

No. 76
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
89th Legislature
REGULAR SESSION OF 1998

House Chamber, Lansing, Tuesday, November 10, 1998.

2:00 p.m.

The House was called to order by the Associate Speaker Pro Tempore.

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

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

e/d/s = entered during session

Rep. Joseph Palamara, from the 24th District, offered the following invocation:

“Dear Lord, we thank You for this day, and we are glad to rejoice in it. How privileged we are Father, to live in Michigan, and the USA. As Thanksgiving approaches, and as autumn winds into winter, for so many of us in so many ways, let us give thanks O Lord. We thank You for our earlier generations, who sacrificed so much, to make possible the freedoms we enjoy. We thank you for a great and exciting weekend of college football. But most importantly, we thank You Lord for having served You and for having served the great people of Michigan in this wonderful place we call the Michigan House of Representatives. In Your majestic name we pray, Lord Jesus. Amen.”

Rep. Martinez moved that Rep. Schroer be excused from today’s session.
The motion prevailed.

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

The Speaker assumed the Chair.

Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:
House Resolution No. 384.

A resolution offered as a memorial for Representative Morris Hood, Jr.

Whereas, It is with deep sadness that we learned of the passing of Morris Hood, Jr. a dedicated public servant and passionate person who enriched the lives of many. With genuine respect for his legacy of accomplishment, we join the people of Detroit and the state of Michigan in extending our condolences to his family and friends. He will be sincerely missed and forever remembered; and

Whereas, For twenty-eight years, the Michigan House of Representatives was blessed with the dedication and commitment of Morris Hood, Jr. Throughout his tenure, Representative Hood earned the respect of all of his colleagues. The members of the Legislature knew well of Morris Hood, Jr.’s strong convictions and his willingness to fight for a cause in which he believed, but they also knew well his sense of fairness and dedication to the people of this state. When Morris Hood, Jr. believed in a cause, his support was not only outwardly visible, but inwardly experienced; and

Whereas, Morris Hood, Jr. believed in the right of every person, regardless of their income, social status or race, to “share the wealth of opportunity”. He recognized the discrimination facing minorities and made fair access for and treatment of them a top priority. Among his many efforts in this area was the creation of a race relations program at Wayne State University, investigations into the causes of campus discrimination, and sponsorship of legislation giving small and minority-owned businesses the ability to compete for state contracts. Morris Hood, Jr. recognized that we live in a world in which man-made barriers are prevalent, but he set as a personal goal the removal of those barriers; and

Whereas, As a member and Chair of the House Appropriations Committee, Morris Hood, Jr. attempted to assure the distribution of state funding in a manner that was fair to all of Michigan. During his years of service he chaired a number of House Appropriations subcommittees, including higher education, a subject very dear to him. Morris Hood, Jr. saw knowledge as the key to success and fought vigorously to make education accessible to all people, especially minorities whose opportunities might otherwise be limited. To that end, he was the primary founder of the King-Chavez-Parks Initiative, which has provided thousands of dollars in scholarship money to deserving minority students. Recently, he was honored by a number of those recipients, who personally thanked him and credited their education to his advocacy on their behalf. Further, as an expression of gratitude for his efforts on behalf of Wayne State University, the University has named its new diabetes center in Representative Hood’s honor; and

Whereas, During the 28 years Morris Hood, Jr. spent in Lansing working for the good of all the people in Michigan, his primary focus was always his beloved home, Detroit. Where others found fault with the city, he saw a community brimming with possibilities. He never failed to see the endless potential of his great city, but more importantly, the endless potential of its people. It was always with deep, genuine pride and an optimistic eye on the future that Morris

Hood, Jr. spoke of his hometown. The city will never know such an advocate as Morris Hood, Jr. and with his passing, he takes with him a piece of Detroit's heart; now, therefore, be it

Resolved by the House of Representatives, That we offer our heartfelt tribute in honor of Representative Morris Hood, Jr.; and be it further

Resolved, That a copy of this resolution be transmitted to his family as evidence of our great admiration and respect for Morris Hood, Jr.

The question being on the adoption of the resolution,

The resolution was adopted by a unanimous standing vote.

The Associate Speaker Pro Tempore resumed the Chair.

The Speaker laid before the House

House Resolution No. 120.

A resolution to call for the House of Representatives and the Senate to draft resolutions in plain English.

(For text of resolution, see House Journal No. 63 of 1997, p. 1574.)

(The resolution was reported by the Committee on House Oversight and Ethics on September 24, consideration of which was postponed until November 5 under the rules.)

The question being on the adoption of the resolution,

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

The Speaker laid before the House

House Resolution No. 361.

A resolution to memorialize the Congress of the United States to rescind its mandate that the United States Department of Health and Human Services develop a national health identifier and to restrict the use of Social Security numbers to the purposes of Social Security and uses permitted by law.

(For text of resolution, see House Journal No. 69, p. 1945.)

(The resolution was reported by the Committee on House Oversight and Ethics on September 24, with amendment, consideration of which was postponed until November 5 under the rules.)

(For amendment, see House Journal No. 74, p. 2153.)

The question being on the adoption of the proposed amendment recommended by the Committee,

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

The question being on the adoption of the resolution,

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

The Speaker laid before the House

House Concurrent Resolution No. 49.

A concurrent resolution to call for the House of Representatives and the Senate to draft resolutions in plain English.

(For text of resolution, see House Journal No. 63 of 1997, p. 1576.)

(The concurrent resolution was reported by the Committee on House Oversight and Ethics on September 24, consideration of which was postponed until November 5 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.

The Speaker laid before the House

House Resolution No. 363.

A resolution to support the establishment of a Great Lakes Lighthouse Center and Museum at Mackinaw City.

(For text of resolution, see House Journal No. 70, p. 2006.)

(The resolution was reported by the Committee on Tourism on November 5, consideration of which was postponed until today under the rules.)

The question being on the adoption of the resolution,

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

The Speaker laid before the House

House Resolution No. 364.

A resolution to encourage the establishment of a Great Lakes Mariners' Memorial at Whitefish Point.

(For text of resolution, see House Journal No. 70, p. 2006.)

(The resolution was reported by the Committee on Tourism on November 5, consideration of which was postponed until today under the rules.)

The question being on the adoption of the resolution,

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

Messages from the Senate

The Senate returned, in accordance with the request of the House

Senate Bill No. 1170, entitled

A bill to amend 1974 PA 258, entitled "An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts," by amending section 226 (MCL 330.1226), as amended by 1996 PA 588.

(The bill was returned from the Senate per House request on November 5, see House Journal No. 75, p. 2282.)

Rep. Gagliardi moved to reconsider the vote by which the House passed the bill.

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

Third Reading of Bills

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 question being on the passage of the bill,

Rep. Ciaramitaro moved to amend the bill as follows:

1. Amend page 5, line 5, after "budget" by inserting "FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1999 AND FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2000".

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

The question being on the passage of the bill,

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

Roll Call No. 953

Yeas—103

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

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

Nays—0

In The Chair: Gire

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

“An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disabilities; to establish guardianship procedures for individuals with development disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts.”.

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.

House Bill No. 4455, entitled

A bill to amend 1976 PA 453, entitled “Elliott-Larsen civil rights act,” by amending sections 302 and 402 (MCL 37.2302 and 37.2402), section 402 as amended by 1993 PA 216.

The bill was read a third time.

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

The motion prevailed.

Second Reading of Bills

House Bill No. 6175, entitled

A bill to amend 1980 PA 450, entitled “The tax increment finance authority act,” by amending section 1 (MCL 125.1801), as amended by 1997 PA 201.

The bill was read a second time.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6175, entitled

A bill to amend 1980 PA 450, entitled “The tax increment finance authority act,” by amending section 1 (MCL 125.1801), as amended by 1997 PA 201.

The bill was read a third time.

The question being on the passage of the bill,

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

Second Reading of Bills

House Bill No. 5061, entitled

A bill to amend the Initiated Law of 1976, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending section 4 (MCL 445.574), as amended by 1982 PA 39, and by adding sections 4a and 4b.

(The bill was reported by the Committee on Regulatory Affairs, read a second time, substitute (H-1) adopted, amended and bill postponed temporarily on September 24, see House Journal No. 74, pp. 2223, 2224.)

Rep. Griffin moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed, a majority of the members voting therefor.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5061, entitled

A bill to amend the Initiated Law of 1976, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending section 4 (MCL 445.574), as amended by 1982 PA 39, and by adding sections 4a and 4b.

Was read a third time and passed, 3/4 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 954

Yeas—101

Agee	Dobb	Kaza	Price
Alley	Emerson	Kelly	Profit
Anthony	Fitzgerald	Kilpatrick	Prusi
Baade	Frank	Kukuk	Quarles
Baird	Freeman	LaForge	Raczkowski
Banks	Gagliardi	Law	Rhead
Basham	Galloway	Leland	Richner
Birkholz	Geiger	LeTarte	Rison
Bobier	Gernaat	Llewellyn	Rocca
Bodem	Gilmer	London	Sanborn
Bogardus	Gire	Lowe	Schauer
Brackenridge	Godchaux	Martinez	Schermesser
Brater	Goschka	Mathieu	Scott
Brewer	Green	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	Voorhees
Crissman	Horton	Owen	Walberg
Cropsey	Jansen	Oxender	Wallace
Curtis	Jelinek	Palamara	Whyman
Dalman	Jellema	Parks	Willard
DeHart	Johnson	Perricone	Wojno
DeVuyst			

Nays—0

In The Chair: Gire

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

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

A bill to amend the Initiated Law of 1976, entitled “A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies,” by amending sections 2, 3b, and 4 (MCL 445.572, 445.573b, and 445.574), section 2 as amended by 1986 PA 235, section 3b as amended by 1996 PA 384, and section 4 as amended by 1982 PA 39, and by adding sections 4a and 4b.

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.

Second Reading of Bills

Senate Bill No. 105, 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 second time.

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

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

Senate Bill No. 106, entitled

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

The bill was read a second time.

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

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

House Bill No. 6034, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 7 (MCL 722.627), as amended by 1997 PA 168.

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

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

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

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

Messages from the Governor

The following line items veto message from the Governor was received and read:

Executive Office, Lansing, October 13, 1998

Michigan House of Representatives
State Capitol
Lansing, Michigan 48913
Ladies and Gentlemen:

Today I have signed Enrolled House Bill 5516. However, I am returning it to you because of several items which I have vetoed pursuant to Article V, Section 19, of the Michigan Constitution. The specific items vetoed are contained within the attached copy of the bill, which has been filed with the Secretary of State.

The 1990s have been a decade of reform and improvement for Michigan's public schools. Test scores are up, funding is up, standards are up, accountability is up, choice is up and Michigan is on the right track to building the best system of public schools in the world. Michigan's commitment to high quality public education is reflected both in funding and in our dedication to giving students, parents and teachers the tools to build a brighter future.

The U.S. Census Bureau recently reported that the State of Michigan spends more per capita on education (including both K-12 and higher education) than 47 other states. In addition, we devote a higher percentage than 46 states of our total state budget to education. That is why it is not surprising that the Census Bureau also reports that Michigan is NUMBER ONE in the nation in per pupil spending for K-12 public education.

Today, I am signing the last School Aid budget bill of the century, a two-year spending plan that boosts the minimum foundation grant to a record high \$5,550 per pupil by fiscal year 2000. Since 1995, the minimum grant has grown by nearly 33 percent while inflation has been less than 13 percent. In addition, this is the second two-year budget, a reform that has proven to be a great benefit for school administrators.

Other highlights of this school funding package include:

- More than \$91 million to fund one-time minimum grant per pupil of \$51 in fiscal year 1999. The lowest spending districts will receive \$102 per pupil.
- Another \$344.6 million to fund a 3.5 percent basic foundation grant increase of \$190 to \$5,652 per pupil in fiscal year 2000. Lowest spending districts will receive an additional \$380 per pupil for a total of \$5,550 per pupil.
- An increase of more than \$58 million for special education in fiscal year 2000, bringing total spending to \$818.6 million.
- An additional \$9.1 million for at-risk funding for fiscal year 2000, bringing total spending to \$269.1 million.
- An additional \$5 million for the School Readiness Preschool Program, increasing the state's commitment to \$60 million in fiscal year 2000.

The average foundation allowance for fiscal year 1999 is estimated to be \$6,064 per pupil. In addition, recent changes in state policies for fiscal year 1999 have reduced retirement contribution rates from 14.66 percent to 10.77 percent, thereby saving local and intermediate school districts an estimated \$287 million. For local districts, this equates to a 2.8 percent increase on the average foundation allowance. Combined with the one-time supplemental payment for fiscal year 1999, which equates to a 0.9 percent increase, local districts are effectively receiving a 3.7 percent boost in spending power in fiscal year 1999.

However, several items in this bill are inconsistent with the overall state policy we have established for public school funding and I am returning this bill to the Legislature with the following vetoes:

- Sections 11J and 11K provide additional payments to districts that operated special education center programs in fiscal years 1992, 1993 and 1994. These payments are in addition to court awards or settlements which have already been received by these districts as part of the \$1 billion Durant court case resolution. The estimated cost of this provision is \$29.7 million over ten years.

I accept the court's judgment in the Durant case as final. We have already fully complied with the judgment by implementing the court's funding formula for both plaintiff and nonplaintiff districts. I am unwilling to reopen a case which took 17 years to resolve.

- Section 31B adds a new categorical to extend school days by three hours in districts located in large cities or where 75 percent of pupils are eligible for the free lunch program. The cost of this provision is \$1.25 million in fiscal year 2000. I am vetoing this provision because, as written, it is difficult to target the desired districts, there are no accountability measures, and the funding is insufficient to achieve its goals. I am willing to work with the Legislature to further define the overall goals of this initiative for possible inclusion in the at-risk program.
- Section 63 expands upon Michigan's career preparation system. It provides \$1.8 million in competitive grants to public schools involved in career preparation in order to enhance employer-provided instruction in manufacturing technology programs and increase student awareness of the programs. However, I am vetoing \$350,000 of funding provided specifically to Michigan State University's school-to-work clearinghouse. While I am supportive of the clearinghouse's efforts, I believe that the Department of Education, in conjunction with the Michigan Jobs Commission, is best situated to determine who should provide what types of technical assistance for the career preparation system as a whole.

- Section 6(4)(Y) artificially increases a district's pupil membership count to 6.0 FTE if its membership is less than 7.0 FTE. The estimated cost of this provision is \$14,400 in fiscal year 1999 and \$14,600 in fiscal year 2000.

With this new budget, total state and local spending on K-12 public education will climb to a record high \$12.3 billion by fiscal year 2000, an astounding 56 percent increase since 1990. In addition, state spending on school aid of \$9.8 billion in fiscal year 2000 is expected to exceed the entire General Fund budget for the third year in a row.

While I realize that funding is only one important ingredient in the recipe for school and student success, clearly Michigan is funding our schools at a world class level. Now, our challenge is to deliver a world class education and make it accessible to every child.

I am confident that the Legislature is ready to meet that challenge and I look forward to working with you.

Sincerely,
John Engler
Governor

The bill was signed by the Governor October 13, 1998, at 2:35 p.m.

October 15, 1998

The Honorable Candice S. Miller
Secretary of State
Lansing, Michigan
Dear Madam:

Attached is a certified copy of Enrolled House Bill No. 5516 along with a copy of the veto message of the Governor. The official bill as approved by the Governor is open for your inspection in my office.

Yours truly,
Mary Kay Scullion
Clerk of the House of Representatives

This bill was filed with the Secretary of State October 13, 1998, at 4:17 p.m. and assigned Public Act No. 339, I.E.

The question being on the passage of the disapproved items, the objections of the Governor to the contrary notwithstanding,

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

The motion prevailed.

By unanimous consent the House returned to the order of

Second Reading of Bills

House Bill No. 5238, entitled

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

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Health Policy,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Law moved to substitute (H-5) the bill.

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

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

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

House Bill No. 6006, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11503 and 11506 (MCL 324.11503 and 324.11506), section 11503 as amended by 1996 PA 359 and section 11506 as amended by 1996 PA 392.

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

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

Rep. Birkholz 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 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 Thursday, November 12, at 10:00 a.m.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Quarles, Cherry, Hale, Rison, Bogardus, Schroer, Baird, Emerson, Brater, Kukuk, Kelly, DeHart, LaForge, Jelinek, Schermesser, Goschka, Profit, Crissman, Martinez, London, Tesanovich, Prusi, Anthony, Parks and Scranton offered the following resolution:

House Resolution No. 385.

A resolution to memorialize the United States Senate to ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women.

Whereas, In 1979, the United Nations adopted a convention to combat all discrimination against women. This measure became an international treaty in 1981. As of the beginning of 1998, 161 countries have ratified this treaty or taken steps in support of the convention's provisions; and

Whereas, In spite of its leadership in many areas of human rights, the United States has yet to ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women. This inaction is ironic, for the United States was an active participant in the drafting of the measure and the work of the convention. We are one of the few nations that have not ratified the treaty; and

Whereas, The oppression facing women in many corners of the world is difficult for many Americans to imagine. Despite progress that has been made, there are many regions where women are subject to treatment that denies very basic economic, social, cultural, civil, and political rights; and

Whereas, The United States ought to advance its belief in the dignity of women by acting on the treaty to fight discrimination. Our leadership is needed if our world is ever to be a place where all women have access to equality; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Senate to ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate and Michigan's Senators.

The resolution was referred to the Committee on Constitutional and Civil Rights.

Reps. Gernaat, Llewellyn, Kukuk, Kelly, DeHart, LaForge, Galloway, Jellema, Jelinek, Schermesser, Green, Goschka, Profit, Jansen, Dalman, Voorhees, Lowe, Rhead, Hammerstrom, Baird, Crissman, Bogardus, Cropsey, London, Tesanovich, Walberg, Anthony, Parks, Horton, Birkholz, Richner, Scranton and Cassis offered the following resolution:

House Resolution No. 386.

A resolution congratulating Eric Gernaat upon his near perfect score on the National American College Test.

Whereas, Eric Gernaat, an esteemed student of Northern Michigan Christian School, and resident of McBain, Michigan has achieved state recognition for his exemplary educational achievement on the National American College Test. With the record this talented and accomplished student has compiled over the years, this is a most fitting symbol of excellence in an endeavor of great importance to his local family and school; and

Whereas, The family of Eric Gernaat shares with the greatest pride his accomplishment, we offer our gratitude and sincerest appreciation for their commitment toward the highest educational standards for their son. Furthermore, we congratulate them on their son's abilities and talents to reach the highest levels of educational achievement; and

Whereas, Much to the delight of his school, Eric Gernaat has earned the respect of scholars throughout Michigan for his talent, hard work, and determination. In the face of challenge and pressure, Eric has maintained his focus on making his academic dreams come true and accepting nothing less than his best effort; and

Whereas, Reaching this outstanding educational success shows his true abilities and commitment during his educational career. We admire the efforts, preparation, and progress of this scholastic achievement; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body congratulate Eric Gernaat, his family and his educators upon the accomplishment of his near perfect National American College Test score; and be it further

Resolved, That copies of this resolution be transmitted to Eric's family and Northern Michigan Christian School as a token of our appreciation to their commitment of tomorrow's educated youth.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. Profit, Kukuk, Cherry, Kelly, DeHart, LaForge, Schermesser, Goschka, Dalman, Voorhees, Hammerstrom, Baird, Gernaat, Cropsey, London, Tesanovich, Anthony, Parks, Birkholz, Richner, Scranton and Cassis offered the following resolution:

House Resolution No. 387.

A resolution honoring the Patrons of the Arts in the Vatican Museums.

Whereas, The Patrons of the Arts in the Vatican Museums is a worldwide organization devoted to preserving the cultural and historical treasures that make up the collections of the Vatican Museums. This international association is comprised of chapters throughout the world, the members of which are committed to restoring the cultural heritage of all mankind; and

Whereas, The support of the Patrons of the Arts in the Vatican Museums has been responsible for the restoration of many works of art. Through the generosity of the members of this organization such masterpieces as the ancient Greek statue of Apoxyomenos, a tapestry of the "Miraculous Draught of Fish" designed by Raphael, Bernini's models for the bronze figures in St. Peter's Basilica, Raphael's brilliant fresco "The School of Athens", the Chapel of Nicholas V by Fra Angelico and the Bramante Staircase, have been successfully restored to their former splendor; and

Whereas, The Patrons of the Arts in the Vatican Museums has dedicated itself to conserving the Vatican's extensive, priceless collections for future generations to enjoy. The association also supports specific conservation projects, provides equipment for the Museums' restoration laboratories, and is also involved in acquiring additional pieces of art for the Vatican Museums; and

Whereas, An exhibition of art entitled, *Angels From the Vatican: The Invisible Made Visible*, is touring the United States this year which has been made possible by the efforts of the Patrons of the Arts in the Vatican Museums; now, therefore, be it

Resolved by the House of Representatives, That the highest praise and admiration be accorded to the members of the Patron of the Arts in the Vatican Museums for their foresight in preserving outstanding works of art for generations yet unborn; and be it further

Resolved, That a copy of this resolution be presented to the Patrons of the Arts in the Vatican Museums, Midwest Chapter, as evidence of our highest esteem and appreciation of their efforts.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. Mathieu, Kukuk, Cherry, Kelly, Baade, Kaza, DeHart, LaForge, Jellema, Schermesser, Goschka, Profit, Jansen, Dalman, Voorhees, Baird, Gernaat, Bogardus, Martinez, Cropsey, London, Tesanovich, Prusi, Anthony, Parks and Birkholz offered the following resolution:

House Resolution No. 388.

A resolution urging the Major League Baseball Hall of Fame to formally recognize Walter Clement Pipp.

Whereas, Walter Clement Pipp was a hall of fame caliber first baseman during two decades when several outstanding first basemen graced major league diamonds. Pipp became the New York Yankees regular first baseman in 1915 and held that position for the next 11 years. During that time he was the premier fielding first baseman in the American League, winning the league fielding title for first basemen in 1915 and 1924, and only twice finishing the season with a fielding average below .990. After being traded to Cincinnati of the National League in 1926, he led that league the following year with a .996 average. Wally Pipp ranks fifth among all first basemen with a lifetime average of 11.05 chances per game, and fifth with an average of 10.33 putouts per game. In 1926, Pipp handled 1,710 chances at first base, the fourth highest all-time total; and

Whereas, In addition to his fielding prowess, Pipp was a strong hitter, who twice led the American League in home runs, while compiling a lifetime .281 batting average. His total of 12 home runs in 1916 tied him for the major league lead in only his second full year. Pipp's lifetime total of 153 triples places him 53rd among all players. His 19 triples led the American League in 1924. During his career he played in 1,872 games and drove in 996 runs. In the "dead-ball" low scoring era, he twice drove in more than 100 runs and his RBI total exceeded 90 on four other occasions; and

Whereas, Despite his performance as a strong hitter and outstanding fielder, Wally Pipp's career has been overshadowed by the fallacious story that his headache in 1925 led to the beginning of Lou Gehrig's recently broken record for consecutive games played. In fact, Pipp was a 33-year-old, eleven-year veteran with an illustrious career when the New York Yankees decided to start the younger Gehrig. Although his career was by then drawing to a close, Wally Pipp proved that he could still play by putting in two strong years with the Cincinnati Reds where he averaged over 100 games per season despite the presence of future Hall of Famer, George "Highpockets" Kelly; and

Whereas, The period from 1915 to 1930 was an era when outstanding first basemen abounded. Two men from that time, George Kelly and George Sisler are in baseball's Hall of Fame, and several others, including Wally Pipp, had careers that were hailed by their peers, and warrant their consideration by the Hall's Veterans Committee. Of this group, John "Stuffy" McInnis, Jake Daubert, George Burns, and Joe Judge had higher batting averages and McInnis was Pipp's equal as a fielder, but none combined Wally Pipp's fielding ability, batting power, and batting average. Wally Pipp was an outstanding all-around player who deserves to be remembered for his long productive career; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body urge the Major League Baseball Hall of Fame to formally recognize Walter Clement Pipp for his 14 remarkable years in the major leagues; and be it further

Resolved, That a copy of this resolution be transmitted to the Major League Baseball Hall of Fame as a symbol of our support of Walter Clement Pipp's induction into the Hall of Fame.

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. 184, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of the department of social services and adoption facilitators; to provide penalties; and to repeal certain acts and parts of acts," by amending section 2a (MCL 722.112a), as added by 1994 PA 349.

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. 184, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations;

to prescribe powers and duties of the department of social services and adoption facilitators; to provide penalties; and to repeal certain acts and parts of acts,” by amending section 2a (MCL 722.112a), as added by 1994 PA 349.

Recommends:

First: That the House recede from its amendment numbered 1, which reads as follows:

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

“(3) THE DEPARTMENT SHALL REIMBURSE A CHILD CARING INSTITUTION, CHILD CARE CENTER, OR GROUP DAY CARE HOME FOR THE COSTS INCURRED IN TRAINING A PERSON TO PROVIDE FIRST AID AND CARDIOPULMONARY RESUSCITATION AS REQUIRED UNDER SUBSECTION (1), INCLUDING, BUT NOT LIMITED TO, THE COST OF EMPLOYEE OVERTIME.”.

Second: That the Senate and House agree to the Substitute of the Senate as passed by the Senate.

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

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending section 2a (MCL 722.112a), as added by 1994 PA 349.

Jon A. Cisky
Dale Shugars
Conferees for the Senate

Joseph Palamara
Beverly S. Hammerstrom
Conferees for the House

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

Reports of Standing Committees

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

House Bill No. 6064, entitled

A bill to amend 1995 PA 279, entitled “Horse racing law of 1995,” by amending sections 10, 12, 16, 20, 30, and 31 (MCL 431.310, 431.312, 431.316, 431.320, 431.330, and 431.331), section 20 as amended by 1997 PA 73.

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

1. Amend page 21, line 22, by striking out “R 285.817.1(K)” and inserting “R 285.819.1(K)”.
2. Amend page 22, line 26, after “THE” by striking out “PURPOSES” and inserting “PURSES”.
3. Amend page 23, line 4, after “GROSS” by striking out “PURPOSE” and inserting “PURSE”.

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

Favorable Roll Call

HB 6064 To Report Out:

Yeas: Reps. Wetters, Baade, Bogardus, Brewer, Willard, Green, Gernaat, Jelinek, Nye,

Nays: None.

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

House Bill No. 6095, entitled

A bill to amend 1956 PA 40, entitled “The drain code of 1956,” by amending the title and sections 1, 2, 3, 6, 8, 10, 12, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 51, 52, 53, 54, 151, 152, 154, 191, 192, 193, 221, 222, 223, 241, 242, 243, 244, 245, 247, 261, 262, 263, 265, 266, 267, 270, 273, 274, 275, 276, 277, 278, 279, 280, 282, 283, 301, 302, 303, 304, 306, 307, 322, 322b, 323, 324, 326, 327, 328, 391, 392, 393, 395, 421, 422, 423, 425, 429, 430, 431, 601, 602, 622, and 623 (MCL 280.1, 280.2, 280.3, 280.6, 280.8, 280.10, 280.12, 280.21, 280.23, 280.24, 280.25, 280.26, 280.27, 280.28, 280.29, 280.30, 280.31, 280.32, 280.33, 280.51, 280.52, 280.53, 280.54, 280.151, 280.152, 280.154, 280.191, 280.192, 280.193, 280.221, 280.222, 280.223, 280.241, 280.242, 280.243, 280.244, 280.245, 280.247, 280.261, 280.262, 280.263, 280.265, 280.266, 280.267, 280.270, 280.273, 280.274, 280.275, 280.276, 280.277, 280.278, 280.279, 280.280, 280.282, 280.283, 280.301, 280.302, 280.303, 280.304, 280.306, 280.307, 280.322, 280.322b, 280.323, 280.324, 280.326, 280.327, 280.328, 280.391, 280.392, 280.393, 280.395, 280.421, 280.422, 280.423, 280.425, 280.429, 280.430, 280.431, 280.601, 280.602, 280.622, and 280.623), the title as amended by 1982

PA 449, section 21 as amended by 1989 PA 134, section 33 as amended by 1982 PA 356, section 223 as amended by 1989 PA 61, section 280 as amended by 1983 PA 176, section 282 as amended by 1984 PA 80, section 283 as amended by 1989 PA 149, and section 423 as amended by 1996 PA 552, and by adding sections 7, 7a, 7b, 13, 14, 15, 34, 35, 41, 42, 44, 51a, 51b, 51c, 56, 57, 58, 163, 275a, 277a, 329, 330, and 603 and chapters 8A and 26; and to repeal acts and parts of acts.

Adverse Roll Call

HB 6095 To Report Out:

Yeas: Reps. Bogardus, LaForge, Willard, Nye,

Nays: Reps. Wetters, Baade, Brewer, Green, Gernaat, Jelinek.

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

Senate Bill No. 1282, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act of 1987," by amending sections 3, 8, 9, 14, 30a, and 30b (MCL 287.703, 287.708, 287.709, 287.714, 287.730a, and 287.730b), sections 3, 9, 14, 30a, and 30b as amended by 1996 PA 369 and section 8 as amended by 1994 PA 41, and by adding section 30c.

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 1282 To Report Out:

Yeas: Reps. Wetters, Baade, Bogardus, Brewer, LaForge, Willard, Green, Gernaat, Jelinek, Nye,

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, November 5, 1998, at 8:45 a.m.,

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

Absent: Reps. Vaughn, DeVuyst, Horton,

Excused: Reps. Vaughn, DeVuyst, Horton.

The Committee on Transportation, by Rep. Leland, Chair, reported

House Resolution No. 276.

A resolution to urge the Department of Transportation to update the equipment at all weigh stations and to make them fully operational.

(For text of resolution, see House Journal No. 40, p. 852.)

With the recommendation that the following amendment be adopted and that the resolution then be adopted.

1. Amend the third Whereas clause, line 3, after "equipment" by inserting a comma and "such as weigh-in-motion scales,".

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

Favorable Roll Call

HR 276 To Report Out:

Yeas: Reps. Leland, Schermesser, Brown, Schauer, Scott, Birkholz, Byl, Green, Middleton,

Nays: None.

The Committee on Transportation, by Rep. Leland, Chair, reported

House Concurrent Resolution No. 99.

A concurrent resolution to urge the Department of Transportation to update the equipment at all weigh stations and to make them fully operational.

(For text of resolution, see House Journal No. 40, p. 855.)

With the recommendation that the following amendment be adopted and that the concurrent resolution then be adopted.

1. Amend the third Whereas clause, line 3, after “equipment” by inserting a comma and “such as weigh-in-motion scales,”.

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

Favorable Roll Call

HCR 99 To Report Out:

Yeas: Reps. Leland, Schermesser, Brown, Schauer, Scott, Birkholz, Byl, Green, Middleton,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, November 10, 1998, at 9:00 a.m.,

Present: Reps. Leland, Schermesser, Brown, Schauer, Scott, Birkholz, Byl, Green, Middleton,

Absent: Reps. Baade, Curtis, Mans, Olshove, Wojno, London, Galloway, Gernaat,

Excused: Reps. Baade, Mans, Olshove, Galloway.

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

Senate Bill No. 981, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 51701 and 51702 (MCL 324.51701 and 324.51702), as added by 1995 PA 57.

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

1. Amend page 2, line 8, after “GOALS” by striking out the balance of the subdivision and inserting a period.

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

Favorable Roll Call

SB 981 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, November 10, 1998, at 10:00 a.m.,

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

Absent: Reps. Mans, Wetters,

Excused: Reps. Mans, Wetters.

Messages from the Senate

Senate Bill No. 1228, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 10204 (MCL 333.10204), as amended by 1988 PA 63.

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 89.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the State Prison of Southern Michigan Reorganization Project - Phase II.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site of the State Prison of Southern Michigan located in Jackson County (the "Facility") is currently owned by the State; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the State pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Total Facility Cost for the State Prison of Southern Michigan Reorganization Project - Phase II shall not exceed \$36,600,000, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$36,600,000, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$3,645,000 and \$6,190,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amount shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 95.

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 the Board of Control of Grand Valley State University relative to the Grand Valley State University School of Business and Graduate Library.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Control of Grand Valley State University (the "University"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the University may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the School of Business and Graduate Library (the "Facility") is currently owned by the University; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of public purpose; and

Whereas, Providing additional space to be used by the University pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the University has been prepared for the leasing of the Facility by the Authority to the State and the University (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Total Facility Cost of the Grand Valley State University School of Business and Graduate Library shall not exceed \$52,650,000 (the Authority share is \$37,524,900, the State General Fund/General Purpose share is \$100, and the University share is \$15,125,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$37,524,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature approves the Authority acquiring the Facility and leasing it to the State and the University and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$3,733,000 and \$6,379,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by approving the Lease among the State, the University, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the University, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Notices

November 5, 1998

Dear Madam Clerk:

Effective immediately, I am hereby appointing Representative Thomas Mathieu as Chair of the House Fiscal Agency Governing Board. I am also appointing Representative Nick Ciaramitaro as Vice-Chair of the House Appropriations Committee.

If you have any questions, feel free to contact my office.

Sincerely,
Curtis Hertel
Speaker of the House

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, Monday, September 28:

Senate Bill Nos. 1317 1318 1319 1320 1321 1322 1323 1324 1325 1326 1327 1328 1329 1330
1331 1332 1333

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

Senate Bill Nos. 1334 1335 1336 1337 1338 1339 1340 1341 1342 1343 1344 1345 1352

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

House Bill Nos. 6217 6229

The Clerk announced that the following bills and joint resolutions had been printed and placed upon the files of the members, Tuesday, November 10:

House Bill Nos.	6214	6215	6216	6218	6219	6220	6221	6222	6223	6224	6225	6226	6227	6228
	6230	6231	6232	6233	6234	6235	6236	6237	6238	6239	6240	6241	6242	6243
	6244	6245	6246	6247	6248	6249	6250	6251	6252	6253	6254	6255	6256	6257
	6258	6259	6260	6261	6262	6263	6264	6265	6266	6267	6268	6269	6270	6271
	6272	6273	6274	6275	6276	6277	6278	6279	6280	6281	6282			

House Joint Resolutions II JJ

Communications from State Officers

The following communications from the Secretary of State were received and read:

Notices of Filing Administrative Rules

October 12, 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 1:15 P.M. this date, administrative rule (98-10-2) for the Department of Environmental Quality, Land and Water Management Division, entitled "*Subdivisions of Land*", effective 15 days hereafter.

October 23, 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 1:35 P.M. this date, administrative rule (98-10-4) for the Department of Environmental Quality, Air Quality Division, entitled "*Air Pollution Control*", effective 15 days hereafter.

November 4, 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 1:50 P.M. this date, administrative rule (98-11-1) for the Department of State and Department of Management and Budget, entitled "*Optical Disks*", effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Helen Kruger, Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

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

October 26, 1998

Attached is a copy of the final report on the state of competition in the workers' compensation insurance market and my certification as to the presence of workable competition in the market during 1997.

This report and certification were prepared in accordance with the requirements of Section 2409 of the Insurance Code, MCLA 500.2409.

Sincerely,
E.L. Cox
Commissioner of Insurance

The communication was referred to the Clerk.

Introduction of Bills

Rep. Basham introduced

House Bill No. 6283, entitled

A bill to amend 1996 PA 462, entitled "Enhanced access to public records act," by amending sections 2 and 3 (MCL 15.442 and 15.443).

The bill was read a first time by its title and referred to the Committee on Advanced Technology and Computer Development.

Reps. Dobb, Gustafson, LeTarte, Galloway, Whyman, Kukuk and Cassis introduced

House Bill No. 6284, entitled

A bill to regulate the distribution and transmission of electricity in this state; to otherwise restructure the electric industry; and to prescribe the powers and duties of certain state agencies and officials.

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

Rep. Alley introduced

House Bill No. 6285, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8807 (MCL 324.8807), as added by 1998 PA 287, and by adding section 8807a.

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

Rep. Wallace introduced

House Bill No. 6286, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 2 (MCL 28.722) and by adding section 3a.

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

Rep. Wallace introduced

House Bill No. 6287, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending sections 1304, 1310, 1312, 1313, 1332, 1375, and 1376 (MCL 600.1304, 600.1310, 600.1312, 600.1313, 600.1332, 600.1375, and 600.1376), sections 1304, 1310, 1312, 1375, and 1376 as amended by 1986 PA 104.

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

Rep. Kukuk introduced

House Bill No. 6288, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11509, 11510, 11511, 11512, 11516, and 11532 (MCL 324.11509, 324.11510, 324.11511, 324.11512, 324.11516, and 324.11532), sections 11509, 11510, 11511, 11512, and 11516 as amended by 1996 PA 358.

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

Rep. Bodem introduced

House Bill No. 6289, 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.

Rep. Bodem introduced

House Bill No. 6290, 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.

Rep. Bodem introduced

House Bill No. 6291, entitled

A bill to establish the George Romney volunteerism fund in the department of treasury; to provide for the distribution of money from the fund; to prescribe the duties and powers of certain agencies and officials; and to provide for appropriations.

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

Rep. Bodem introduced

House Bill No. 6292, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 438. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Bodem introduced

House Bill No. 6293, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 252e and 319 (MCL 257.252e and 257.319), section 252e as added by 1981 PA 104 and section 319 as amended by 1998 PA 347.

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

Rep. Bodem introduced

House Bill No. 6294, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 1996 PA 476.

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

Rep. Middleton introduced

House Bill No. 6295, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224 (MCL 750.224), as amended by 1991 PA 33.

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

Rep. Mans introduced

House Bill No. 6296, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 1997 PA 142.

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

Rep. Alley moved that the House adjourn.

The motion prevailed, the time being 4:05 p.m.

The Associate Speaker Pro Tempore declared the House adjourned until Thursday, November 12, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.