

No. 35
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House of Representatives
90th Legislature
REGULAR SESSION OF 1999

House Chamber, Lansing, Tuesday, April 27, 1999.

2:00 p.m.

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

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

Allen—present	Frank—present	Kuipers—present	Rison—present
Baird—present	Garcia—present	Kukuk—present	Rivet—present
Basham—present	Garza—present	LaForge—present	Rocca—present
Birkholz—present	Geiger—present	LaSata—present	Sanborn—present
Bisbee—present	Gielegem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—excused
Bogardus—present	Godchaux—present	Lockwood—present	Scott—present
Bovin—present	Gosselin—present	Mans—present	Scranton—present
Bradstreet—present	Green—present	Martinez—present	Shackleton—present
Brater—present	Hager—present	Mead—present	Sheltrown—present
Brewer—present	Hale—present	Middaugh—present	Shulman—present
Brown, Bob—present	Hanley—present	Minore—present	Spade—present
Brown, Cameron—present	Hansen—present	Mortimer—present	Stallworth—present
Byl—present	Hardman—present	Neumann—present	Stamas—present
Callahan—present	Hart—present	O’Neil—present	Switalski—present
Cassis—present	Howell—present	Pappageorge—present	Tabor—present
Caul—present	Jacobs—present	Patterson—present	Tesanovich—excused
Cherry—present	Jamnick—excused	Perricone—present	Thomas—present
Clark—present	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—present	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—present	Quarles—present	Vear—present
DeRossett—present	Julian—e/d/s	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—present	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Father Walter Barnes, from St. Andrew's Episcopal Church in Algonac, offered the following invocation:

“Grant O Lord, as we pause to ask for Your blessing and Your guidance for the members of this House, that it may be more than a formal nod of the head in Your direction before we proceed to the business of the day. Your word assures us that You are the Good Shepherd who not only cares deeply and personally for each one of us, but actually laid down Your life that we in turn might have life, and have it more abundantly. So it is with confidence Lord, that we lift into Your presence. Staff Sgt. Christopher Stone, Staff Sgt. Andrew Ramirez and Specialist Steven Gonzales in the course of their duties with our armed forces in the Balkans have been taken prisoner by a force that has not hesitated to abuse those who have fallen under their control in the past. And there are times, Lord, when we ourselves need a strength greater than our own, a wisdom that belongs to You alone. So we ask for Your affirming presence when expediency dictates that we go along, and conscience tells us we cannot. When the duties of this House conflict with our obligations at home, or our loyalties clash with our principles. And we need Your wisdom when we must grapple with problems that seem to defy solutions, or we find ourselves buried in the mountains of paper that so often accompany every issue that comes before this House. And so Lord, we are thankful that we can ask for Your power to sustain us when our resolution falters, Your wisdom when our discernment fails, and Your light to guide us when we have trouble finding the way ahead. Continue to help us we pray, to carry out the responsibilities entrusted to us by the people of this state. In Your own strong name, we ask it, Lord Jesus. Amen.”

Rep. Scott moved that Reps. Jamnick and Schermesser be excused from today's session.
The motion prevailed.

Rep. Scott moved that Rep. Tesanovich be excused from this week's session.
The motion prevailed.

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 24.

A resolution encouraging schools to develop “Experience Corps” to help to promote literacy and foster a desire for reading.

(For text of resolution, see House Journal No. 17, p. 244.)

(The resolution was reported by the Committee on Education on March 23, consideration of which was postponed until March 24 under the rules.)

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

Senate Bill No. 379, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 18f of chapter XIIA (MCL 712A.18f), as amended by 1998 PA 480.

The bill was read a second time.

Rep. Raczkowski 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. 4405, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 306, 308, 310e, and 320a (MCL 257.306, 257.308, 257.310e, and 257.320a), sections 306 and 308 as amended and section 310e as added by 1996 PA 387 and section 320a as amended by 1998 PA 350.

The bill was read a second time.

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

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

Senate Bill No. 141, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 57a (MCL 400.57a), as added by 1995 PA 223.

Was read a second time, and the question being on the adoption of the proposed substitute (H-6) previously recommended by the Committee on Family and Children Services,

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

Rep. Jacobs moved to amend the bill as follows:

1. Amend page 6, following line 7, by inserting:

“(13) AT THE TIME AND PLACE AN INDIVIDUAL IS REQUIRED TO SUBMIT TO FURNISHING A FINGER IMAGE, THE FAMILY INDEPENDENCE AGENCY, OR A PERSON THAT CONTRACTS WITH THE FAMILY INDEPENDENCE AGENCY TO CARRY OUT THE FINGER IMAGING PROGRAM, SHALL OFFER THE INDIVIDUAL THE OPPORTUNITY TO REGISTER TO VOTE.”.

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

Rep. Jacobs demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 251

Yeas—49

Baird	DeHart	LaForge	Rison
Basham	Dennis	Lemmons	Rivet
Bogardus	Frank	Lockwood	Schauer
Bovin	Garza	Martinez	Scott
Brater	Gielegthem	Minore	Sheltrown
Brewer	Hale	Neumann	Spade
Brown, B.	Hanley	O’Neil	Stallworth
Byl	Hansen	Pestka	Switalski
Callahan	Hardman	Price	Thomas
Cherry	Jacobs	Prusi	Vaughn
Clark	Kelly	Quarles	Wojno
Clarke	Kilpatrick	Reeves	Woodward
Daniels			

Nays—57

Allen	Gilbert	Kuipers	Richner
Birkholz	Godchaux	Kukuk	Rocca
Bisbee	Gosselin	LaSata	Sanborn
Bishop	Green	Law	Scranton
Bradstreet	Hager	Mans	Shackleton
Brown, C.	Hart	Mead	Shulman
Cassis	Howell	Middaugh	Stamas
Caul	Jansen	Mortimer	Tabor
DeRossett	Jelinek	Pappageorge	Toy
DeVuyst	Jellema	Patterson	Van Woerkom
DeWeese	Johnson, Rick	Perricone	Vander Roest
Ehardt	Johnson, Ruth	Pumford	Vear
Faunce	Koetje	Raczkowski	Voorhees
Garcia	Kowall	Richardville	Woronchak
Geiger			

Rep. DeRossett moved to amend the bill as follows:

1. Amend page 3, line 13, after "FRAUD." by inserting "FOR THE PURPOSE OF THIS SUBDIVISION, "FAMILY GROUP" MEANS A FAMILY AND ALL THOSE INDIVIDUALS LIVING WITH A FAMILY WHO APPLY FOR OR RECEIVE CASH ASSISTANCE, FOOD STAMPS, OR BOTH."

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

Rep. Prusi moved that Reps. DeHart and Scott be excused temporarily from today's session.
The motion prevailed.

Rep. Jansen moved to amend the bill as follows:

1. Amend page 3, line 25, after "PREVIOUS" by striking out "3 YEARS" and inserting "12 MONTHS".

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

Rep. LaForge demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 252

Yeas—104

Allen	Faunce	Kowall	Richardville
Baird	Frank	Kuipers	Richner
Basham	Garcia	Kukuk	Rison
Birkholz	Garza	LaForge	Rivet
Bisbee	Geiger	LaSata	Rocca
Bishop	Gielegem	Law	Sanborn
Bogardus	Gilbert	Lemmons	Schauer
Bovin	Godchaux	Lockwood	Scranton
Bradstreet	Gosselin	Mans	Shackleton
Brater	Green	Martinez	Sheltrown
Brewer	Hager	Mead	Shulman
Brown, B.	Hale	Middaugh	Spade
Brown, C.	Hanley	Minore	Stallworth
Byl	Hansen	Mortimer	Stamas
Callahan	Hardman	Neumann	Switalski
Cassis	Hart	O'Neil	Tabor
Caul	Howell	Pappageorge	Thomas
Cherry	Jacobs	Patterson	Toy
Clark	Jansen	Perricone	Van Woerkom
Clarke	Jelinek	Pestka	Vander Roest
Daniels	Jellema	Price	Vaughn
Dennis	Johnson, Rick	Prusi	Vear
DeRossett	Johnson, Ruth	Pumford	Voorhees
DeVuyst	Kelly	Quarles	Wojno
DeWeese	Kilpatrick	Rackowski	Woodward
Ehardt	Koetje	Reeves	Woronchak

Nays—0

Reps. Jacobs and Shulman moved to amend the bill as follows:

1. Amend page 3, line 17, by striking out all of subdivision (E) and inserting:

“(E) A REQUIREMENT TO EXEMPT PATIENTS PLACED IN NURSING HOMES FROM PROVIDING THE AUTOMATED FINGER IMAGE.

(F) IN ADDITION TO THE POPULATION GROUPS NAMED IN SUBDIVISIONS (C), (D), AND (E), AUTHORITY TO EXEMPT CERTAIN OTHER POPULATION GROUPS FROM PROVIDING THE AUTOMATED FINGER IMAGE INCLUDING, BUT NOT LIMITED TO, HOMEBOUND RECIPIENTS.”.

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

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Jacobs and Shulman,

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

Roll Call No. 253

Yeas—103

Allen	Frank	Kuipers	Richner
Baird	Garcia	Kukuk	Rison
Basham	Garza	LaForge	Rivet
Birkholz	Geiger	LaSata	Rocca
Bisbee	Gielegem	Law	Sanborn
Bishop	Gilbert	Lemmons	Schauer
Bogardus	Godchaux	Lockwood	Scranton
Bovin	Gosselin	Mans	Shackleton
Bradstreet	Green	Martinez	Sheltrown
Brater	Hager	Mead	Shulman
Brewer	Hale	Middaugh	Spade
Brown, B.	Hanley	Minore	Stallworth
Brown, C.	Hansen	Mortimer	Stamas
Byl	Hardman	Neumann	Switalski
Callahan	Hart	O’Neil	Tabor
Cassis	Howell	Pappageorge	Thomas
Caul	Jacobs	Patterson	Toy
Cherry	Jansen	Perricone	Van Woerkom
Clark	Jelinek	Pestka	Vander Roest
Clarke	Jellema	Price	Vaughn
Dennis	Johnson, Rick	Prusi	Vear
DeRossett	Johnson, Ruth	Pumford	Voorhees
DeVuyst	Kelly	Quarles	Wojno
DeWeese	Kilpatrick	Rackowski	Woodward
Ehardt	Koetje	Reeves	Woronchak
Faunce	Kowall	Richardville	

Nays—0

In The Chair: Scranton

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 6, following line 7, by inserting:

“(13) THE FAMILY INDEPENDENCE AGENCY SHALL NOT AWARD THE AUTOMATED FINGER IMAGE IMPLEMENTATION CONTRACT TO ANY ORGANIZATION UNLESS THE CONTRACT HAS BEEN COMPETITIVELY BID. IF THE CONTRACT IS A SOLE SOURCE CONTRACT, THE FAMILY INDEPENDENCE AGENCY SHALL ONLY EXPEND UP TO 10% ABOVE THE TOTAL COST OF SYSTEM MANUFACTURE, INSTALLATION, AND DELIVERY. THE FAMILY INDEPENDENCE AGENCY MAY ENTER INTO A SERVICE AND MAINTENANCE AGREEMENT THAT DOES NOT EXCEED 10% ABOVE THE TOTAL COST OF LABOR AND MATERIALS.”.

The question being on the adoption of the amendment offered by Rep. Stallworth, Rep. Stallworth moved that consideration of the bill be postponed temporarily. The motion prevailed.

House Bill No. 4018, entitled

A bill to amend 1917 PA 138, entitled “An act to authorize the creation of county libraries; to authorize the contracting by the board of supervisors of any county for library service; to authorize the contracting by the board of supervisors of any county or the board of trustees of any regional library with any other municipality for the furnishing of such service; and to provide for a tax for the purposes of this act,” by amending section 2 (MCL 397.302), as amended by 1994 PA 77.

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 and Urban Policy,

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

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

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

Rep. Julian entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4018, entitled

A bill to amend 1917 PA 138, entitled “An act to authorize the creation of county libraries; to authorize the contracting by the board of supervisors of any county for library service; to authorize the contracting by the board of supervisors of any county or the board of trustees of any regional library with any other municipality for the furnishing of such service; and to provide for a tax for the purposes of this act,” by amending section 2 (MCL 397.302), as amended by 1994 PA 77.

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

Roll Call No. 254

Yeas—83

Allen	Garcia	LaSata	Rison
Baird	Geiger	Law	Rivet
Basham	Gilbert	Lockwood	Rocca
Birkholz	Godchaux	Mans	Sanborn
Bisbee	Gosselin	Martinez	Schauer
Bishop	Green	Mead	Scranton
Bovin	Hager	Middaugh	Shackleton
Bradstreet	Hale	Minore	Sheltrown
Brater	Hardman	Neumann	Shulman
Brown, B.	Hart	O’Neil	Spade
Brown, C.	Howell	Pappageorge	Stamas
Cassis	Jansen	Patterson	Tabor
Caul	Jelinek	Perricone	Thomas
Cherry	Johnson, Rick	Pestka	Toy
Dennis	Johnson, Ruth	Price	Van Woerkom
DeRossett	Julian	Prusi	Vander Roest
DeVuyst	Kelly	Pumford	Vear
DeWeese	Koetje	Quarles	Voorhees
Ehardt	Kowall	Raczkowski	Woodward
Faunce	Kuipers	Reeves	Woronchak
Frank	Kukuk	Richardville	

Nays—21

Bogardus	DeHart	Jacobs	Richner
Brewer	Garza	Jellema	Scott
Callahan	Gielegem	Kilpatrick	Stallworth
Clark	Hanley	Lemmons	Switalski
Clarke	Hansen	Mortimer	Vaughn
Daniels			

In The Chair: Scranton

The House agreed to the title of the bill.

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

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Law, Rocca, Prusi, Kelly, Scott, Vaughn, Martinez, DeHart, Hale, Woodward, Wojno, Spade, Hansen, Vear, Brater, Lockwood, Richner, LaForge, Jelinek, Julian, Voorhees, Mead, Garcia, Van Woerkom, Kukuk, Jansen, Richardville, Koetje, Switalski, Shackleton, Woronchak, Thomas, Mans, Middaugh, Rivet, Bovin, Dennis, DeVuyst, Ruth Johnson, Clarke, Bob Brown, Jacobs, Gielegem, Bogardus, Kilpatrick, Jellema, Schauer, Cherry, Cassis, Frank, Reeves, Hardman, Sheltroun, Minore, Raczkowski, LaSata, Vander Roest, Bishop, Kuipers, Caul, DeRossett, Tabor, Shulman, Bradstreet, Baird, Hanley, Gilbert, Perricone, Godchaux, Faunce, Toy, DeWeese, Rison, Brewer, Neumann, Birkholz, Price, Stamas and Ehardt offered the following resolution:

House Resolution No. 75.

A resolution honoring the Michigan Hospice Organization as it recognizes 20 years of service to families facing terminal illness.

Whereas, The Michigan Hospice Organization was officially founded in 1979 to address the rights of individuals who were dying and the needs of their families and friends. Founders of hospice saw the concept as a means of bringing together consumer, provider, and professional groups in a united effort to help patients and families; and

Whereas, The Michigan Hospice Organization was officially incorporated in August 1979 and composed entirely of volunteers who are still an integral component of hospice care today. The mission of hospice care is to provide quality of life to individuals while dying, allowing them to "live until they died" and allowing those individuals to remain at home, if at all possible; and

Whereas, In the early 1980s, hospice became a licensed provider group in Michigan with reimbursement by Medicare and Medicaid. Shortly thereafter, insurance companies recognizing the benefits of hospice care for patients began reimbursement for hospice care; and

Whereas, As the Michigan Hospice Organization celebrates its 20th anniversary at its Spring Leadership Conference this month, the organization can be proud to have served over 23,000 patients this past year, delivered over 1 million hours of care to the dying, provided bereavement services to family and friends of the deceased in every county in Michigan, and officially counted over 8,000 volunteers, as well as the many staff members of the 85 hospice programs in Michigan. The seemingly tireless efforts of those in the hospice community have not gone unnoticed—care delivered to the citizens of Michigan is constantly rated by families and patients to be near the 100 percent satisfaction level; now, therefore, be it

Resolved by the House of Representatives, That we congratulate the Michigan Hospice Organization for its 20 years of service to Michigan citizens, and commend the hospice community for all their past efforts and their commitment to end-of-life care in this state; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Hospice Organization as evidence of our appreciation and gratitude for their work in serving others.

Pending the reference of the resolution to a committee,
 Rep. Raczkowski 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.

Reps. Prusi, Frank, Bovin, Rivet, Pestka, Thomas, Price, Baird, Switalski, Minore, Vaughn, Schauer, Gielegem, Callahan, Dennis, Caul, LaForge, Neumann, Jellema, Rison, Basham, Bogardus, Hale, Hanley, Quarles, Godchaux, LaSata, Martinez, Kelly, Cherry, Richardville and Mead offered the following resolution:

House Resolution No. 76.

A resolution commemorating the 100th Anniversary of Northern Michigan University.

Whereas, We are pleased to join with the residents of the State of Michigan, and especially the people of Michigan's Upper Peninsula, in marking the centennial celebration of the charter signing of Northern Michigan University. On behalf of the countless individuals who have benefitted from this fine institution of higher learning, we offer our sincere best wishes as they celebrate this milestone; and

Whereas, Anyone who has spent much time in public instruction can attest that there are few endeavors more complex than the education of our youth. The old African adage, "It takes a whole village to educate a child," certainly rings true, even in this age of technology, computers, and the Internet. Northern Michigan University can trace its origins to the aspirations of the residents of Michigan's Upper Peninsula, who between 1875 and 1899, petitioned the Michigan Legislature to create the Northern State Normal School. Through the efforts and leadership of Representatives Fremont C. Chamberlain and John Gordon, on April 28, 1899, Governor Hazen Pingree signed Public Act 51, establishing what is now known as Northern Michigan University; and

Whereas, Since its inception, Northern Michigan University has grown into a comprehensive university, committed to student achievement, community outreach, and academic and vocational skill development for the twenty-first century. NMU has attained its reputation for effectiveness through the efforts and sacrifices of administrators, faculty and staff, alumni, students, and community members who have worked together for the common good over these past one hundred years. This occasion truly marks a century of excellence; and

Whereas, Much has changed since Northern State Normal School first opened its doors as a teaching school in 1899, armed with a faculty and staff of just seven. Understanding the important role education plays in our swiftly changing world, NMU met the challenge through its mission of student-centered quality education, teaching, research, and outreach. Through the implementation of educational outreach programs, the TLC Initiative, radio and television programming, skill training, and economic development initiatives, Northern Michigan University will long have a positive, far-reaching impact on the future skills, opportunities, and jobs of tomorrow; now, therefore, be it

Resolved by the House of Representatives, That the highest praise and congratulations be extended to Northern Michigan University as we commemorate the one-hundredth year of its distinguished service to Michigan, and especially its Upper Peninsula. Recognizing that with ceremonies scheduled to celebrate its history, Northern Michigan University will remember the vision of the numerous people and the many years of commitment and dedication that has helped to make NMU a premier undergraduate university. We are proud to join Northern Michigan University and the residents of Michigan in celebrating the progress they have made over these past one hundred years; and be it further

Resolved, That a copy of this resolution be transmitted to Northern Michigan University as evidence of our appreciation and respect.

Pending the reference of the resolution to a committee,
 Rep. Raczkowski 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.

Reports of Select Committees

Joint Committee on Administrative Rules

Certificates of Approval

Date: April 22, 1999
 Subject: Trans. No. 99-04

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Department of Environmental Quality, Air Quality Division, pertaining to Air Pollution Control—Emission Averaging and Emission Reduction Credit Trading dated October 20, 1998.

Date: April 22, 1999
Subject: Trans. No. 99-09

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Department of State pertaining to Bureau of Elections—Casino Interest Registration dated November 19, 1998.

Date: April 22, 1999
Subject: Trans. No. 99-12

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Department of Treasury, Michigan Higher Education Student Loan Authority pertaining to Michigan Alternative Student Loan Program dated August 31, 1998.

Date: April 22, 1999
Subject: Trans. No. 99-13

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Department of State Police, Traffic Services Section, pertaining to Safety Belts and Restraining Devices dated April 10, 1998.

Date: April 22, 1999
Subject: Trans. No. 99-14

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Department of Consumer and Industry Services, Office of Commercial Services, pertaining to Interior Designer Qualifications dated December 21, 1998.

Sincerely,
Representative Marc Shulman
Chair

Reports of Standing Committees

The Committee on Agriculture and Resource Management, by Rep. Green, Chair, reported

House Bill No. 4464, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 717 (MCL 257.717), as amended by 1992 PA 257.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4464 To Report Out:

Yeas: Reps. Green, Julian, Bradstreet, DeRossett, DeVuyst, Ehardt, Rick Johnson, Koetje, Vear, Brater, Bogardus, Hansen, Rivet, Sheltrown, Spade,

Nays: None.

The Committee on Agriculture and Resource Management, by Rep. Green, Chair, reported

House Resolution No. 51.

A resolution to memorialize the Congress of the United States to investigate the issue of apple juice concentrate from other countries being sold in the American market at prices below cost.

(For text of resolution, see House Journal No. 27, p. 492.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

HR 51 To Report Out:

Yeas: Reps. Green, Julian, Bradstreet, DeRossett, DeVuyst, Rick Johnson, Koetje, Vear, Brater, Bogardus, Hansen, Rivet, Sheltroun, Spade,

Nays: None.

The Committee on Agriculture and Resource Management, by Rep. Green, Chair, reported

House Concurrent Resolution No. 27.

A concurrent resolution to memorialize the Congress of the United States to investigate the issue of apple juice concentrate from other countries being sold in the American market at prices below cost.

(For text of resolution, see House Journal No. 27, p. 494.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call

HCR 27 To Report Out:

Yeas: Reps. Green, Julian, Bradstreet, DeRossett, DeVuyst, Ehardt, Rick Johnson, Koetje, Vear, Brater, Bogardus, Hansen, Rivet, Sheltroun, Spade,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 27, 1999, at 9:00 a.m.,

Present: Reps. Green, Julian, Bradstreet, DeRossett, DeVuyst, Ehardt, Rick Johnson, Koetje, Vear, Brater, Bogardus, Hansen, Rivet, Sheltroun, Spade,

Absent: Reps. Howell, LaForge,

Excused: Reps. Howell, LaForge.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

Senate Bill No. 178, entitled

A bill to amend 1927 PA 150, entitled "An act to prescribe a privilege tax for the use of the public highways by owners and drivers of motor vehicles by imposing a specific tax upon the sale or use, within the state of Michigan, of motor fuel; to prescribe the manner and the time of paying this tax and the duties of officials and others respecting the payment and collection of this tax; to provide for the licensing of wholesale distributors, certain retail dealers, exporters, and suppliers as defined in this act; to fix a time when this tax and interest and penalties thereon become a lien upon the property of persons, firms, partnerships, associations, or corporations, subject to the payment of this tax; to provide for the enforcement of this lien; to permit the inspection and testing of petroleum products; to provide for certain exemptions and refunds and for the disposition of the proceeds of this tax; and to prescribe penalties for the violation of this act," by amending section 12 (MCL 207.112), as amended by 1996 PA 56.

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 178 To Report Out:

Yeas: Reps. Cassis, Woronchak, Allen, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Vear, Quarles, Basham, Garza, Minore, O'Neil, Switalski,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cassis, Chair of the Committee on Tax Policy, was received and read:

Meeting held on: Tuesday, April 27, 1999, at 9:00 a.m.,

Present: Reps. Cassis, Woronchak, Allen, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Vear, Quarles, Basham, Garza, Minore, O'Neil, Switalski,

Absent: Rep. Jammick,

Excused: Rep. Jammick.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 27, 1999, at 9:00 a.m.,

Present: Reps. Garcia, Kowall, Bisbee, Richardville, Van Woerkom, Bob Brown, Lockwood, Mans, Vaughn.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 27, 1999, at 10:30 a.m.,

Present: Reps. Allen, Ruth Johnson, Bradstreet, DeWeese, Hager, Hart, Rick Johnson, Kuipers, Van Woerkom, Voorhees, Bogardus, Clark, Daniels, Gielegem, Hansen, Scott, Spade.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 27, 1999, at 12:00 Noon,

Present: Reps. Raczkowski, Howell, Richardville, Shackleton, Rivet, Brewer, DeHart.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, April 19:

Senate Bill Nos. 508 509 510 511 512 513 514 515 516 517 518 519

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, April 23:

**House Bill Nos. 4496 4497 4498 4499 4500 4501 4502 4503 4504 4505 4506 4507 4508 4509
4510 4511 4512 4513 4514 4515 4516 4517 4518 4519 4520 4521 4522 4523
4524 4525 4526 4527 4528 4529**

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Monday, April 26:

**House Bill Nos. 4548 4549 4550 4551 4552 4553 4554 4555 4556 4557 4558 4559 4560 4561
4562 4563 4564 4565 4566**

House Joint Resolution I

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, April 27, for his approval of the following bill:

Enrolled House Bill No. 4318 at 10:04 a.m.

The Clerk announced that the following Senate bills had been received on Tuesday, April 27:

Senate Bill Nos. 468 469 470 471

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 468, entitled

A bill to amend 1968 PA 289, entitled "An act to authorize circuit court judges to grant immunity to witnesses upon application of the prosecuting attorneys; to prescribe the procedures therefor; and to prescribe penalties for refusal to

testify and for giving false testimony,” by amending the title and sections 1, 2, and 3 (MCL 780.701, 780.702, and 780.703) and by adding section 2a.

The Senate has passed the bill.

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

Senate Bill No. 469, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 6 and 19b of chapter VII (MCL 767.6 and 767.19b).

The Senate has passed the bill.

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

Senate Bill No. 470, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 125, 157, 446, 453, and 461 (MCL 750.125, 750.157, 750.446, 750.453, and 750.461); 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 Criminal Law and Corrections.

Senate Bill No. 471, entitled

A bill to amend 1941 PA 207, entitled “Fire prevention code,” by amending section 7 (MCL 29.7).

The Senate has passed the bill.

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

Introduction of Bills

Rep. Van Woerkom introduced

House Bill No. 4567, entitled

A bill to amend 1994 PA 425, entitled “An act to provide for the creation of community swimming pool authorities; to provide powers and duties of the authorities; to provide for the levy of a tax by the authorities; and to provide for the collection and distribution of the tax,” by amending section 1 (MCL 123.1061).

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

Reps. Baird, Brater, Schauer, Schermesser, Martinez, Mans, DeHart, Dennis, Woodward and Basham introduced

House Bill No. 4568, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 5502a.

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

Reps. Baird, Brater, Schauer, Schermesser, Martinez, Mans, DeHart, Dennis, Woodward and Basham introduced

House Bill No. 4569, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 3112 and 5510 (MCL 324.3112 and 324.5510).

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

Reps. Baird, Brater, Schauer, Schermesser, Martinez, Mans, DeHart, Dennis and Woodward introduced

House Bill No. 4570, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 12102.

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

Reps. Gilbert, Kowall and Birkholz introduced

House Bill No. 4571, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 71 (MCL 211.71), as added by 1980 PA 142.

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

Reps. Gilbert, Kowall and Birkholz introduced

House Bill No. 4572, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts," by amending section 1 (MCL 41.801), as amended by 1998 PA 545.

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

Reps. Gilbert, Kowall and Birkholz introduced

House Bill No. 4573, entitled

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

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

Reps. Gilbert, Kowall and Birkholz introduced

House Bill No. 4574, entitled

A bill to amend 1977 PA 289, entitled "An act to provide for payments to municipalities for fire protection services received by state facilities; to prescribe the powers and duties of certain state and local agencies and officials; and to authorize the proration of certain appropriations," by amending sections 3 and 4 (MCL 141.953 and 141.954).

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

Reps. Martinez, Minore, Dennis, Faunce, Baird and Scranton introduced

House Bill No. 4575, 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.

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

Reps. Martinez, Bogardus, Dennis and Brater introduced

House Bill No. 4576, entitled

A bill to designate an official insect of this state.

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

Reps. Bovin, Hale, Bradstreet and Neumann introduced

House Bill No. 4577, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 71603 (MCL 324.71603), as added by 1998 PA 286.

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

Reps. Brater, Garza, Hansen, Baird, Gielegem, Brewer, Schauer, Bogardus, Hale, Martinez, Mans, Dennis, Woodward, DeHart, Callahan, Basham, Scranton and Thomas introduced

House Bill No. 4578, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 6.

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

Reps. Lockwood, Schermesser, O'Neil, Mans, Spade, Callahan, Dennis, Woodward, Switalski, Lemmons, Schauer, Bob Brown, Jamnick, Clark, Garza, Bovin, Hardman, Reeves, Hale, Bogardus, Frank, Minore, Neumann, Vaughn, Kelly and Thomas introduced

House Bill No. 4579, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 30e. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Faunce, Julian, Garcia, Howell, Patterson, Jacobs and O'Neil introduced

House Bill No. 4580, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4i (MCL 117.4i), as amended by 1996 PA 179.

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

Reps. O'Neil, Faunce, Julian, Garcia, Howell, Jacobs and Patterson introduced

House Bill No. 4581, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 24 (MCL 78.24), as amended by 1994 PA 15.

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

Reps. Garcia, Faunce, Julian, Howell, Patterson, Jacobs and O'Neil introduced

House Bill No. 4582, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 2 of chapter VI (MCL 66.2), as amended by 1996 PA 41.

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

Reps. Julian, Faunce, Howell, Patterson, Jacobs and O'Neil introduced

House Bill No. 4583, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 21 (MCL 42.21), as amended by 1996 PA 36.

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

Reps. Howell, Faunce, Julian, Garcia, DeVuyst, Patterson, Jacobs and O'Neil introduced

House Bill No. 4584, entitled

A bill to amend 1945 PA 246, entitled "An act to authorize township boards to adopt ordinances and regulations to secure the public health, safety and general welfare; to provide for the establishment of a township police department; to provide for policing of townships by certain law enforcement officers and agencies; to provide for the publication of ordinances; to prescribe powers and duties of township boards and certain local and state officers and agencies; to provide sanctions; and to repeal all acts and parts of acts in conflict with the act," by amending section 3 (MCL 41.183), as amended by 1996 PA 34.

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

Reps. Jacobs, Faunce, Julian, Garcia, Howell, O'Neil and Patterson introduced

House Bill No. 4585, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 703 (MCL 436.1703), as amended by 1998 PA 353.

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

Reps. Rick Johnson, Garcia, Julian, Kuipers, Pappageorge, DeRossett, Gosselin, Green and Allen introduced

House Bill No. 4586, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4k (MCL 205.94k), as amended by 1996 PA 477.

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

Reps. Birkholz, Kukuk, Tabor, Voorhees, Hart, Kowall, Bisbee, Richner, LaSata, Gosselin, Reeves, Jansen, Shulman and Raczkowski introduced

House Bill No. 4587, entitled

A bill to protect against interest, fines, penalties, and other fees and finance charges by political subdivisions for billing errors caused by computer date failures.

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

Reps. Shulman, Kukuk, Tabor, Kuipers, Voorhees, Hart, Kowall, Raczkowski, Bisbee, Richner, LaSata and Gosselin introduced

House Bill No. 4588, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," by amending sections 1, 7, and 13 (MCL 691.1401, 691.1407, and 691.1413), sections 1 and 13 as amended by 1986 PA 175 and section 7 as amended by 1996 PA 143, and by adding section 7a.

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

Reps. Cassis, Woronchak, Julian, Rick Johnson, Garcia, Sheltroun, DeWeese, DeVuyst, Jellema, Kuipers, Allen, Pappageorge, Bishop, Gosselin, Voorhees, Rocca, DeRossett, Shackleton, LaSata, Kukuk, Green and Scranton introduced

House Bill No. 4589, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 1998 PA 60, and by adding section 4r.

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

Reps. Cassis, Woronchak, Julian, Patterson, Richner, Rick Johnson, Garcia, Sheltroun, Hager, Gilbert, DeWeese, DeVuyst, Jellema, Kuipers, Allen, Pappageorge, Bishop, Ehardt, Caul, Gosselin, Voorhees, Rocca, DeRossett, Howell, Shackleton, LaSata, Green, Kukuk, Bisbee, Shulman and Scranton introduced

House Bill No. 4590, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 31 (MCL 208.31), as amended by 1994 PA 247; and to repeal acts and parts of acts.

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

Rep. Birkholz introduced

House Bill No. 4591, entitled

A bill to amend 1993 PA 92, entitled "Seller disclosure act," by amending section 7 (MCL 565.957), as amended by 1996 PA 92.

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

Reps. Julian, Tabor, Garcia, Green, DeWeese, Toy, Patterson, Richardville, DeRossett and Faunce introduced

House Bill No. 4592, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 7 (MCL 29.7).

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

Reps. Howell, Woronchak, Julian, Garcia, Gilbert, Patterson, Kuipers, Rick Johnson, Allen, Pappageorge, Caul, Ehardt, Rocca, Voorhees, DeRossett, Gosselin, Shackleton, Kukuk, O'Neil, Shulman, Raczkowski and Green introduced

House Bill No. 4593, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 31b.

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

Reps. O'Neil, Schermesser, Mans, Lockwood, Basham, Patterson, Kowall, Bovin, Richner, Lemmons, DeHart, Woodward, Ehardt, Hale, Gielegem, Bradstreet and Howell introduced

House Bill No. 4594, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4r. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Gielegem, Rivet, Dennis, Wojno, Schermesser, Bovin, Schauer and Minore introduced

House Bill No. 4595, entitled

A bill to provide for the readability of consumer contracts; to impose certain requirements relating to consumer contracts; to prescribe the powers and duties of certain state officers and departments; to provide remedies; to provide for limitation of actions; and to provide for civil fines and prescribe penalties for violations of this act.

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

Rep. DeWeese introduced

House Bill No. 4596, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20902, 20904, 20906, 20908, 20910, 20912, 20915, 20916, 20918, 20919, 20920, 20921, 20923, 20929, 20934, 20950, 20954, 20956, 20958, 20965, 20975, and 20977 (MCL 333.20902, 333.20904, 333.20906, 333.20908, 333.20910, 333.20912, 333.20915, 333.20916, 333.20918, 333.20919, 333.20920, 333.20921, 333.20923, 333.20929, 333.20934, 333.20950, 333.20954, 333.20956, 333.20958, 333.20965, 333.20975, and 333.20977), sections 20902, 20904, 20906, 20908, 20910, 20912, 20915, 20916, 20918, 20923, 20929, 20934, 20950, 20954, 20956, 20958, 20975, and 20977 as added by 1990 PA 179, section 20919 as amended by 1996 PA 192, and sections 20920, 20921, and 20965 as amended by 1997 PA 78.

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

Rep. Richner moved that the House adjourn.
The motion prevailed, the time being 3:45 p.m.

Associate Speaker Pro Tempore Scranton declared the House adjourned until Wednesday, April 28, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.