for the transfer of certain real property for parks; to authorize cities and villages to appropriate money for park purposes; to provide for the acquisition, construction, and use of wharves, piers, docks, and landing places in townships; and to provide the powers and duties of certain local units of government and certain officials," (MCL 41.421 to 41.429) by amending the title, as amended by 1989 PA 79, and by adding section 5a.

The Senate has passed the bill.

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

House Bill No. 5167, entitled

A bill to amend 1974 PA 160, entitled "An act to provide for the adjustment of county boundaries; to provide for referendum thereon; and to prescribe the powers and duties of the secretary of state," (MCL 45.101 to 45.102) by amending the title and by adding section 1a.

The Senate has passed the bill.

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

House Bill No. 5168, entitled

A bill to amend 1933 PA 62, entitled "Property tax limitation act," by amending the title and sections 5a and 5b (MCL 211.205a and 211.205b), the title and section 5b as amended by 1994 PA 190.

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

The House agreed to the full title.

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

House Bill No. 5169, entitled

A bill to amend 1923 PA 161, entitled "An act to provide for the establishment of county sinking funds and to create a county sinking fund commission, to prescribe the powers and duties thereof, and to repeal all acts and parts of acts contravening the provisions of this act," (MCL 141.31 to 141.39) by amending the title and by adding section 10.

The Senate has passed the bill.

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

House Bill No. 5170, entitled

A bill to amend 1963 PA 62, entitled "Industrial development revenue bond act," (MCL 125.1251 to 125.1267) by amending the title and by adding section 12a.

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

The House agreed to the full title.

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

House Bill No. 5171, entitled

A bill to amend 1933 (Ex Sess) PA 18, entitled "An act to authorize any city, village, township, or county to purchase, acquire, construct, maintain, operate, improve, extend, and repair housing facilities; to eliminate housing conditions which are detrimental to the public peace, health, safety, morals, or welfare; and for any such purposes to authorize any such city, village, township, or county to create a commission with power to effectuate said purposes, and to prescribe the powers and duties of such commission and of such city, village, township, or county; and for any such purposes to authorize any such commission, city, village, township, or county to issue notes and revenue bonds; to regulate the issuance, sale, retirement, and refunding of such notes and bonds; to regulate the rentals of such projects and the use of the revenues of the projects; to prescribe the manner of selecting tenants for such projects; to provide for condemnation of private property for such projects; to confer certain powers upon such commissions, cities, villages, townships, and counties in relation to such projects, including the power to receive aid and cooperation of the federal government; to provide for a referendum thereon; to provide for cooperative financing by 2 or more commissions, cities, villages, townships, or counties or any combination thereof; to provide for the issuance, sale, and retirement of revenue bonds and special obligation notes for such purposes; to provide for financing agreements between cooperating borrowers; to provide for other matters relative to the bonds and notes and methods of cooperative financing; and for other purposes," (MCL 125.651 to 125.709c) by amending the title, as amended by 1996 PA 338, and by adding section 3a.

The Senate has passed the bill.

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

House Bill No. 5172, entitled

A bill to amend 1989 PA 292, entitled "Metropolitan council act," (MCL 124.651 to 124.685) by amending the title and by adding section 13a.

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

The House agreed to the full title.

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

House Bill No. 5173, entitled

A bill to amend 1988 PA 57, entitled "An act to provide for the incorporation by 2 or more municipalities of certain authorities for the purpose of providing emergency services to municipalities; to provide for the powers and duties of authorities and of certain state and local agencies and officers; to guarantee certain labor contracts and employment rights in regard to the formation and reorganization of authorities; to provide for certain condemnation proceedings; and to provide for the levy of property taxes for certain purposes," (MCL 124.601 to 124.614) by amending the title and by adding section 4a.

The Senate has passed the bill.

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

House Bill No. 5174, entitled

A bill to amend 1986 PA 196, entitled "Public transportation authority act," by amending the title and section 8 (MCL 124.458), section 8 as amended by 1990 PA 10.

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

The House agreed to the full title.

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

House Bill No. 5176, entitled

A bill to amend 1967 (Ex Sess) PA 7, entitled "Urban cooperation act of 1967," (MCL 124.501 to 124.512) by amending the title, as amended by 1989 PA 138, and by adding section 5b.

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

The House agreed to the full title.

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

House Bill No. 5177, entitled

A bill to amend 1939 PA 147, entitled "An act to provide for the incorporation of the Huron-Clinton metropolitan authority; to permit the counties of Wayne, Washtenaw, Livingston, Oakland, and Macomb, or certain of such counties, to join in a metropolitan district for planning, promoting, and/or for acquiring, constructing, owning, developing, maintaining and operating, either within or without their limits, parks, connecting drives, and/or limited access highways; to provide for the assessment, levy, collection and return of taxes therefor; to provide for the issuance of revenue bonds; to authorize condemnation proceedings; and to provide a referendum thereon," (MCL 119.51 to 119.61) by amending the title and by adding section 12.

The Senate has passed the bill.

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

House Bill No. 5178, entitled

A bill to amend 1929 PA 312, entitled "The metropolitan district act," (MCL 119.1 to 119.18) by amending the title, as amended by 1989 PA 98, and by adding section 9b.

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

The House agreed to the full title.

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

House Bill No. 5179, entitled

A bill to amend 1991 PA 180, entitled "An act to assist in the financing of stadia or convention facilities; to permit eligible municipalities to impose and collect an excise tax on businesses engaged in the preparation and delivery of food and beverages for immediate consumption, in leasing or renting motor vehicles in the eligible municipality, and in providing accommodations for dwelling, lodging, or sleeping purposes; to limit the rate of that excise tax; to authorize voter approval in a single ballot question of the excise tax authorized by this act and of certain purposes for which the excise tax is imposed; to provide for the establishment of procedures for the collection, administration, and enforcement of the excise tax; to prescribe the powers and duties of certain state departments and state and local officials; to provide for the disposition and transmittal of the revenues from the tax for stadia or convention facility development and other purposes and authorize the pledge of those revenues; to authorize the appointment of employees and officials of a local governmental unit to an authority to which revenues from the tax may be pledged; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts," (MCL 207.751 to 207.759) by adding section 2a.

The Senate has passed the bill.

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

House Bill No. 5180, entitled

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; and providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials," by amending the title and section 1 of chapter IV (MCL 224.1), the title as amended by 1996 PA 218.

The Senate has passed the bill.

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

House Bill No. 5181, entitled

A bill to amend 1957 PA 206, entitled "An act to authorize 2 or more counties, cities, townships and incorporated villages, or any combination thereof, to incorporate an airport authority for the planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining and operating the landing, navigational and building facilities necessary thereto of 1 or more community airports; to provide for changes in the membership therein; to authorize an authority or the counties, cities, townships and incorporated villages that form an authority to levy taxes for such purposes; to provide for the operation and maintenance and issuing notes therefor; and to authorize condemnation proceedings," (MCL 259.621 to 259.631) by amending the title, as amended by 1987 PA 153, and by adding section 8a.

The Senate has passed the bill.

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

House Bill No. 5182, entitled

A bill to amend 1956 PA 197, entitled "An act to promote the agricultural interests of the various townships of this state; to provide referenda," (MCL 285.201 to 285.203) by amending the title and by adding section 2a.

The Senate has passed the bill.

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

House Bill No. 5183, entitled

A bill to amend 1989 PA 24, entitled "The district library establishment act," (MCL 397.171 to 397.196) by amending the title and by adding section 10a.

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

The House agreed to the full title.

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

House Bill No. 5184, entitled

A bill to amend 1877 PA 164, entitled "An act to authorize cities, incorporated villages, and townships to establish and maintain, or contract for the use of, free public libraries and reading rooms," (MCL 397.201 to 397.217) by amending the title, as amended by 1984 PA 128, and by adding section 11a.

The Senate has passed the bill.

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

House Bill No. 5186, entitled

A bill to amend 1967 PA 179, entitled "An act to authorize the registered electors of, or governing body of, a county, city, village, or township to levy taxes and expend funds for youth centers," (MCL 123.461) by amending the title, as amended by 1988 PA 342, and by adding section 2.

The Senate has passed the bill.

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

House Bill No. 5187, entitled

A bill to amend 1891 PA 186, entitled "An act to authorize the cities and villages of this state to provide for the lighting of their streets and other public places therein by means of electric or other lights," (MCL 123.91 to 123.93) by amending the title and by adding section 4.

The Senate has passed the bill.

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

House Bill No. 5188, entitled

A bill to amend 1929 PA 199, entitled "An act to authorize and empower villages and townships of this state having a population not exceeding 10,000 inhabitants, to levy a tax for the maintenance or the purchase of lands and maintenance of property for a community center for the benefit of the public, provided the question of such purchase or maintenance, or both purchase and maintenance, as the case may be, is submitted to the duly qualified voters of such villages or townships and is adopted by a majority vote of those participating in said election," (MCL 123.41 to 123.46) by amending the title and by adding section 1a.

The Senate has passed the bill.

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

House Bill No. 5189, entitled

A bill to amend 1923 PA 230, entitled "An act to authorize and empower villages and townships of this state, also cities having a population not exceeding 50,000 inhabitants, to levy a tax for the maintenance and employment of a band for musical purposes for the benefit of the public, provided said special question is submitted to the duly qualified voters of such villages, townships or cities and adopted or agreed to by a majority vote of those participating in said election," (MCL 123.861 to 123.863) by amending the title and by adding section 1a.

The Senate has passed the bill.

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

House Bill No. 5190, entitled

A bill to amend 1955 PA 233, entitled "An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management

systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; and to provide for the issuance of bonds to acquire, construct, extend, or improve the systems,” (MCL 124.281 to 124.294) by amending the title, as amended by 1981 PA 154, and by adding section 8a.

The Senate has passed the bill.

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

House Bill No. 5191, entitled

A bill to amend 1967 PA 204, entitled “Metropolitan transportation authorities act of 1967,” (MCL 124.401 to 124.426) by amending the title, as amended by 1988 PA 481, and by adding section 16a.

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

The House agreed to the full title.

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

House Bill No. 5192, entitled

A bill to amend 1927 PA 165, entitled “An act to authorize the consolidation of township libraries in adjoining townships in certain cases, and to provide for their joint maintenance,” by amending the title and section 2 (MCL 397.352).

The Senate has passed the bill.

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

House Bill No. 5193, entitled

A bill to amend 1956 (Ex Sess) PA 6, entitled “Township water system act of 1956,” (MCL 486.501 to 486.508) by amending the title and by adding section 4a.

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

The House agreed to the full title.

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

House Bill No. 5194, entitled

A bill to amend 1945 PA 47, entitled “An act to authorize 2 or more cities, townships, and villages, or any combination of cities, townships, and villages, to incorporate a hospital authority for planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining, and operating 1 or more community hospitals and related buildings or structures and related facilities; to provide for the sale, lease, or other transfer of a hospital owned by a hospital authority to a nonprofit corporation established under the laws of this state for no or nominal monetary consideration; to define hospitals and community hospitals; to provide for changes in the membership therein; to authorize the cities, townships, and villages to levy taxes for community hospital purposes; to provide for the issuance of bonds; to provide for the pledge of assessments; to provide for borrowing money for operation and maintenance and issuing notes for operation and maintenance; to validate elections heretofore held and notes heretofore issued; to validate bonds heretofore issued; to authorize condemnation proceedings; to grant certain powers of a body corporate; and to validate and ratify the organization, existence, and membership of entities acting as hospital authorities under the act and the actions taken by hospital authorities and by the members of the hospital authorities,” (MCL 331.1 to 331.11) by amending the title, as amended by 1987 PA 117, and by adding section 10.

The Senate has passed the bill.

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

House Bill No. 5195, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 1102.

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

The House agreed to the full title.

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

House Bill No. 5196, entitled

A bill to amend 1978 PA 639, entitled “Hertel-Law-T. Stopczynski port authority act,” (MCL 120.101 to 120.130) by amending the title and by adding section 14a.

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

The House agreed to the full title.

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

House Bill No. 5197, entitled

A bill to amend 1957 PA 4, entitled "Charter water authority act," by amending the title and section 14a (MCL 121.14a). The Senate has passed the bill and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 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.

The Senate has passed the bill.

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

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.

The Senate has passed the bill.

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

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.

The Senate has passed the bill.

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

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.

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

The House agreed to the full title.

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

House Bill No. 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.

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

The House agreed to the full title.

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

Senate Bill No. 514, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2213b (MCL 500.2213b), as added by 1996 PA 517.

The Senate has appointed Senators Shugars, Schwarz and Byrum as second conferees to join with Reps. Gubow, Basham and Llewellyn.

The message was referred to the Clerk.

Senate Bill No. 97, entitled

A bill to amend 1931 PA 328, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending sections 204a, 207, 209, and 210 (MCL 750.204a, 750.207, 750.209, and 750.210); and to repeal acts and parts of acts.

The Senate has amended the House substitute (H-2) as follows:

1. Amend page 8, line 11, after "effect" by striking out "July" and inserting "October".

The Senate has concurred in the House substitute (H-2) as amended, ordered that the bill be given immediate effect and agreed to the title as amended.

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

Senate Bill No. 313, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1311a.

The Senate has amended the House substitute (H-4) as follows:

1. Amend page 1, line 1, after "SEC. 1311A." by striking out all of subsection (1) and inserting "(1) IF A PUPIL ENROLLED IN A PUBLIC SCHOOL IN GRADE 6 OR ABOVE COMMITS A PHYSICAL ASSAULT AT SCHOOL OR COMMITS ANOTHER INTENTIONAL ACT AT SCHOOL THAT RESULTS IN VIOLENCE TO ANOTHER'S PERSON OR PROPERTY OR POSES A DIRECT THREAT TO THE SAFETY OF OTHERS; IF THE ASSAULT OR OTHER ACT IS REPORTED TO THE SCHOOL BOARD BY THE VICTIM OR, IF THE VICTIM IS UNABLE TO REPORT THE ASSAULT, BY ANOTHER PERSON ON THE VICTIM'S BEHALF; AND IF THE SCHOOL BOARD DETERMINES THAT AN ASSAULT OR OTHER ACT DESCRIBED IN THIS SUBSECTION DID IN FACT OCCUR AND WAS COMMITTED BY THE PUPIL, THE SCHOOL BOARD SHALL EXPEL THE PUPIL FROM THE SCHOOL DISTRICT. THE EXPULSION SHALL BE PERMANENT, SUBJECT TO POSSIBLE REINSTATEMENT UNDER SUBSECTION (4). HOWEVER, IF A SCHOOL DISTRICT INCLUDES GRADE 6 IN ITS ELEMENTARY SCHOOLS SO THAT THOSE SCHOOLS ARE OPERATED AS GRADE K-6 SCHOOLS, WITHIN THAT SCHOOL DISTRICT THE REQUIREMENTS OF THIS SUBSECTION APPLY ONLY TO PUPILS ENROLLED IN GRADE 7 OR ABOVE."

2. Amend page 2, line 15, after "EXPULSION." by striking out the balance of the subsection and inserting "EXCEPT IF A SCHOOL DISTRICT OPERATES OR PARTICIPATES COOPERATIVELY IN AN ALTERNATIVE EDUCATION PROGRAM APPROPRIATE FOR INDIVIDUALS EXPELLED PURSUANT TO THIS SECTION OR SECTION 1311(2) AND IN ITS DISCRETION ADMITS THE INDIVIDUAL TO THAT PROGRAM, AN INDIVIDUAL EXPELLED PURSUANT TO THIS SECTION IS EXPELLED FROM ALL PUBLIC SCHOOLS IN THIS STATE AND THE OFFICIALS OF A SCHOOL DISTRICT SHALL NOT ALLOW THE INDIVIDUAL TO ENROLL IN THE SCHOOL DISTRICT UNLESS THE INDIVIDUAL HAS BEEN REINSTATED UNDER SUBSECTION (4). EXCEPT AS OTHERWISE PROVIDED BY LAW, A PROGRAM OPERATED FOR INDIVIDUALS EXPELLED PURSUANT TO THIS SECTION OR SECTION 1311(2) SHALL ENSURE THAT THOSE INDIVIDUALS ARE PHYSICALLY SEPARATED AT ALL TIMES DURING THE SCHOOL DAY FROM THE GENERAL PUPIL POPULATION. IF AN INDIVIDUAL EXPELLED FROM A SCHOOL DISTRICT PURSUANT TO THIS SECTION IS NOT PLACED IN AN ALTERNATIVE EDUCATION PROGRAM, THE SCHOOL DISTRICT MAY PROVIDE, OR MAY ARRANGE FOR THE INTERMEDIATE SCHOOL DISTRICT TO PROVIDE, APPROPRIATE INSTRUCTIONAL SERVICES TO THE INDIVIDUAL AT HOME. THE TYPE OF SERVICES PROVIDED SHALL BE SIMILAR TO THOSE PROVIDED TO HOMEBOUND OR HOSPITALIZED PUPILS UNDER SECTION 109 OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1709, AND THE SERVICES MAY BE CONTRACTED FOR IN THE SAME MANNER AS UNDER THAT SECTION. THIS SUBSECTION DOES NOT REQUIRE A SCHOOL DISTRICT TO EXPEND MORE MONEY FOR PROVIDING SERVICES FOR A PUPIL EXPELLED PURSUANT TO THIS SECTION THAN THE AMOUNT OF THE FOUNDATION ALLOWANCE THE SCHOOL DISTRICT RECEIVES FOR THE PUPIL UNDER SECTION 20 OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1620."

3. Amend page 2, line 25, after "REFERRAL." by striking out the balance of the subsection.

4. Amend page 3, line 2, by striking out all of line 2 through "PROGRAM" on line 3.
5. Amend page 3, line 6, after "TO" by striking out the balance of the line through "PLACEMENT" on line 7 and inserting "PUBLIC EDUCATION".
6. Amend page 3, line 7, after "DISTRICT" by striking out the balance of the line through "EDUCATION." on line 8 and inserting a period and "IF THE EXPELLING SCHOOL BOARD DENIES A PETITION FOR REINSTATEMENT, THE PARENT OR LEGAL GUARDIAN OR, IF THE INDIVIDUAL IS AT LEAST AGE 18 OR IS AN EMANCIPATED MINOR, THE INDIVIDUAL MAY PETITION ANOTHER SCHOOL BOARD FOR REINSTATEMENT OF THE INDIVIDUAL IN THAT OTHER SCHOOL DISTRICT."
7. Amend page 3, line 10, after "(A)" by striking out the balance of the line through "EXPULSION," on line 15.
8. Amend page 3, line 20, after "(B)" by striking out the balance of the line through "EXPULSION" on line 24 and inserting "THE INDIVIDUAL".
9. Amend page 5, line 3, after "INDIVIDUAL" by striking out the balance of the line through "EDUCATION" on line 4.
10. Amend page 5, line 6, after "INDIVIDUAL" by striking out the balance of the line through "EDUCATION" on line 7.
11. Amend page 6, line 20, after "PUPIL" by striking out "MADE IN GOOD FAITH".
12. Amend page 7, line 2, after "POLICY" by striking out "REQUIRED UNDER SECTION 1310".
13. Amend page 7, line 3, after "THE" by striking out "STATE BOARD" and inserting "DEPARTMENT".
14. Amend page 7, line 10, by striking out all of subsection (9) and inserting:

"(9) A SCHOOL BOARD OR ITS DESIGNEE SHALL REPORT ALL PHYSICAL ASSAULTS OCCURRING AT SCHOOL TO APPROPRIATE STATE OR LOCAL LAW ENFORCEMENT OFFICIALS AND PROSECUTORS WITHIN THREE SCHOOL DAYS."
15. Amend page 7, following line 15, by inserting:

"(10) IN ORDER TO OBTAIN AN ACCURATE LOCAL AND STATEWIDE PICTURE OF SCHOOL CRIME AND TO DEVELOP THE PARTNERSHIPS NECESSARY TO PLAN AND IMPLEMENT SCHOOL SAFETY PROGRAMS, AT LEAST ANNUALLY, EACH SCHOOL BOARD SHALL REPORT TO THE DEPARTMENT, IN THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT, INCIDENTS OF CRIME OCCURRING AT SCHOOL WITHIN THE SCHOOL DISTRICT. THE REPORTING SHALL INCLUDE AT LEAST CRIMES INVOLVING PHYSICAL VIOLENCE, GANG-RELATED ACTIVITY, ILLEGAL POSSESSION OF A CONTROLLED SUBSTANCE OR CONTROLLED SUBSTANCE ANALOGUE, OR OTHER INTOXICANT, TRESPASSING, AND PROPERTY CRIMES INCLUDING, BUT NOT LIMITED TO, THEFT AND VANDALISM. FOR A PROPERTY CRIME, THE REPORT SHALL INCLUDE AN ESTIMATE OF THE COST TO THE SCHOOL DISTRICT RESULTING FROM THE PROPERTY CRIME. THE SCHOOL CRIME REPORTING REQUIREMENTS OF THIS SUBSECTION ARE INTENDED TO DO ALL OF THE FOLLOWING:

 - (A) HELP POLICY MAKERS AND PROGRAM DESIGNERS AT THE LOCAL AND STATE LEVELS DEVELOP APPROPRIATE PREVENTION AND INTERVENTION PROGRAMS.
 - (B) PROVIDE THE CONTINUOUS ASSESSMENT TOOLS NEEDED FOR REVISING AND REFINING SCHOOL SAFETY PROGRAMS.
 - (C) ASSIST SCHOOLS AND SCHOOL DISTRICTS TO IDENTIFY THE MOST PRESSING SAFETY ISSUES CONFRONTING THEIR SCHOOL COMMUNITIES, TO DIRECT RESOURCES APPROPRIATELY, AND TO ENHANCE CAMPUS SAFETY THROUGH PREVENTION AND INTERVENTION STRATEGIES.
 - (D) FOSTER THE CREATION OF PARTNERSHIPS AMONG SCHOOLS, SCHOOL DISTRICTS, STATE AGENCIES, COMMUNITIES, LAW ENFORCEMENT, AND THE MEDIA TO PREVENT FURTHER CRIME AND VIOLENCE AND TO ASSURE A SAFE LEARNING ENVIRONMENT FOR EVERY PUPIL.

(11) IF A PUPIL EXPELLED FROM A SCHOOL DISTRICT PURSUANT TO THIS SECTION IS ENROLLED BY A PUBLIC SCHOOL SPONSORED ALTERNATIVE EDUCATION PROGRAM OR A PUBLIC SCHOOL ACADEMY DURING THE PERIOD OF EXPULSION, THE PUBLIC SCHOOL ACADEMY OR THE ALTERNATIVE EDUCATION PROGRAM IS IMMEDIATELY ELIGIBLE FOR THE PRORATED SHARE OF EITHER THE PUBLIC SCHOOL ACADEMY'S FOUNDATION ALLOWANCE OR THE EXPELLING SCHOOL DISTRICT'S FOUNDATION ALLOWANCE, WHICHEVER IS HIGHER.

(12) AT LEAST ANNUALLY, EACH SCHOOL DISTRICT SHALL PREPARE AND SUBMIT TO THE DEPARTMENT, IN THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT, A REPORT STATING THE NUMBER OF PUPILS EXPELLED PURSUANT TO THIS SECTION DURING THE IMMEDIATELY PRECEDING SCHOOL YEAR, WITH A BRIEF DESCRIPTION OF THE INCIDENT THAT CAUSED EACH EXPULSION." and renumbering the remaining subsection.
16. Amend page 7, following line 20, by inserting:

"(B) "CONTROLLED SUBSTANCE" AND "CONTROLLED SUBSTANCE ANALOGUE" MEAN THOSE TERMS AS DEFINED IN SECTION 7104 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.7104." and relettering the remaining subdivisions.
17. Amend page 8, line 6, by striking out all of enacting section 1.

The Senate has concurred in the House substitute (H-4) as amended and ordered that the bill be given immediate effect. The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Senate Bill No. 888, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16299, 17016, and 17516 (MCL 333.16299, 333.17016 and 333.17516), sections 17016 and 17516 as added by 1996 PA 273.

The Senate has passed the bill.

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

Senate Bill No. 1149, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 725 (MCL 339.725), as added by 1997 PA 10.

The Senate has passed the bill.

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

Senate Bill No. 1159, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 115g (MCL 400.115g), as amended by 1994 PA 238.

The Senate has passed the bill.

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

Senate Bill No. 1170, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 226 (MCL 330.1226), as amended by 1996 PA 588.

The Senate has passed the bill.

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

Notices**Public Hearing**

Committee on Urban Policy and Economic Development

Date: Monday, June 15, 1998

Time: 7:00 p.m.

Place: City Hall, Commission Chamber, Battle Creek, Michigan

Rep. Hanley
Chair

Agenda: Improving living conditions in the state's major cities
and any/or all business properly before the committee

Messages from the Governor

The following messages from the Governor, approving and signing the following bills at the times designated below, were received and read:

Date: June 8, 1998

Time: 5:30 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4060 (Public Act No. 114, I.E.), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 502 (MCL 324.502), as amended by 1996 PA 272, and by adding section 502a.

(Filed with the Secretary of State June 9, 1998, at 9:28 a.m.)

Date: June 8, 1998

Time: 5:40 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5316 (Public Act No. 115, I.E.), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 61501, 61516, and 61517 (MCL 324.61501, 324.61516, and 324.61517), as added by 1995 PA 57.

(Filed with the Secretary of State June 9, 1998, at 9:30 a.m.)

Date: June 9, 1998

Time: 8:25 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5426 (Public Act No. 116), being

An act to promote the safe use of personal watercraft on the waters of this state; to provide for rules relative to the operation of personal watercraft; to impose certain safety requirements on operators of personal watercraft; to prescribe the duties and responsibilities of owners, operators, and dealers of personal watercraft; to prescribe the powers and duties of certain state departments; to provide for penalties; and to repeal acts and parts of acts.

(Filed with the Secretary of State June 9, 1998, at 9:32 a.m.)

Date: June 9, 1998

Time: 9:00 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4061 (Public Act No. 117, I.E.), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 503 and 2132 (MCL 324.503 and 324.2132), section 503 as amended by 1996 PA 133 and section 2132 as added by 1995 PA 60, and by adding part 610.

(Filed with the Secretary of State June 9, 1998, at 9:34 a.m.)

Communications from State Officers

The following communication from the Secretary of State was received and read:

Notice of Filing
Administrative Rules

May 18, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:10 P.M. this date, administrative rule (98-05-5) for the Department of Environmental Quality, Air Quality Division, entitled “Disbursement of Air Pollution Surveillance Fees to Local Units”, effective 15 days hereafter.

Sincerely,

Candice S. Miller

Secretary of State

Helen Kruger, Supervisor

Office of the Great Seal

The communication was referred to the Clerk.

The following communication from the Department of Consumer and Industry Services was received and read:

May 28, 1998

Pursuant to Section 328 of P.A. 104 of 1997, we are enclosing a copy of the Interim Approval Evaluation #CA09039 conducted at Parmenter House, 706 Fifth Street, Bay City, Michigan 48706. This investigative report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions.

If you have any questions regarding this information, please feel free to contact Don Reichle at 335-1954.

Sincerely,
John R. Suckow, Director
Finance and Administrative Services

The communication was referred to the Clerk.

The following communication from the Detroit Michigan Works! Agency was received and read:

June 8, 1998

Enclosed are the Job Training Partnership Act Title IIA Five Percent Older Worker, Title IIC, Title III, Title IIB and Title IIA Job Training Plans for program year July 1, 1998 - June 30, 1999.

Sincerely,
Willie Walker
Director

The communication was referred to the Clerk.

Introduction of Bills

Reps. Basham, Freeman, DeHart, Anthony, Prusi, Martinez, Cherry, LaForge, Cropsey, Tesanovich, Scott, Hale, Bogardus, Wojno, Thomas, Wetters, Walberg, Dobronski, Agee, Schermesser, Kelly, Rison, Griffin, Leland, Jelinek, Bobier, Goschka, Sanborn, Godchaux, Lowe, Richner, Birkholz and Quarles introduced

House Bill No. 5916, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," (MCL 418.101 to 418.941) and by adding section 853a.

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

Reps. Basham, Freeman, DeHart, Anthony, Prusi, Martinez, Cherry, LaForge, Cropsey, Tesanovich, Scott, Hale, Bogardus, Wojno, Thomas, Wetters, Walberg, Dobronski, Agee, Schermesser, Kelly, Rison, Griffin, Leland, Jelinek, Bobier, Goschka, Sanborn, Godchaux, Kukuk, Lowe, Richner and Birkholz introduced

House Bill No. 5917, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 801 (MCL 418.801), as amended by 1994 PA 271.

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

Reps. Whyman, Perricone, Llewellyn, Bodem, Kukuk, Goschka, Sanborn, Voorhees and Raczkowski introduced

House Bill No. 5918, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license; to provide for the forfeiture of firearms possessed in violation of this act; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 12a (MCL 28.432a).

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

Reps. Whyman, Perricone, Llewellyn, Bodem, Kukuk, Goschka, Sanborn, Voorhees and Raczkowski introduced

House Bill No. 5919, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 227 (MCL 750.227), as amended by 1986 PA 8.

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

Reps. Jelinek, Cassis, Llewellyn, Birkholz, Byl and Scranton introduced

House Bill No. 5920, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39c. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Scranton introduced

House Bill No. 5921, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending section 9 (MCL 552.509), as amended by 1998 PA 63.

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

Rep. Profit introduced

House Bill No. 5922, 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 27a (MCL 205.27a), as amended by 1993 PA 14.

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

Rep. Galloway moved that the House adjourn.
The motion prevailed, the time being 4:05 p.m.

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

MARY KAY SCULLION
Clerk of the House of Representatives.