

No. 80
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House of Representatives

89th Legislature
REGULAR SESSION OF 1998

House Chamber, Lansing, Thursday, December 3, 1998.

10:00 a.m.

The House was called to order by Acting Speaker DeHart.

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

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

e/d/s = entered during session

Rep. Sharon Gire, of the 31st District, offered the following invocation:

“Dear God, give the members of this honorable chamber the wisdom to make wise and just decisions as we deliberate over the next few days. Send the retiring members into their communities with the strength and conviction to continue to work to improve the welfare of Michigan citizens, and give the incoming members the courage and compassion to make humane decisions about the crucial decisions which will affect the lives of our citizens in years to come. Amen.”

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

Notices

December 3, 1998

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

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

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

Quorum Call

Rep. Gagliardi questioned the presence of a quorum and moved that the roll be called and printed in the Journal.
The motion prevailed.
The roll was called and the Clerk announced that a quorum was present.
The following is the roll call:

Roll Call No. 1001

Yeas—89

Agee	Dobronski	Jellema	Price
Anthony	Emerson	Johnson	Profit
Baade	Fitzgerald	Kaza	Prusi
Baird	Frank	Kelly	Rhead
Basham	Freeman	Kukuk	Richner
Bobier	Gagliardi	LaForge	Rocca
Bodem	Galloway	Llewellyn	Sanborn
Bogardus	Geiger	London	Schermesser
Brackenridge	Gernaat	Lowe	Scott
Brater	Gilmer	Mans	Scranton
Brewer	Gire	Martinez	Sikkema

Brown	Godchaux	Mathieu	Stallworth
Byl	Goschka	McBryde	Tesanovich
Callahan	Gubow	McManus	Thomas
Cassis	Gustafson	McNutt	Vaughn
Cherry	Hale	Middaugh	Voorhees
Ciaramitaro	Hammerstrom	Middleton	Walberg
Cropsey	Hanley	Olshove	Wallace
Curtis	Harder	Owen	Wetters
Dalman	Horton	Palamara	Whyman
DeHart	Jansen	Parks	Willard
DeVuyst	Jelinek	Perricone	Wojno
Dobb			

In The Chair: DeHart

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

House Bill No. 4326, entitled

A bill to amend 1965 PA 290, entitled "Boiler act of 1965," by amending the title and sections 2, 4, 4a, 12, 14, and 24 (MCL 408.752, 408.754, 408.754a, 408.762, 408.764, and 408.774), sections 2 and 4a as amended by 1986 PA 277 and section 4 as amended by 1980 PA 274, and by adding sections 13a, 13b, 13c, and 13d.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Regulatory Affairs (for amendment, see House Journal No. 78, p. 2411),

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

Rep. LaForge 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. 4326, entitled

A bill to amend 1965 PA 290, entitled "Boiler act of 1965," by amending the title and sections 2, 4, 4a, 12, 14, and 24 (MCL 408.752, 408.754, 408.754a, 408.762, 408.764, and 408.774), sections 2 and 4a as amended by 1986 PA 277 and section 4 as amended by 1980 PA 274, and by adding sections 13a, 13b, 13c, and 13d.

The bill was read a third time.

The question being on the passage of the bill,

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

Second Reading of Bills

House Bill No. 5946, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 1016.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Regulatory Affairs (for amendment, see House Journal No. 78, p. 2411),

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

Rep. Kilpatrick moved to amend the bill as follows:

1. Amend page 1, following "THE PEOPLE OF THE STATE OF MICHIGAN ENACT:" by inserting:

"Sec. 501. (1) The commission may issue licenses as provided in this act upon the payment of the fees provided in section 525 and the filing of the bonds required in section 801 or liability insurance as provided in section 803.

(2) A full-year license issued by the commission shall expire on April 30 following the date of issuance or the date fixed by the commission. A license issued under this act shall be construed as a contract between the commission and the licensee and shall be signed by both parties. If a licensee dies, the commission may approve the operation of the establishment by a personal representative or independent personal representative duly appointed by a court of competent jurisdiction, pending the settlement of the estate of the deceased licensee. The commission may approve a receiver or trustee appointed by a court of competent jurisdiction to operate the licensed establishment of a licensee. The commission may grant a part-year license for a proportionate part of the license fee specified in section 525. In a resort area the commission shall grant a license for a period of time as short as 3 months. A license may be transferred with the consent of the commission. A class C or specially designated distributor license obtained in a manner other than by transfer shall not be transferred within 3 years after its issuance except under circumstances where the licensee clearly and convincingly demonstrates that unusual hardship will result if the transfer does not receive the consent of the commission. An application for a license to sell alcoholic liquor for consumption on the premises, except in a city having a population of ~~1,000,000~~ 750,000 or more, shall be approved by the local legislative body in which the applicant's place of business is located before the license is granted by the commission, except that in the case of an application for renewal of an existing license, if an objection to a renewal has not been filed with the commission by the local legislative body not less than 30 days before the date of expiration of the license, the approval of the local legislative body shall not be required. The commission shall provide the local legislative body and the local chief of police with the name, home and business addresses, and home and business phone numbers to accomplish the local legislative reviews of new and transferred license applications required by this subsection. Upon request of the local legislative body after due notice and proper hearing by the local legislative body and the commission, the commission shall revoke the license of a licensee granted a license to sell alcoholic liquor for consumption on the premises or any permit held in conjunction with that license.

(3) A local legislative body, by resolution, may request that the commission revoke the license of a licensee granted a license to sell alcoholic liquor for consumption off the premises whose place of business is located within the local legislative body's jurisdiction and who has been determined pursuant to commission violation hearings to have sold or furnished alcoholic liquor, on at least 3 separate occasions in a single calendar year, to a person who is less than 21 years of age if those violations did not involve the use of falsified or fraudulent identification by the person who is less than 21 years of age. If the commission verifies that the licensee who is the subject of the resolution has been found to have committed the violations as prescribed in this subsection, the commission may suspend or revoke the licensee's license and any permit held in conjunction with that license.

(4) This act does not prohibit a hotel which is or was the holder of a license authorizing the retail sale of alcoholic liquor for consumption on the premises from applying for and receiving under this act any other and different type of license authorizing the retail sale of alcoholic liquor for consumption on the premises, and the application for the license shall not be considered a new application for a license so long as the total number of public licenses for consumption on the premises does not exceed the authorized total established in this act and the sale of alcoholic liquor is approved by the electors. The commission may divide the state into 3 zones and establish for each zone an anniversary date for renewal of full-year retail licenses in the licensing year. The commission shall promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, for the effective administration of the renewal of licenses.

(5) The commission, with the written approval of the department of agriculture in the case of the Michigan state fairgrounds and the Upper Peninsula state fairgrounds, may issue without regard to the quota provision of section 531 a tavern license to a person as concessionaire leasing or renting a portion of either the Upper Peninsula state fairgrounds or the state fairgrounds, or both, to service the licensed area in use for recreational or exhibition purposes other than at the time of the annual Upper Peninsula state fair under section 2 of 1927 PA 89, MCL 285.142. A license issued under this subsection is not transferable.

Sec. 916. (1) An on-premises licensee shall not allow monologues, dialogues, motion pictures, still slides, closed circuit television, contests, or other performances for public viewing on the licensed premises unless the licensee has applied for and been granted an entertainment permit by the commission. Issuance of an entertainment permit under this subsection does not allow topless activity on the licensed premises.

(2) An on-premises licensee shall not allow dancing by customers on the licensed premises unless the licensee has applied for and been granted a dance permit by the commission. Issuance of a dance permit under this subsection does not allow topless activity on the licensed premises.

(3) An on-premises licensee shall not allow topless activity on the licensed premises unless the licensee has applied for and been granted a topless activity permit by the commission. This section is not intended to prevent a local unit of government from enacting an ordinance prohibiting topless activity or nudity on a licensed premises located within

that local unit of government. This subsection applies only to topless activity permits issued by the commission to on-premises licensees located in counties with a population of 95,000 or less.

(4) The commission may issue to an on-premises licensee a combination dance-entertainment permit or topless activity-entertainment permit after application requesting a permit for both types of activities.

(5) An on-premises licensee shall not allow the activities allowed by a permit issued under this section at any time other than the legal hours for sale and consumption of alcoholic liquor.

(6) Before the issuance of any permit under this section, the on-premises licensee shall obtain the approval of all of the following:

(a) The commission.

(b) Except in cities with a population of ~~1,000,000~~ 750,000 or more, the local legislative body of the jurisdiction within which the premises are located.

(c) The chief law enforcement officer of the jurisdiction within which the premises are located or the entity contractually designated to enforce the law in that jurisdiction.

(7) The following activities are allowed without the granting of a permit under this section:

(a) The performance or playing of an orchestra, piano, or other types of musical instruments, or singing.

(b) Any publicly broadcast television transmission from a federally licensed station.

(8) In the case of a licensee granted an entertainment or dance permit under R 436.1407 of the Michigan administrative code who, after January 1, 1998, extended the activities conducted under that permit to regular or full-time topless activity, that licensee shall apply to the commission for a topless activity permit under this section within 60 days after the effective date of this section in order to continue topless activity. Except as otherwise provided for in this subsection, this section applies only to entertainment or dance permits issued after the effective date of this section.

(9) The fees imposed by the commission for a permit under this section remain the same as the fees imposed under a permit issued under R 436.1407 of the Michigan administrative code.

(10) Except as otherwise provided, this section does not change the renewal or application process for a license under section 17 or the renewal process for permits issued under R 436.1407 of the Michigan administrative code.

(11) As used in this section:

(a) "Nudity" means exposure to public view of the whole or part of the pubic region; the whole or part of the anus; the whole or part of the buttocks; the whole or part of the genitals; or the breast area including the nipple or more than 1/2 of the area of the breast.

(b) "Topless activity" means activity that includes, but is not limited to, entertainment or work-related activity performed by any of the following persons on the licensed premises in which the female breast area, including the nipple, or more than 1/2 of the area of the breast, is directly exposed or exposed by means of see-through clothing or a body stocking:

(i) A licensee.

(ii) An employee, agent, or contractor of the licensee.

(iii) A person acting under the control of or with the permission of the licensee."

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

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

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

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

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

Rep. Hammerstrom moved that Reps. LeTarte and Nye be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5946, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 1016.

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

Roll Call No. 1002**Yeas—85**

Agee	Dobronski	Jellema	Profit
Alley	Emerson	Johnson	Prusi
Anthony	Fitzgerald	Kaza	Quarles
Baade	Frank	Kelly	Rackowski
Baird	Freeman	Kilpatrick	Rhead
Bankes	Gagliardi	Kukuk	Richner
Basham	Galloway	LaForge	Rison
Birkholz	Geiger	Leland	Rocca
Bobier	Gernaat	Llewellyn	Sanborn
Bodem	Gilmer	Lowe	Schauer
Bogardus	Gire	Martinez	Schermesser
Brackenridge	Godchaux	McBryde	Schroer
Brater	Goschka	McManus	Scott
Brewer	Gustafson	McNutt	Scranton
Brown	Hale	Middaugh	Tesanovich
Byl	Hammerstrom	Middleton	Thomas
Callahan	Hanley	Olshove	Varga
Cassis	Harder	Oxender	Vaughn
Cherry	Hertel	Palamara	Wallace
Curtis	Jansen	Perricone	Wetters
DeHart	Jelinek	Price	Wojno
Dobb			

Nays—12

Cropsey	Green	London	Walberg
Dalman	Gubow	Sikkema	Whyman
DeVuyst	Horton	Voorhees	Willard

In The Chair: DeHart

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

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

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 501 and 916 (MCL 436.1501 and 436.1916), as added by 1998 PA 58 and by adding section 1016.

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.

Acting Speaker Hanley assumed the Chair.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Public Retirement, by Rep. DeHart, Chair, reported

House Bill No. 5757, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," (MCL 38.1 to 38.69) by adding section 19g.

With the recommendation that substitute (H-1) previously recommended by the Committee on Appropriations 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 5757 To Report Out:

Yeas: Reps. DeHart, Brewer, Dobronski, Mans, Basham,

Nays: Reps. Rhead, LeTarte.

The Committee on Public Retirement, by Rep. DeHart, Chair, reported

House Bill No. 6208, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending sections 21, 22, 22c, 26, and 50a (MCL 38.1021, 38.1022, 38.1022c, 38.1026, and 38.1050a), sections 21, 22, and 26 as amended by 1994 PA 359, section 22c as amended by 1996 PA 486, and section 50a as amended by 1998 PA 80, and by adding section 36a.

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 6208 To Report Out:

Yeas: Reps. DeHart, Brewer, Dobronski, Mans, Basham, Rhead, LeTarte,

Nays: None.

The Committee on Public Retirement, by Rep. DeHart, Chair, reported

Senate Bill No. 73, entitled

A bill to amend 1961 PA 88, entitled "Reciprocal retirement act," by amending section 4 (MCL 38.1104), as amended by 1990 PA 274.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 73 To Report Out:

Yeas: Reps. DeHart, Brewer, Dobronski, Mans, Basham, Rhead, LeTarte,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. DeHart, Chair of the Committee on Public Retirement, was received and read:

Meeting held on: Thursday, December 3, 1998, at 9:00 a.m.,

Present: Reps. DeHart, Brewer, Dobronski, Mans, Basham, Rhead, LeTarte,

Absent: Reps. Dobb, Jelinek,

Excused: Reps. Dobb, Jelinek.

Second Reading of Bills

House Bill No. 5757, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," (MCL 38.1 to 38.69) by adding section 19g.

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

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

Rep. Profit moved 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. 5757, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," (MCL 38.1 to 38.69) by adding section 19g. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1003

Yeas—57

Agee	Dobronski	Kelly	Rison
Alley	Emerson	Kilpatrick	Schauer
Anthony	Frank	LaForge	Schermesser
Baade	Freeman	Leland	Scott
Baird	Gagliardi	Llewellyn	Scranton
Basham	Galloway	Mans	Stallworth
Bogardus	Gire	Martinez	Tesanovich
Brater	Godchaux	Mathieu	Thomas
Brewer	Green	Olshove	Varga
Brown	Gubow	Owen	Vaughn
Callahan	Hale	Price	Wallace
Cherry	Hanley	Profit	Wetters
Curtis	Harder	Prusi	Willard
DeHart	Hertel	Quarles	Wojno
Dobb			

Nays—39

Banks	Fitzgerald	Jellema	Oxender
Birkholz	Geiger	Johnson	Perricone
Bobier	Gernaat	Kaza	Rackowski
Bodem	Gilmer	Kukuk	Richner
Brackenridge	Goschka	London	Rocca
Byl	Gustafson	Lowe	Sanborn
Cassis	Hammerstrom	McBryde	Sikkema
Cropsey	Horton	McManus	Voorhees
Dalman	Jansen	McNutt	Walberg
DeVuyst	Jelinek	Middaugh	

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.

Acting Speaker DeHart resumed the Chair.

Second Reading of Bills

House Bill No. 6208, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending sections 21, 22, 22c, 26, and 50a (MCL 38.1021, 38.1022, 38.1022c, 38.1026, and 38.1050a), sections 21, 22, and 26 as amended by 1994 PA 359, section 22c as amended by 1996 PA 486, and section 50a as amended by 1998 PA 80, and by adding section 36a.

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

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

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

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

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

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

Rep. Sikkema moved that Rep. Gustafson be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6208, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending sections 21, 22, 22c, 26, and 50a (MCL 38.1021, 38.1022, 38.1022c, 38.1026, and 38.1050a), sections 21, 22, and 26 as amended by 1994 PA 359, section 22c as amended by 1996 PA 486, and section 50a as amended by 1998 PA 80, and by adding section 36a.

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

Roll Call No. 1004

Yeas—90

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

Nays—1

Willard

In The Chair: DeHart

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

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

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending sections 11, 17b, 21, 21a, 22, 22c, 23d, 26, 50a, 75, and 79 (MCL 38.1011, 38.1017b, 38.1021, 38.1021a, 38.1022, 38.1022c, 38.1023d, 38.1026, 38.1050a, 38.1075, and 38.1079), sections 21, 22, 23d, and 26 as amended by 1994 PA 359, section 11 as amended by 1988 PA 512, section 17b as amended and section 21a as added by 1987 PA 58, section 22c as amended and sections 75 and 79 as added by 1996 PA 486, and section 50a as amended by 1998 PA 80, and by adding sections 36a and 58a.

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. 240, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 11, 17b, 20, 31a, 51a, 81, and 107 (MCL 388.1606, 388.1611, 388.1617b, 388.1620, 388.1631a, 388.1651a, 388.1681, and 388.1707), sections 6, 11, 17b, 20, 51a, 81, and 107 as amended by 1997 PA 93, and section 31a as amended by 1997 PA 24, and by adding sections 11e, 11f, 20k, 29, and 31c.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Appropriations,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Reps. Emerson and Oxender moved to amend the bill as follows:

1. Amend page 25, line 16, after "by" by striking out "May 20" and inserting "JULY 15".
2. Amend page 25, line 25, after the second "the" by striking out "June" and inserting "AUGUST".
3. Amend page 40, line 26, after the first "the" by inserting "sum of the".
4. Amend page 40, line 27, after "1996-97" by striking out the period and inserting "and the amount of funding actually received by the intermediate district under former section 11b as in effect for 1995-96.".

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 240, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 11, 17b, 20, 31a, 51a, 81, and 107 (MCL 388.1606, 388.1611, 388.1617b, 388.1620, 388.1631a, 388.1651a, 388.1681, and 388.1707), sections 6, 11, 17b, 20, 51a, 81, and 107 as amended by 1997 PA 93, and section 31a as amended by 1997 PA 24, and by adding sections 11e, 11f, 20k, 29, and 31c.

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

Roll Call No. 1005

Yeas—93

Agee	Dobb	Johnson	Price
Alley	Dobronski	Kaza	Profit
Anthony	Emerson	Kelly	Prusi
Baade	Frank	Kilpatrick	Quarles

Baird	Freeman	Kukuk	Raczkowski
Bankes	Gagliardi	LaForge	Rhead
Basham	Galloway	Leland	Rison
Birkholz	Geiger	Llewellyn	Rocca
Bobier	Gernaat	London	Sanborn
Bodem	Gilmer	Lowe	Schauer
Bogardus	Gire	Mans	Schermesser
Brackenridge	Godchaux	Martinez	Schroer
Brater	Green	Mathieu	Scott
Brewer	Gubow	McBryde	Scranton
Brown	Hale	McManus	Tesanovich
Byl	Hammerstrom	McNutt	Thomas
Callahan	Hanley	Middaugh	Varga
Cassis	Harder	Middleton	Vaughn
Cherry	Hertel	Olshove	Walberg
Ciaramitaro	Horton	Owen	Wetters
Cropsey	Jansen	Oxender	Whyman
Curtis	Jelinek	Palamara	Willard
Dalman	Jellema	Parks	Wojno
DeHart			

Nays—0

In The Chair: DeHart

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

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

A bill to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 11, 11g, 20, 20b, 31a, 51a, 63, and 81 (MCL 388.1611, 388.1611g, 388.1620, 388.1620b, 388.1631a, 388.1651a, 388.1663, and 388.1681), sections 11, 11g, 20, 31a, 51a, and 81 as amended and sections 20b and 63 as added by 1998 PA 339.

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.

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

Rep. Kaza asked and obtained an excuse from the balance of today’s session.

Quorum Call

Rep. Gagliardi questioned the presence of a quorum and moved that the roll be called and printed in the Journal.

The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

Roll Call No. 1006**Yeas—71**

Agee	Freeman	Llewellyn	Rocca
Alley	Gagliardi	Lowe	Sanborn
Baade	Galloway	Mans	Schauer
Basham	Gernaat	Martinez	Schermesser
Birkholz	Goschka	Mathieu	Schroer
Bodem	Green	McBryde	Scott
Bogardus	Gubow	McManus	Scranton
Brackenridge	Gustafson	McNutt	Sikkema
Brater	Hale	Middaugh	Stallworth
Brown	Hammerstrom	Olshove	Tesanovich
Callahan	Hanley	Owen	Thomas
Cassis	Harder	Perricone	Varga
Cherry	Horton	Price	Voorhees
Ciaramitaro	Jelinek	Prusi	Walberg
Curtis	Kilpatrick	Rackowski	Whyman
DeHart	Kukuk	Rhead	Willard
DeVuyst	LaForge	Richner	Wojno
Frank	Leland	Rison	

In The Chair: DeHart

House Bill No. 4890, entitled

A bill to amend 1969 PA 319, entitled "Banking code of 1969," (MCL 487.301 to 487.598) by adding section 247. The bill was read a third time.

The question being on the passage of the bill,

Rep. Thomas moved to substitute (H-6) the bill.

The motion was seconded and the substitute (H-6) was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then passed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1007**Yeas—90**

Agee	Dobb	Kelly	Quarles
Alley	Fitzgerald	Kilpatrick	Rackowski
Anthony	Frank	Kukuk	Richner
Baade	Freeman	LaForge	Rison
Baird	Gagliardi	Leland	Rocca
Basham	Galloway	Llewellyn	Sanborn
Birkholz	Geiger	London	Schauer
Bobier	Gernaat	Lowe	Schermesser
Bodem	Gilmer	Mans	Schroer
Bogardus	Gire	Martinez	Scott
Brackenridge	Godchaux	Mathieu	Scranton
Brater	Goschka	McBryde	Sikkema
Brown	Green	McManus	Stallworth
Byl	Gubow	McNutt	Tesanovich
Callahan	Gustafson	Middaugh	Thomas
Cassis	Hale	Middleton	Varga
Cherry	Hammerstrom	Olshove	Voorhees
Ciaramitaro	Hanley	Oxender	Walberg

Cropsey
Curtis
Dalman
DeHart
DeVuyst

Harder
Horton
Jansen
Jelinek
Jellema

Perricone
Price
Profit
Prusi

Wallace
Whyman
Willard
Wojno

Nays—0

In The Chair: DeHart

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

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

A bill to amend 1969 PA 319, entitled “Banking code of 1969,” by amending section 205 (MCL 487.505), as amended by 1985 PA 177.

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

House Bill No. 5989, entitled

A bill to amend 1971 PA 140, entitled “State revenue sharing act of 1971,” by amending sections 11, 12a, and 13 (MCL 141.911, 141.912a, and 141.913), section 11 as amended by 1996 PA 468 and section 12a as added and section 13 as amended by 1996 PA 342; and to repeal acts and parts of acts.

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

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

Rep. Sanborn moved to amend the bill as follows:

1. Amend page 14, line 23, after “750,000” by striking out the balance of the line through “0.004” on line 24.

2. Amend page 15, line 7, after “BASE.” by striking out the balance of the subdivision.

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

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

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

Rep. Voorhees demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1008

Yeas—46

Alley
Birkholz
Bobier
Bodem
Brackenridge

Galloway
Geiger
Gernaat
Gilmer
Godchaux

Jellema
Kukuk
Llewellyn
London
Lowe

Perricone
Rackowski
Rhead
Rocca
Sanborn

Cassis	Goschka	McBryde	Scranton
Cropsey	Green	McManus	Sikkema
Dalman	Gustafson	McNutt	Voorhees
DeVuyst	Hammerstrom	Middaugh	Walberg
Dobb	Horton	Middleton	Whyman
Fitzgerald	Jansen	Oxender	Wojno
Frank	Jelinek		

Nays—52

Agee	Curtis	Kilpatrick	Richner
Anthony	DeHart	LaForge	Rison
Baade	Emerson	Leland	Schauer
Baird	Freeman	Mans	Schermesser
Banks	Gagliardi	Martinez	Schroer
Basham	Gire	Mathieu	Scott
Bogardus	Gubow	Olshove	Stallworth
Brater	Hale	Owen	Tesanovich
Brown	Hanley	Parks	Thomas
Byl	Harder	Price	Varga
Callahan	Hertel	Profit	Vaughn
Cherry	Johnson	Prusi	Wallace
Ciaramitaro	Kelly	Quarles	Willard

In The Chair: DeHart

Rep. Voorhees moved to amend the bill as follows:

1. Amend page 22, line 15, by striking out all of subsection (14) and renumbering the remaining subsections.

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

Rep. Voorhees demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1009**Yeas—35**

Banks	Fitzgerald	Jansen	Rackowski
Birkholz	Galloway	Jelinek	Rhead
Bobier	Geiger	Jellema	Rocca
Bodem	Gernaat	Kukuk	Sanborn
Cassis	Godchaux	Lowe	Scranton
Cropsey	Goschka	McBryde	Sikkema
Dalman	Green	McManus	Voorhees
DeVuyst	Gustafson	Middleton	Whyman
Dobb	Horton	Perricone	

Nays—63

Agee	Frank	Llewellyn	Richner
Alley	Freeman	London	Rison
Anthony	Gagliardi	Mans	Schauer
Baade	Gilmer	Martinez	Schermesser

Baird	Gire	Mathieu	Schroer
Basham	Gubow	McNutt	Scott
Bogardus	Hale	Middaugh	Stallworth
Brackenridge	Hammerstrom	Olshove	Tesanovich
Brater	Hanley	Owen	Thomas
Brown	Harder	Oxender	Varga
Byl	Hertel	Palamara	Vaughn
Callahan	Johnson	Parks	Walberg
Cherry	Kelly	Price	Wallace
Ciaramitaro	Kilpatrick	Profit	Willard
Curtis	LaForge	Prusi	Wojno
DeHart	Leland	Quarles	

In The Chair: DeHart

Rep. Ciaramitaro moved to amend the bill as follows:

1. Amend page 13, line 15, after "IS" by striking out "4.2" and inserting "4.32".

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

Rep. Voorhees moved to amend the bill as follows:

1. Amend page 21, line 15, after "ACT" by striking out the balance of the line through "1963" on line 16.

2. Amend page 21, line 17, after "ACT" by striking out the balance of the line through "1963" on line 18.

3. Amend page 21, line 23, by striking out all of line 23.

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

Rep. Voorhees demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1010

Yeas—46

Alley	Frank	Jansen	Oxender
Banks	Galloway	Jelinek	Perricone
Birkholz	Geiger	Jellema	Rackowski
Bobier	Gernaat	Kukuk	Rhead
Bodem	Gilmer	Llewellyn	Rocca
Brackenridge	Godchaux	Lowe	Sanborn
Cassis	Goschka	McBryde	Scranton
Cropsey	Green	McManus	Sikkema
Dalman	Gustafson	McNutt	Voorhees
DeVuyst	Hammerstrom	Middaugh	Walberg
Dobb	Harder	Middleton	Whyman
Fitzgerald	Horton		

Nays—53

Agee	Emerson	London	Rison
Anthony	Freeman	Mans	Schauer
Baade	Gagliardi	Martinez	Schermesser
Baird	Gire	Mathieu	Schroer
Basham	Gubow	Olshove	Scott
Bogardus	Hale	Owen	Stallworth
Brater	Hanley	Palamara	Tesanovich
Brown	Hertel	Parks	Thomas

Byl	Johnson	Price	Varga
Callahan	Kelly	Profit	Vaughn
Cherry	Kilpatrick	Prusi	Wallace
Ciaramitaro	LaForge	Quarles	Willard
Curtis	Leland	Richner	Wojno
DeHart			

In The Chair: DeHart

Rep. Voorhees moved to amend the bill as follows:

1. Amend page 22, following line 21, by inserting:

“(15) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE CALCULATION OF THE DISTRIBUTION UNDER SUBSECTION (11) FOR EACH CITY, VILLAGE, AND TOWNSHIP SHALL BE ADJUSTED BY THE SAME PERCENTAGE CHANGE AS THE PERCENTAGE CHANGE IN THE POPULATION OF THE CITY, VILLAGE, OR TOWNSHIP AS REFLECTED IN THE 2000 FEDERAL DECENNIAL STATEWIDE CENSUS FROM THE IMMEDIATELY PREVIOUS FEDERAL CENSUS.” and renumbering the remaining subsections.

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

Rep. Voorhees demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1011

Yeas—47

Alley	Fitzgerald	Jansen	Raczkowski
Bankes	Frank	Kukuk	Rhead
Birkholz	Galloway	Llewellyn	Richner
Bobier	Geiger	London	Rocca
Bodem	Gernaat	Lowe	Sanborn
Brackenridge	Gilmer	McBryde	Scranton
Cassis	Godchaux	McManus	Sikkema
Cropsey	Goschka	McNutt	Voorhees
Curtis	Green	Middaugh	Walberg
Dalman	Gustafson	Middleton	Whyman
DeVuyst	Hammerstrom	Oxender	Wojno
Dobb	Horton	Prusi	

Nays—44

Agee	Ciaramitaro	LaForge	Rison
Anthony	DeHart	Leland	Schauer
Baade	Emerson	Mans	Schermesser
Baird	Gagliardi	Martinez	Schroer
Basham	Gire	Mathieu	Scott
Bogardus	Gubow	Olshove	Stallworth
Brater	Hale	Palamara	Tesanovich
Brown	Hanley	Parks	Thomas
Byl	Johnson	Price	Varga
Callahan	Kelly	Profit	Vaughn
Cherry	Kilpatrick	Quarles	Willard

In The Chair: DeHart

Rep. Voorhees moved to substitute (H-6) the bill.

The question being on the adoption of the substitute (H-6) offered by Rep. Voorhees,

Rep. Voorhees demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-6) offered by Rep. Voorhees,

The substitute (H-6) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 1012

Yeas—43

Alley	Dobb	Jelinek	Prusi
Anthony	Fitzgerald	Jellema	Rackowski
Birkholz	Galloway	Kukuk	Rhead
Bobier	Geiger	Llewellyn	Rocca
Bodem	Gernaat	Lowe	Sanborn
Brackenridge	Goschka	McBryde	Sikkema
Byl	Green	McManus	Tesanovich
Cassis	Gustafson	McNutt	Voorhees
Cropsey	Hammerstrom	Middaugh	Walberg
Dalman	Horton	Middleton	Whyman
DeVuyst	Jansen	Oxender	

Nays—50

Agee	Emerson	LaForge	Rison
Baade	Frank	London	Schauer
Baird	Freeman	Mans	Schermesser
Bankes	Gilmer	Martinez	Schroer
Basham	Gire	Mathieu	Scott
Bogardus	Godchaux	Olshove	Scranton
Brater	Gubow	Owen	Stallworth
Brown	Hale	Parks	Thomas
Callahan	Hanley	Price	Varga
Cherry	Harder	Profit	Vaughn
Ciaramitaro	Johnson	Quarles	Willard
Curtis	Kelly	Richner	Wojno
DeHart	Kilpatrick		

In The Chair: DeHart

Rep. Geiger moved to amend the bill as follows:

1. Amend page 12, line 20, by striking out all of subparagraphs (iv) through (vi) and renumbering the remaining subparagraphs.

2. Amend page 13, line 14, after "CITY" by inserting "OR TOWNSHIP".

3. Amend page 13, line 16, after "CITY" by inserting "OR TOWNSHIP".

4. Amend page 13, line 19, after "CITY" by inserting "OR TOWNSHIP".

5. Amend page 13, line 22, after "CITY" by inserting "OR TOWNSHIP".

6. Amend page 13, line 25, after "CITY" by inserting "OR TOWNSHIP".

7. Amend page 14, line 1, after "CITY" by inserting "OR TOWNSHIP".

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

Rep. Geiger demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1013**Yeas—54**

Alley	DeHart	Jansen	Perricone
Baird	DeVuyst	Jelinek	Profit
Bankes	Dobb	Jellema	Raczkowski
Birkholz	Fitzgerald	Kukuk	Rocca
Bobier	Frank	Llewellyn	Sanborn
Bodem	Galloway	Lowe	Schermesser
Bogardus	Geiger	Mans	Schroer
Brackenridge	Gernaat	McBryde	Scranton
Brater	Goschka	McManus	Sikkema
Brown	Green	McNutt	Voorhees
Callahan	Gustafson	Middleton	Walberg
Cassis	Hammerstrom	Owen	Whyman
Cropsey	Harder	Oxender	Willard
Dalman	Horton		

Nays—38

Agee	Gubow	Martinez	Richner
Anthony	Hale	Mathieu	Rison
Basham	Hanley	Middaugh	Scott
Byl	Hertel	Olshove	Stallworth
Cherry	Johnson	Parks	Tesanovich
Ciaramitaro	Kelly	Price	Thomas
Curtis	Kilpatrick	Prusi	Varga
Emerson	LaForge	Quarles	Vaughn
Freeman	Leland	Rhead	Wojno
Godchaux	London		

In The Chair: DeHart

Rep. Sanborn moved to reconsider the vote by which the House did not adopt the amendments offered previously by Rep. Sanborn.

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

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

Rep. Sanborn demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1014**Yeas—48**

Alley	Galloway	Jelinek	Raczkowski
Birkholz	Geiger	Jellema	Rhead
Bobier	Gernaat	Kukuk	Richner
Bodem	Gilmer	Llewellyn	Rocca
Brackenridge	Godchaux	Lowe	Sanborn
Cassis	Goschka	McBryde	Schauer
Cropsey	Green	McManus	Scranton
Curtis	Gustafson	McNutt	Sikkema

Dalman	Hammerstrom	Middaugh	Voorhees
DeVuyst	Harder	Middleton	Walberg
Dobb	Horton	Oxender	Whyman
Fitzgerald	Jansen	Perricone	Willard

Nays—45

Agee	Ciaramitaro	London	Quarles
Anthony	DeHart	Mans	Rison
Baade	Freeman	Martinez	Schermesser
Baird	Gubow	Mathieu	Schroer
Bankes	Hale	Olshove	Scott
Basham	Hanley	Owen	Stallworth
Bogardus	Johnson	Palamara	Tesanovich
Brater	Kelly	Parks	Thomas
Brown	Kilpatrick	Price	Varga
Byl	LaForge	Profit	Vaughn
Callahan	Leland	Prusi	Wojno
Cherry			

In The Chair: DeHart

Rep. Ciaramitaro 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. Cherry 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. 5989, entitled

A bill to amend 1971 PA 140, entitled "State revenue sharing act of 1971," by amending sections 11, 12a, and 13 (MCL 141.911, 141.912a, and 141.913), section 11 as amended by 1996 PA 468 and section 12a as added and section 13 as amended by 1996 PA 342; and to repeal acts and parts of acts.

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

Roll Call No. 1015**Yeas—58**

Agee	Dobb	Kelly	Perricone
Baade	Emerson	Kilpatrick	Price
Baird	Fitzgerald	LaForge	Profit
Bankes	Freeman	Leland	Quarles
Basham	Gilmer	London	Rackowski
Bogardus	Gire	Mans	Richner
Brater	Godchaux	Martinez	Rison
Brown	Goschka	Mathieu	Schermesser
Callahan	Gubow	McBryde	Scott
Cassis	Gustafson	McManus	Stallworth
Cherry	Hale	Owen	Thomas
Ciaramitaro	Hanley	Oxender	Varga
Curtis	Harder	Palamara	Wallace
DeHart	Hertel	Parks	Willard
DeVuyst	Johnson		

Nays—33

Alley	Green	Lowe	Schroer
Anthony	Hammerstrom	McNutt	Scranton
Bobier	Horton	Middaugh	Sikkema
Brackenridge	Jansen	Olshove	Tesanovich
Cropsey	Jelinek	Rhead	Voorhees
Dalman	Jellema	Rocca	Walberg
Frank	Kukuk	Sanborn	Whyman
Geiger	Llewellyn	Schauer	Wojno
Gernaat			

In The Chair: DeHart

The House agreed to the title of the bill.

Rep. Cherry moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills**House Bill No. 5391, entitled**

A bill to amend 1964 PA 284, entitled "City income tax act," by amending section 13 of chapter 2 (MCL 141.613), as amended by 1988 PA 216.

Was read a second time, and the question being on the adoption of the proposed substitute (H-5) previously recommended by the Committee on Tax Policy,

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

Rep. Profit moved to amend the bill as follows:

1. Amend page 9, line 1, by striking out all of subdivisions (C) and (D) and inserting:

"(C) "LOCAL TAX BASE GROWTH RATE" MEANS THE TOTAL TAXABLE VALUE OF REAL PROPERTY AND PERSONAL PROPERTY IN THE CITY FOR THE MOST RECENT YEAR FOR WHICH DATA IS AVAILABLE DIVIDED BY THE TOTAL TAXABLE VALUE OF REAL PROPERTY AND PERSONAL PROPERTY IN THE CITY FOR THE SECOND YEAR IMMEDIATELY PRECEDING THE MOST RECENT YEAR FOR WHICH THE DATA IS AVAILABLE.

(D) "STATEWIDE TAX BASE GROWTH RATE" MEANS THE TOTAL TAXABLE VALUE OF REAL PROPERTY AND PERSONAL PROPERTY IN THE STATE FOR THE MOST RECENT YEAR FOR WHICH THE DATA IS AVAILABLE DIVIDED BY THE TOTAL TAXABLE VALUE OF REAL PROPERTY AND PERSONAL PROPERTY IN THE STATE FOR THE SECOND YEAR IMMEDIATELY PRECEDING THE MOST RECENT YEAR FOR WHICH THE DATA IS AVAILABLE."

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

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

Rep. Cherry 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. 5391, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," by amending section 13 of chapter 2 (MCL 141.613), as amended by 1988 PA 216.

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

Roll Call No. 1016**Yeas—96**

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

Nays—0

In The Chair: DeHart

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

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

A bill to amend 1964 PA 284, entitled "City income tax act," by amending sections 3 and 3c of chapter 1 (MCL 141.503 and 141.503c), section 3 of chapter 1 as amended and section 3c of chapter 1 as added by 1988 PA 520.

The motion prevailed.

The House agreed to the title as amended.

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

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

The House returned to the consideration of

House Bill No. 4326, entitled

A bill to amend 1965 PA 290, entitled "Boiler act of 1965," by amending the title and sections 2, 4, 4a, 12, 14, and 24 (MCL 408.752, 408.754, 408.754a, 408.762, 408.764, and 408.774), sections 2 and 4a as amended by 1986 PA 277 and section 4 as amended by 1980 PA 274, and by adding sections 13a, 13b, 13c, and 13d.

(The bill was considered earlier today, see today's Journal, p. 2455.)

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. 1017**Yeas—66**

Agee	Curtis	Kilpatrick	Rhead
Alley	DeHart	Kukuk	Richner
Anthony	Emerson	LaForge	Rison

Baade	Fitzgerald	Leland	Rocca
Baird	Frank	London	Schauer
Bankes	Freeman	Mans	Schermesser
Basham	Galloway	Martinez	Schroer
Birkholz	Gernaat	Mathieu	Scott
Bobier	Gilmer	McManus	Stallworth
Bodem	Gire	Olshove	Tesanovich
Bogardus	Godchaux	Owen	Thomas
Brackenridge	Gubow	Oxender	Varga
Brater	Hale	Parks	Vaughn
Brown	Hanley	Price	Wallace
Callahan	Harder	Prusi	Willard
Cherry	Johnson	Quarles	Wojno
Ciaramitaro	Kelly		

Nays—25

Cassis	Gustafson	Lowe	Sanborn
Cropsey	Hammerstrom	McBryde	Scranton
Dalman	Horton	McNutt	Sikkema
DeVuyst	Jansen	Middaugh	Voorhees
Geiger	Jelinek	Perricone	Walberg
Goschka	Llewellyn	Rackowski	Whyman
Green			

In The Chair: DeHart

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

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

A bill to amend 1965 PA 290, entitled “Boiler act of 1965,” by amending the title and sections 2, 4, 4a, 12, 14, 23, and 24 (MCL 408.752, 408.754, 408.754a, 408.762, 408.764, 408.773, and 408.774), sections 2 and 4a as amended by 1986 PA 277, section 4 as amended by 1980 PA 274, and section 23 as amended by 1966 PA 273, and by adding sections 13a, 13b, 13c, and 13d.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 6226, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 2401, 2402, 2404, 2407, 2411, and 2412 (MCL 339.2401, 339.2402, 339.2404, 339.2407, 339.2411, and 339.2412), sections 2401 and 2411 as amended by 1991 PA 166, sections 2404 and 2407 as amended by 1988 PA 463, and section 2412 as amended by 1980 PA 496.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Regulatory Affairs,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Hanley 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. 6227, entitled

A bill to amend 1979 PA 152, entitled “State license fee act,” by amending section 39 (MCL 338.2239), as amended by 1988 PA 461.

The bill was read a second time.

Rep. Hanley 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. 5137, entitled

A bill to provide for access to the law enforcement information network by certain fire service agencies under certain circumstances; and to provide for certain civil remedies.

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

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

Rep. Jellema 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. 5735, 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.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Cherry moved that **House Bill No. 5137** be placed on its immediate passage.

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

House Bill No. 5137, entitled

A bill to provide for access to the law enforcement information network by certain fire service agencies under certain circumstances; and to provide for certain civil remedies.

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

Roll Call No. 1018**Yeas—88**

Agee	DeHart	Johnson	Quarles
Alley	Emerson	Kilpatrick	Rackowski
Anthony	Fitzgerald	Kukuk	Rhead
Baade	Frank	Leland	Richner
Baird	Freeman	Llewellyn	Rison
Banks	Galloway	London	Rocca
Basham	Gernaat	Lowe	Sanborn
Birkholz	Gilmer	Mans	Schauer
Bobier	Gire	Martinez	Schroer
Bodem	Godchaux	Mathieu	Scott
Bogardus	Goschka	McBryde	Scranton
Brackenridge	Green	McManus	Sikkema
Brater	Gubow	McNutt	Stallworth

Brown	Gustafson	Middaugh	Tesanovich
Byl	Hale	Middleton	Thomas
Callahan	Hammerstrom	Olshove	Varga
Cassis	Hanley	Owen	Vaughn
Cherry	Harder	Oxender	Walberg
Ciaramitaro	Horton	Palamara	Wallace
Cropsey	Jansen	Perricone	Whyman
Curtis	Jelinek	Price	Willard
Dalman	Jellema	Prusi	Wojno

Nays—0

In The Chair: DeHart

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

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

A bill to amend 1974 PA 163, entitled “L.E.I.N. policy council act of 1974,” by amending section 4 (MCL 28.214), as amended by 1998 PA 82.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Cherry moved that **House Bill No. 5735** be placed on its immediate passage.

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

House Bill No. 5735, 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.

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

Roll Call No. 1019**Yeas—93**

Agee	Emerson	Kelly	Rackowski
Alley	Fitzgerald	Kilpatrick	Rhead
Anthony	Frank	Kukuk	Richner
Baade	Freeman	LaForge	Rison
Baird	Galloway	Leland	Rocca
Banks	Geiger	Llewellyn	Sanborn
Basham	Gernaat	London	Schauer
Birkholz	Gilmer	Lowe	Schermesser
Bobier	Gire	Mans	Schroer
Bodem	Godchaux	Mathieu	Scott
Bogardus	Goschka	McBryde	Scranton
Brackenridge	Green	McManus	Sikkema
Brater	Gubow	McNutt	Stallworth
Brown	Gustafson	Middaugh	Tesanovich
Byl	Hale	Middleton	Thomas
Callahan	Hammerstrom	Olshove	Varga
Cassis	Hanley	Owen	Vaughn
Cherry	Harder	Oxender	Voorhees
Ciaramitaro	Horton	Parks	Walberg
Cropsey	Jansen	Perricone	Wallace
Curtis	Jelinek	Price	Whyman

Dalman
DeHart
DeVuyst

Jellema
Johnson

Prusi
Quarles

Willard
Wojno

Nays—0

In The Chair: DeHart

The House agreed to the title of the bill.

Rep. Cherry moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 4539, 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 prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 34 (MCL 791.234), as amended by 1994 PA 345.

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

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

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

Rep. Cherry 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. 4539, 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 prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 34 (MCL 791.234), as amended by 1994 PA 345.

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. 5961, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 1996 PA 226.

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

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

Rep. Mans moved to amend the bill as follows:

1. Amend page 7, line 9, after "INSTITUTION." by inserting "ADDITIONALLY, SUBSECTION (1)(GG) DOES NOT APPLY TO A TELECOMMUNICATION PROVIDER OR A PROVIDER OF A CABLE SERVICE AS DEFINED IN SECTION 102 OF THE MICHIGAN TELECOMMUNICATIONS ACT, 1991 PA 179, MCL 484.2102.".

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

Rep. Mans 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. 5961, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 1996 PA 226.

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

Roll Call No. 1020

Yeas—93

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

Nays—1

Voorhees

In The Chair: DeHart

The House agreed to the title of the bill.

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

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

Rep. Alley asked and obtained an excuse from the balance of today's session.

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 and postponed temporarily on November 10, see House Journal No. 76, p. 2309.)

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. 1021**Yeas—75**

Agee	Fitzgerald	Kelly	Rhead
Anthony	Frank	Kilpatrick	Richner
Baade	Freeman	Kukuk	Rocca
Bankes	Gagliardi	LaForge	Sanborn
Basham	Galloway	Llewellyn	Schermesser
Birkholz	Geiger	London	Schroer
Bobier	Gernaat	Mans	Scott
Bodem	Gire	Mathieu	Scranton
Bogardus	Godchaux	McBryde	Sikkema
Brater	Goschka	McManus	Stallworth
Byl	Green	McNutt	Tesanovich
Callahan	Gubow	Middaugh	Thomas
Cassis	Hale	Owen	Varga
Cherry	Hammerstrom	Oxender	Vaughn
Cropsey	Hanley	Parks	Voorhees
Curtis	Harder	Perricone	Walberg
Dalman	Horton	Price	Whyman
DeHart	Jansen	Prusi	Wojno
Dobb	Jellema	Quarles	

Nays—0

In The Chair: DeHart

The House agreed to the title of the bill.

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

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

Rep. Harder moved that Rep. Leland be excused temporarily from today's session.
The motion prevailed.

House Bill No. 6287, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature 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.

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

Roll Call No. 1022

Yeas—94

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

Nays—0

In The Chair: DeHart

The House agreed to the title of the bill.

Rep. Gagliardi moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 5466, 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," by amending section 6 (MCL 41.426), as added by 1989 PA 79.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Local Government,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Dobb 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. 5466, 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," by amending section 6 (MCL 41.426), as added by 1989 PA 79.

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

Roll Call No. 1023

Yeas—90

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

Nays—0

In The Chair: DeHart

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 6018, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 5 (MCL 205.95).
The bill was read a second time.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6018, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 5 (MCL 205.95).
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1024

Yeas—82

Agee	Emerson	Jelinek	Quarles
Anthony	Fitzgerald	Jellema	Rackowski
Baade	Frank	Kelly	Rhead
Baird	Freeman	Kilpatrick	Richner
Basham	Gagliardi	Kukuk	Rocca
Birkholz	Galloway	Leland	Sanborn
Bobier	Geiger	Llewellyn	Schauer
Bodem	Gernaat	London	Schroer
Bogardus	Gire	Lowe	Scott
Brackenridge	Godchaux	Mans	Scranton
Brater	Goschka	McBryde	Sikkema
Brewer	Green	McManus	Stallworth
Brown	Gubow	McNutt	Tesanovich
Cassis	Gustafson	Middaugh	Thomas
Cherry	Hale	Middleton	Vaughn
Cropsey	Hammerstrom	Owen	Voorhees
Curtis	Hanley	Oxender	Walberg
Dalman	Harder	Parks	Wallace
DeHart	Hertel	Perricone	Whyman
DeVuyst	Horton	Price	Willard
Dobb	Jansen		

Nays—6

Callahan	LaForge	Schermesser	Wojno
Ciaramitaro	Prusi		

In The Chair: DeHart

The House agreed to the title of the bill.

Rep. Gagliardi moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills**House Bill No. 6019, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 15 (MCL 205.65), as amended by 1993 PA 325.

The bill was read a second time.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 6019, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 15 (MCL 205.65), as amended by 1993 PA 325.

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

Roll Call No. 1025**Yeas—84**

Baade	Fitzgerald	Jellema	Price
Baird	Frank	Kelly	Quarles
Basham	Freeman	Kilpatrick	Rackowski
Birkholz	Gagliardi	Kukuk	Rhead
Bobier	Galloway	Leland	Richner
Bodem	Geiger	Llewellyn	Rocca
Bogardus	Gernaat	London	Sanborn
Brackenridge	Gire	Lowe	Schauer
Brater	Godchaux	Mans	Scott
Brewer	Goschka	Martinez	Scranton
Brown	Green	Mathieu	Sikkema
Byl	Gubow	McBryde	Stallworth
Callahan	Gustafson	McManus	Thomas
Cassis	Hale	McNutt	Varga
Cherry	Hammerstrom	Middaugh	Vaughn
Ciaramitaro	Hanley	Middleton	Voorhees
Cropsey	Harder	Olshove	Walberg
Curtis	Hertel	Owen	Wallace
DeHart	Horton	Oxender	Whyman
DeVuyst	Jansen	Parks	Willard
Dobb	Jelinek	Perricone	Wojno

Nays—7

Agee	LaForge	Schermesser	Tesanovich
Anthony	Prusi	Schroer	

In The Chair: DeHart

The House agreed to the title of the bill.

Rep. Gagliardi moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 6251, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 6 (MCL 205.56), as amended by 1998 PA 265.

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

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

Rep. Brackenridge moved to amend the bill as follows:

1. Amend page 3, line 25, after "CONSUMER" by inserting "OR ON THE FIRST RETURN DUE FOLLOWING THE EXPIRATION OF 90 DAYS AFTER THE DATE OF THE CREDIT SALE, WHICHEVER OCCURS FIRST".

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6251, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 6 (MCL 205.56), as amended by 1998 PA 265.

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

Roll Call No. 1026

Yeas—92

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

Nays—0

In The Chair: DeHart

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 5617, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 3 and 7 (MCL 28.723 and 28.727), section 3 as amended by 1995 PA 10 and section 7 as amended by 1996 PA 494.

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

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

Rep. Richner moved to amend the bill as follows:

1. Amend page 4, following line 11, by inserting:

"Sec. 10. (1) Except as provided in this act, a registration is confidential and shall not be open to inspection except for law enforcement purposes. The registration and all included materials and information are exempt from disclosure pursuant to section 13 of the freedom of information act, Act No. 442 of the Public Acts of 1976, being section 15.243 of the Michigan Compiled Laws.

(2) A department post, local law enforcement agency, or sheriff's department shall make information from the compilation described in section 8(2) for the zip code areas located in whole or in part within the post's, agency's, or sheriff's department's jurisdiction available for public inspection during regular business hours. A department post, local law enforcement agency, or sheriff's department is not required to make a copy of the information for a member of the public.

(3) The department may make information from the compilation described in section 8(2) available to the public through electronic, computerized, or other accessible means.

(4) Except as provided in this act, an individual other than the registrant who knows of a registration under this act and who divulges, uses, or publishes any nonpublic information concerning the registration in violation of this act is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500.00, or both.

(5) An individual whose registration is revealed in violation of this act has a civil cause of action against the responsible party for treble damages.

(6) Subsections (4) and (5) do not apply to the compilation described in section 8(2) or information from that compilation that is provided or made available under section 8(2) or under subsection (2) or (3)."

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

Rep. Richner demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1027

Yeas—48

Anthony	Fitzgerald	Llewellyn	Rhead
Birkholz	Galloway	London	Richner
Bodem	Geiger	Lowe	Rocca
Brackenridge	Gernaat	Mans	Sanborn
Brown	Goschka	McBryde	Scranton
Byl	Gustafson	McManus	Sikkema
Callahan	Hammerstrom	McNutt	Tesanovich
Cassis	Horton	Middaugh	Voorhees
Cropsey	Jansen	Middleton	Walberg
DeHart	Jelinek	Perricone	Whyman
DeVuyst	Jellema	Prusi	Willard
Dobb	Kukuk	Raczkowski	Wojno

Nays—23

Agee	Gire	Owen	Scott
Baird	Gubow	Parks	Thomas
Brater	Hale	Price	Varga
Cherry	Kelly	Quarles	Vaughn
Ciaramitaro	Martinez	Schauer	Wallace
Freeman	Olshove	Schroer	

In The Chair: DeHart

Rep. Martinez 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. 5617, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 3 and 7 (MCL 28.723 and 28.727), section 3 as amended by 1995 PA 10 and section 7 as amended by 1996 PA 494.

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

Roll Call No. 1028**Yeas—59**

Agee	Fitzgerald	Leland	Schermesser
Baade	Freeman	Mans	Schroer
Baird	Gagliardi	Martinez	Scott
Bodem	Galloway	McManus	Scranton
Bogardus	Gire	Middaugh	Sikkema
Brackenridge	Godchaux	Olshove	Stallworth
Brater	Gubow	Owen	Thomas
Brewer	Gustafson	Parks	Varga
Byl	Hale	Price	Vaughn
Cassis	Hammerstrom	Prusi	Walberg
Cherry	Hanley	Quarles	Wallace
Ciaramitaro	Harder	Rackowski	Wetters
Cropsey	Kelly	Richner	Whyman
DeHart	Kilpatrick	Rison	Willard
Dobb	LaForge	Schauer	

Nays—24

Anthony	Goschka	Llewellyn	Rhead
Birkholz	Green	London	Rocca
Brown	Horton	Lowe	Sanborn
DeVuyst	Jansen	McBryde	Tesanovich
Geiger	Jelinek	Middleton	Voorhees
Gernaat	Kukuk	Perricone	Wojno

In The Chair: DeHart

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.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Gagliardi moved that Rule 45 be suspended.

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

Rep. Gagliardi moved that the Committee on Consumer Protection be discharged from further consideration of **House Bill No. 5225**.

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

Second Reading of Bills

House Bill No. 5225, entitled

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

The bill was read a second time.

Rep. Kilpatrick moved to amend the bill as follows:

1. Amend page 1, line 1, by striking out the balance of the bill and inserting:

"Sec. 141. (1) A condominium project shall comply with applicable local law, ordinances, and regulations. Except as provided in subsection (2), a proposed or existing condominium project shall not be prohibited nor treated differently by any law, regulation, or ordinance of any local unit of government, which would apply to that project or development under a different form of ownership.

(2) Except as to a city having a population of more than ~~1 million~~ 750,000 persons, a local unit of government is preempted by the provisions of this act from enacting a law, regulation, ordinance, or other provision, which imposes a moratorium on conversion condominiums, or which provides rights for tenants of conversion condominiums or apartment buildings proposed as conversion condominiums, other than those provided in this act."

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

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

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

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

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

Rep. Birkholz moved that Rep. Scranton be excused temporarily from today's session.
The motion prevailed.

Rep. Whyman moved that Rep. McManus be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5225, entitled

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

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

Roll Call No. 1029**Yeas—56**

Agee	Dobb	LaForge	Rison
Anthony	Frank	Leland	Schauer
Baade	Freeman	Mans	Schermesser
Baird	Gagliardi	Martinez	Schroer
Basham	Galloway	Mathieu	Scott
Bodem	Gire	Olshove	Stallworth
Bogardus	Godchaux	Owen	Tesanovich
Brackenridge	Gubow	Oxender	Thomas
Brater	Hale	Parks	Varga
Brown	Hanley	Price	Vaughn
Callahan	Harder	Prusi	Wallace
Cherry	Kelly	Quarles	Wetters
Ciaramitaro	Kilpatrick	Rhead	Willard
DeHart	Kukuk	Richner	Wojno

Nays—29

Birkholz	Gernaat	Jellema	Perricone
Byl	Goschka	Llewellyn	Rackowski
Cassis	Gustafson	London	Rocca
Cropsey	Hammerstrom	Lowe	Sanborn
Dalman	Horton	McBryde	Sikkema
DeVuyst	Jansen	Middaugh	Voorhees
Fitzgerald	Jelinek	Middleton	Whyman
Geiger			

In The Chair: DeHart

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

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

A bill to amend 1978 PA 59, entitled "Condominium act," by amending section 141 (MCL 559.241), as amended by 1980 PA 513.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Gagliardi moved that Rule 45 be suspended.

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

Rep. Gagliardi moved that the Committee on Local Government be discharged from further consideration of **House Bill No. 5010**.

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

Second Reading of Bills**House Bill No. 5010, entitled**

A bill to amend 1921 PA 207, entitled "City and village zoning act," by amending section 5 (MCL 125.585), as amended by 1986 PA 191.

The bill was read a second time.

Reps. Brackenridge and Kilpatrick moved to substitute (H-1) the bill.

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

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

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

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

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

Rep. Hammerstrom moved that Reps. Rhead, Llewellyn and Perricone be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5010, entitled

A bill to amend 1921 PA 207, entitled "City and village zoning act," by amending section 5 (MCL 125.585), as amended by 1986 PA 191.

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

Roll Call No. 1030

Yeas—57

Agee	Cropsey	Harder	Quarles
Anthony	DeHart	Hertel	Richner
Baade	Dobb	Kelly	Rison
Baird	Emerson	Kilpatrick	Schermesser
Basham	Fitzgerald	LaForge	Schroer
Birkholz	Frank	Leland	Scott
Bodem	Freeman	Mans	Stallworth
Bogardus	Gagliardi	Mathieu	Tesanovich
Brackenridge	Galloway	Olshove	Thomas
Brater	Gire	Owen	Varga
Brewer	Godchaux	Oxender	Wallace
Brown	Gubow	Parks	Wetters
Callahan	Hale	Price	Willard
Cherry	Hanley	Prusi	Wojno
Ciaramitaro			

Nays—26

Byl	Green	London	Rackowski
Cassis	Hammerstrom	Lowe	Rocca
Dalman	Horton	McBryde	Sanborn
DeVuyst	Jansen	McManus	Sikkema
Geiger	Jelinek	Middaugh	Voorhees
Gernaat	Jellema	Middleton	Whyman
Goschka	Kukuk		

In The Chair: DeHart

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

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

A bill to amend 1921 PA 207, entitled "City and village zoning act," by amending sections 3b and 5 (MCL 125.583b and 125.585), section 3b as amended by 1993 PA 210 and section 5 as amended by 1986 PA 191.

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.

Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Tuesday, December 8, at 2:00 p.m.
The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Sikkema, Dobronski, Dobb, LaForge, DeHart, Dalman, McNutt, Scott, Voorhees, Rhead, Kelly, Middaugh, Gernaat, Llewellyn, Cropsey, Hammerstrom, London, Jelinek, Raczkowski, Schauer, Vaughn, Galloway, Goschka, Parks, Richner, Profit, Tesanovich, Cherry, Green and Baird offered the following resolution:

House Resolution No. 460.

A resolution honoring Allan Falk upon the occasion of his retirement.

Whereas, Allan Falk began his service to the people of Michigan in 1967 as a resident assistant and member of the Honors College Board. After graduation from Yale Law School, Allan Falk resumed serving the people of Michigan in 1972 in the capacity of a research attorney and then commissioner for the Michigan Court of Appeals; and

Whereas, Allan Falk, as a member of Common Cause of Michigan, contributed to the drafting and passage of the civil liberties provisions of the Mental Health Code, 1974 PA 258, the Open Meetings Act, 1976 PA 267, the Freedom of Information Act, 1976 PA 442, and the Lobbying Registration and Disclosure Act, 1978 PA 472; and

Whereas, Allan Falk, as an individual private citizen, contributed to the development and enactment of the Criminal Forfeiture Act, 1988 PA 104, the Product Liability Law Reform Act, 1995 PA 249, and the Assisted Suicide Act, 1992 PA 270; and

Whereas, During the first eight years of his tenure with the Michigan Court of Appeals, he also served his country in the United States Army Reserve, achieving the rank of Captain prior to honorable discharge; and

Whereas, Allan Falk has contributed to the science of jurisprudence by authoring a definitive two volume treatise and practice guide on torts, numerous scholarly articles in legal periodicals, and prized materials for seminars on appellate law and on legal ethics, and as speaker at local, regional, and national bar association meetings; and

Whereas, Mr. Falk served the legal profession by a record decade-long membership on the State Bar of Michigan Committee on professional and judicial ethics and two terms of service as a member of the Appellate Court Administration Committee and Crime Victims Compensation Committee; and

Whereas, Allan Falk has endeavored to the interests of the people of Michigan by pursuit of constitutional litigation to limit the activities of the State Bar of Michigan and focus its organizational energies on regulation of the profession in the public interest. He has also served his community as president of his synagogue, and by holding key positions on the boards of directors of numerous civic, charitable, cultural, and recreational organizations; and

Whereas, Allan Falk has brought honor to Michigan as a three-time North American Bridge Champion, two-time World Bridge Bidding Champion, and as author of five books on contract bridge; and

Whereas, Effective December 31, 1998, Allan Falk will close his 28 year career as a public servant to embark upon the private practice of law; now, therefore, be it

Resolved by the House of Representatives, That this expression of respect, admiration, and good wishes be offered to Allan Falk on the occasion of his retirement from state service; and be it further

Resolved, That a copy of this resolution be presented to Allan Falk, as evidence of the esteem of the Michigan Legislature and of the people of Michigan.

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 Standing Committees

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

House Bill No. 6265, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending sections 17^l and 19 (MCL 38.17^l and 38.19), section 17^l as amended by 1996 PA 521 and section 19 as amended by 1998 PA 205.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 6265 To Report Out:

Yeas: Reps. Varga, Wojno, Scott, Vaughn, Fitzgerald, Richner, Sanborn, Voorhees,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 3, 1998, at 9:00 a.m.,

Present: Reps. Varga, Wojno, Scott, Vaughn, Fitzgerald, Richner, Sanborn, Voorhees,

Absent: Reps. Anthony, Leland, Olshove, Profit, Quarles, Rocca, Scranton,

Excused: Reps. Anthony, Leland, Olshove, Profit, Quarles, Rocca, Scranton.

The Committee on Insurance, by Rep. Gubow, Chair, reported

Senate Bill No. 1007, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 839.

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

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

Favorable Roll Call

SB 1007 To Report Out:

Yeas: Reps. Gubow, Scott, Bogardus, Dobronski, Profit, Thomas, Varga, Vaughn, Llewellyn, Jelinek, Law, Middaugh, Voorhees,

Nays: Rep. London.

The Committee on Insurance, by Rep. Gubow, Chair, reported

Senate Bill No. 1019, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1204c (MCL 500.1204c), as amended by 1996 PA 466.

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

1. Amend page 5, line 16, after "MANAGEMENT" by inserting a comma and "EXCLUDING TELEMARKETING OR OTHER MARKETING INSTRUCTION".

2. Amend page 6, line 5, after "MANAGEMENT" by inserting a comma and "EXCLUDING TELEMARKETING OR OTHER MARKETING INSTRUCTION".

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

Favorable Roll Call

SB 1019 To Report Out:

Yeas: Reps. Gubow, Bogardus, Dobronski, Profit, Thomas, Vaughn, Llewellyn, Green, Jelinek, Law, London, Middaugh,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, December 2, 1998, at 4:15 p.m.,

Present: Reps. Gubow, Scott, Bogardus, Dobronski, Profit, Thomas, Varga, Vaughn, Llewellyn, Green, Jelinek, Law, London, Middaugh, Voorhees,

Absent: Reps. Palamara, Basham,

Excused: Reps. Palamara, Basham.

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

House Concurrent Resolution No. 115.

A concurrent resolution concurring in the tribal-state gaming compacts negotiated between the Governor and the Little River Band of Ottawa Indians, the Pokagon Band of Potawatomi Indians, the Little Traverse Bay Bands of Odawa Indians, and the Nottawaseppi Huron Band of Potawatomi.

(For text of resolution, see House Journal No. 78, p. 2405.)

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

1. Amend the title, line 5, after "Potawatomi" by inserting "and executed on December 3, 1998".

2. Amend the first Resolving clause, line 4, after "Governor" by inserting "and executed on December 3, 1998".

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

Favorable Roll Call

HCR 115 To Report Out:

Yeas: Reps. Gagliardi, Brewer, DeHart, Varga, Wallace, Gustafson, DeVuyst, Fitzgerald, Goschka, Richner,

Nays: Reps. Cherry, Agee, Hanley, Kilpatrick, Wojno, Perricone, Voorhees.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 3, 1998, at 12:00 Noon,

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

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

Senate Bill No. 773, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 113, 115, 131, 203, 204, 205, 217, 219, 221, 237, 241, 242, 246, 248, 281, 303, 305, 342, 344, 350, 350a, 350e, 352, 353, 353e, 354, 355, 356, 363, 367, 367b, 367f, 371, 372, 384, 386, 393, 396, 404, 434, 443, 451, 454, 461, 462, 484, 485, 486, 492, and 493 (MCL 18.1113, 18.1115, 18.1131, 18.1203, 18.1204, 18.1205, 18.1217, 18.1219, 18.1221, 18.1237, 18.1241, 18.1242, 18.1246, 18.1248, 18.1281, 18.1303, 18.1305, 18.1342, 18.1344, 18.1350, 18.1350a, 18.1350e, 18.1352, 18.1353, 18.1353e, 18.1354, 18.1355, 18.1356, 18.1363, 18.1367, 18.1367b, 18.1367f, 18.1371, 18.1372, 18.1384, 18.1386, 18.1393, 18.1396, 18.1404, 18.1434, 18.1443, 18.1451, 18.1454, 18.1461, 18.1462, 18.1484, 18.1485, 18.1486, 18.1492, and 18.1493), section 113 as amended by 1987 PA 122, sections 115, 203, 205, 217, 221, 246, 281, 342, 350, 367, 371, 372, 384, 386, 393, and 451 as amended and sections 204, 350a, 350e, 396, and 454 as added by 1988 PA 504, sections 219, 352, and 355 as amended and sections 367b and 367f as added by 1991 PA 72, section 353 as amended by 1994 PA 107, section 353e as added by 1997 PA 144, section 354 as amended by 1995 PA 286, section 363 as amended by 1993 PA 2, section 461 as amended by 1986 PA 251, and sections 484, 485, and 486 as added by 1986 PA 272, and by adding section 237a; 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

SB 773 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Mathieu, Chair of the Committee on Appropriations, was received and read:
Meeting held on: Thursday, December 3, 1998, at 9:00 a.m.,

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wetters, Chair of the Committee on Agriculture, was received and read:
Meeting held on: Thursday, December 3, 1998, at 8:45 a.m.,

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hanley, Chair of the Committee on Urban Policy and Economic Development, was received and read:

Meeting held on: Thursday, December 3, 1998, at 9:00 a.m.,
Present: Reps. Hanley, Schauer, Baird, LaForge, Cassis, Byl,
Absent: Reps. Thomas, Raczkowski, Voorhees,
Excused: Reps. Thomas, Raczkowski, Voorhees.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, November 17, for his approval of the following bill:

Enrolled Senate Bill No. 1030 at 9:27 a.m.

The Clerk announced that the following Senate bills had been received on Thursday, December 3:

Senate Bill Nos. 78 130 445 1058 1231 1314 1362

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

Enrolled Senate Bill No. 485 - Public Act No. 387

Enrolled Senate Bill No. 1173 - Public Act No. 388

Enrolled Senate Bill No. 1030 - Public Act No. 391

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 5938, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2518 (MCL 339.2518), as amended by 1998 PA 90.

The Senate has passed the bill, ordered that it be given immediate effect 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. 6007, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 21543 (MCL 324.21543).

The Senate has passed the bill, ordered that it be given immediate effect 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. 4681, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16204a (MCL 333.16204a), as added by 1994 PA 232.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 4682, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16204b.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 4683, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 16204c, 16204d, and 16228.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 4684, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2212a (MCL 500.2212a), as added by 1996 PA 517.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 4685, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21052 (MCL 333.21052), as added by 1996 PA 472.

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

The Senate has passed the bill as substituted (S-1) and pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 4686, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 402a (MCL 550.1402a), as added by 1996 PA 516.

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

The Senate has passed the bill as substituted (S-1) and pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 4742, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4m.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1937 PA 94, entitled "An act to provide for the levy, assessment and collection of a specific excise tax on the storage, use or consumption in this state of tangible personal property and certain services; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act," by amending section 4 (MCL 205.94), as amended by 1998 PA 366.

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

House Bill No. 5053, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 1997 PA 193.

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 1933 PA 167, entitled "An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act," by amending section 1 (MCL 205.51), as amended by 1998 PA 365.

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

House Bill No. 5127, entitled

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

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1972 PA 239, entitled "An act to establish and operate a state lottery and to allow state participation in certain lottery-related joint enterprises with other sovereignties; to create a bureau of state lottery and to prescribe its powers and duties; to prescribe certain powers and duties of other state departments and agencies; to license and regulate certain sales agents; to create the state lottery fund; to provide for the distribution of lottery revenues and earnings for certain purposes; to provide for an appropriation; and to provide for remedies and penalties," by amending section 25 (MCL 432.25), as amended by 1997 PA 199.

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

House Bill No. 5511, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2965.

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 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," (MCL 600.101 to 600.9948) by adding section 2968.

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

House Bill No. 5717, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 82126a, 82126b, and 82126c.

The Senate has amended the bill as follows:

1. Amend page 2, line 5, by striking out subsections (2) and (3) and inserting:

"(2) A PERSON WHO VIOLATES SUBSECTION (1) IS GUILTY OF A MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN \$250.00."

2. Amend page 2, line 14, after "WHO" by striking out the balance of the line through "DEATH" on line 17 and inserting "OPERATES A SNOWMOBILE IN A CARELESS, RECKLESS, OR NEGLIGENT MANNER CAUSING THE DEATH OR SERIOUS IMPAIRMENT OF BODILY FUNCTION".

3. Amend page 2, line 20, by striking out all of subsection (2) and inserting:

"(2) AS USED IN THIS SECTION, "SERIOUS IMPAIRMENT OF BODILY FUNCTION" INCLUDES, BUT IS NOT LIMITED TO, 1 OR MORE OF THE FOLLOWING:

(A) LOSS OF A LIMB OR USE OF A LIMB.

(B) LOSS OF A HAND, FOOT, FINGER, OR THUMB OR USE OF A HAND, FOOT, FINGER, OR THUMB.

(C) LOSS OF AN EYE OR EAR OR USE OF AN EYE OR EAR.

(D) LOSS OR SUBSTANTIAL IMPAIRMENT OF A BODILY FUNCTION.

(E) SERIOUS VISIBLE DISFIGUREMENT.

(F) A COMATOSE STATE THAT LASTS FOR MORE THAN 3 DAYS.

- (G) MEASURABLE BRAIN DAMAGE OR MENTAL IMPAIRMENT.
- (H) A SKULL FRACTURE OR OTHER SERIOUS BONE FRACTURE.
- (I) SUBDURAL HEMORRHAGE OR SUBDURAL HEMATOMA.”.

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

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

House Bill No. 5875, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 56a (MCL 211.56a).

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 pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 5924, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16621 (MCL 333.16621).

The Senate has amended the bill as follows:

1. Amend page 2, line 7, after the first “than” by striking out “18” and inserting “12”.
2. Amend page 2, following line 23, by inserting:

“(5) IT IS THE INTENT OF THE LEGISLATURE TO HAVE THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES REVIEW THE COMPOSITION OF THE BOARD OF DENTISTRY BY APRIL 30, 1999. THIS REVIEW SHALL INCLUDE THE ADEQUACY OF THE CURRENT BOARD COMPOSITION IN RESPONDING TO PROFESSIONAL PRACTICE CONCERN.”.

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

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

Senate Bill No. 78, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15d of chapter IV (MCL 764.15d), as added by 1987 PA 256.

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. 130, entitled

A bill to amend 1967 PA 288, entitled “Land division act,” by amending sections 117, 169, and 241 (MCL 560.117, 560.169, and 560.241), section 117 as amended by 1995 PA 172 and sections 169 and 241 as amended by 1993 PA 67.

The Senate has passed the bill.

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

Senate Bill No. 445, entitled

A bill to amend 1972 PA 106, entitled “Highway advertising act of 1972,” by amending the title and sections 1, 2, 3, 4, 6, 7, 9, 13, 14, 15, 16, 17, 21, 22, and 23 (MCL 252.301, 252.302, 252.303, 252.304, 252.306, 252.307, 252.309, 252.313, 252.314, 252.315, 252.316, 252.317, 252.321, 252.322, and 252.323), section 4 as amended by 1990 PA 153, and by adding sections 7a and 21a.

The Senate has passed the bill.

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

Senate Bill No. 1046, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 803q.

The Senate has passed the bill.

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

Senate Bill No. 1058, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 30103 and 32512 (MCL 324.30103 and 324.32512), as added by 1995 PA 59.

The Senate has passed the bill.

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

Senate Bill No. 1196, entitled

A bill to amend 1980 PA 243, entitled "Emergency municipal loan act," by amending sections 2, 3, 4, 6, 7, and 8 (MCL 141.932, 141.933, 141.934, 141.936, 141.937, and 141.938), sections 2 and 3 as amended by 1987 PA 282, sections 4, 7, and 8 as amended by 1986 PA 6, and section 6 as amended by 1988 PA 198.

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. 1197, entitled

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending sections 3 and 5 (MCL 141.473 and 141.475).

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. 1231, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 22209a. 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 Bill No. 1314, entitled

A bill to amend 1951 PA 90, entitled "An act to regulate the conducting of racing meets in the state of Michigan; to provide for the possession, control and disposition of funds held by licensees for the payment of outstanding winning tickets not claimed or demanded by the lawful owners of such funds; and to prescribe penalties for violations of the provisions of this act," by amending sections 2, 3, and 4 (MCL 431.252, 431.253, and 431.254); and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 1362, 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 Senate has passed the bill.

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

Senate Concurrent Resolution No. 102.

A concurrent resolution renaming the Chevrolet Freeway in Genesee County the Chevrolet-Buick Freeway.

Whereas, Interstate 69, an east-west freeway in Genesee County, was designated the Chevrolet Freeway upon its completion in recognition of the contributions the Chevrolet Division of General Motors Corporation has made to the Flint community; and

Whereas, The cornerstone of the General Motors Corporation was originally the Buick Motor Company which moved to Flint in 1902. After assuming control of Buick, William C. Durant assisted race car driver Louis Chevrolet in the development of automobile engines, and, in 1911, organized the Chevrolet Motor Company which he moved to Flint in 1912; and

Whereas, Since that time, both the Chevrolet and Buick automobiles have become synonymous with Flint, with hundreds of thousands of dedicated auto workers having assembled virtually millions of these cars over the years. Indeed, in light of the fact that the auto industry continues to be the lifeblood of the Flint community, it would be most appropriate to rename Interstate 69 in Genesee County to the Chevrolet-Buick Freeway; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the portion of Interstate 69 in Genesee County be hereby designated as the Chevrolet-Buick Freeway; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Transportation, the Board of Commissioners of the County of Genesee, the Mayor of the City of Flint, and the General Motors Corporation.

The Senate has adopted the concurrent resolution.

Pending the reference of the concurrent resolution to a committee,

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

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

The question being on the adoption of the concurrent resolution,

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

Reps. Dobronski, Hanley, Dobb, LaForge, Dalman, Scott, Voorhees, Kelly, Middaugh, Gernaat, Llewellyn, Bogardus, London, Jelinek, Raczkowski, Schauer, Vaughn, Galloway, Goschka, Parks, Kilpatrick, Profit, Tesanovich, Cherry, Brater, Harder, Green and Baird were named co-sponsors of the concurrent resolution.

Senate Concurrent Resolution No. 103.

A concurrent resolution to commend Michigan State University Trustee John D. Shingleton.

Whereas, With the retirement of John D. Shingleton from his responsibilities with the Michigan State University Board of Trustees, this distinguished Spartan is bringing to a close another chapter in a lifetime of service to our state's largest institution of higher education. Mr. Shingleton has been part of the scene along the banks of the Red Cedar for more than fifty years, and his energies and talents have played a major role in its development as one of the nation's premier public universities; and

Whereas, A pilot in World War II who saw extensive action in the Pacific Theater, Jack Shingleton is a graduate of Michigan State who began his professional career as an assistant director of personnel in 1949. The years that have followed have seen Mr. Shingleton wear probably as many hats of responsibility with the university as anyone in its history; and

Whereas, Jack Shingleton's illustrious career with MSU has seen him working with a university project in India, assisting the secretary of the Board of Trustees, serving as acting director of intercollegiate athletics, assisting President Emeritus John Hannah, and heading alumni programs on an interim basis. He is, however, best known across the country for his exceptional efforts in the area of placement services. His vigor and vision helped propel MSU to the forefront of college placement programs. As a result of his accomplishments and the knowledge he has shared through publications and organizations, he has contributed significantly to similar efforts all across the country; and

Whereas, Since 1991, Mr. Shingleton has channeled his talents through the MSU Board of Trustees, which he chaired in 1998. His perspective and understanding of the university have proven invaluable in shaping the Michigan State University that will serve our state and nation far into the future; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we commend Michigan State University Trustee John D. Shingleton upon the occasion of his retirement; and be it further

Resolved, That copies of this resolution be transmitted to Mr. Shingleton and his family as evidence of our admiration and best wishes.

The Senate has adopted the concurrent resolution.

Pending the reference of the concurrent resolution to a committee,

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

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

The question being on the adoption of the concurrent resolution,

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

Reps. Dobronski, Hanley, Dobb, LaForge, DeHart, Dalman, McNutt, Scott, Kelly, Middaugh, Gernaat, Llewellyn, Fitzgerald, Hammerstrom, Bogardus, London, Schauer, Vaughn, Goschka, Parks, Martinez, Kilpatrick, Richner, Profit, Tesanovich, Cherry, Brater, Harder, Green and Baird were named co-sponsors of the concurrent resolution.

Communications from State Officers

The following communication from the Auditor General was received and read:

December 2, 1998

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

Performance Audit of the
Office of Racing Commissioner
Department of Agriculture
December 1998

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The communication was referred to the Clerk and the accompanying report referred to the Committee on House Oversight and Ethics.

Introduction of Bills

Rep. Whyman introduced

House Bill No. 6315, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 2, 8, 14, and 34c (MCL 211.2, 211.8, 211.14, and 211.34c), section 2 as amended by 1993 PA 313, section 8 as amended by 1983 PA 254, and section 34c 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. Bobier introduced

House Bill No. 6316, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34c (MCL 211.34c), 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. Walberg moved that the House adjourn.
The motion prevailed, the time being 8:05 p.m.

Acting Speaker DeHart declared the House adjourned until Tuesday, December 8, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

