

No. 60
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House Chamber, Lansing, Thursday, September 23, 1999.

12:00 Noon.

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

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—excused	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—excused	Neumann—present	Stamas—present
Callahan—present	Hart—present	O’Neil—present	Switalski—present
Cassis—present	Howell—present	Pappageorge—excused	Tabor—present
Caul—present	Jacobs—present	Patterson—present	Tesanovich—present
Cherry—present	Jamnick—present	Perricone—present	Thomas—present
Clark—e/d/s	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—excused	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—present	Quarles—present	Year—present
DeRossett—present	Julian—present	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

Rep. Jerry Vander Roest, from the 63rd District, offered the following invocation:

“Dear Heavenly Father, we thank You for this beautiful day, this beautiful Earth, and a beautiful place to be. God, be with us as we delegate Your business and we do everything to Thy will. Be with those who need, in sickness and health, Your loving hand and care. Be with us Lord, as we do Thy business. We thank You for everything that You have given us and be with us this day. We ask everything in Thy name. Amen.”

Rep. DeWeese moved that Rep. Pappageorge be excused from today’s session.
The motion prevailed.

Rep. Scott moved that Reps. Hardman, Mans, Schermesser and Daniels be excused from today’s session.
The motion prevailed.

Third Reading of Bills

House Bill No. 4599, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20104 and 20115 (MCL 333.20104 and 333.20115).

The bill was read a third time.

The question being on the passage of the bill,

After debate,

Rep. Frank demanded the previous question.

The demand was supported.

The question being, “Shall the main question now be put?”

The previous question was ordered.

The question being on the 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. 816

Yeas—69

Allen	Frank	Kowall	Richardville
Basham	Garcia	Kuipers	Richner
Birkholz	Geiger	Kukuk	Rivet
Bisbee	Gilbert	LaSata	Rocca
Bishop	Gosselin	Law	Sanborn
Bovin	Green	Lockwood	Shackleton
Bradstreet	Hager	Mead	Sheltrown
Brown, B.	Hart	Middaugh	Shulman
Brown, C.	Howell	Mortimer	Spade
Byl	Jansen	Neumann	Stamas
Callahan	Jelinek	O’Neil	Tabor
Cassis	Jellema	Patterson	Van Woerkom
Caul	Johnson, Rick	Perricone	Vander Roest
DeRossett	Johnson, Ruth	Pestka	Vear
DeVuyst	Julian	Pumford	Voorhees
DeWeese	Kelly	Rackowski	Wojno
Ehardt	Koetje	Reeves	Woronchak
Faunce			

Nays—34

Baird	Gielegem	Lemmons	Scranton
Bogardus	Godchaux	Martinez	Stallworth
Brater	Hale	Minore	Switalski

Brewer	Hanley	Price	Tesanovich
Cherry	Hansen	Prusi	Thomas
Clarke, H.	Jacobs	Quarles	Toy
DeHart	Jamnack	Schauer	Vaughn
Dennis	Kilpatrick	Scott	Woodward
Garza	LaForge		

In The Chair: Birkholz

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

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

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20115 (MCL 333.20115) and by adding section 22224.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Baird demanded the yeas and nays.

The demand was supported.

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

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 817

Yeas—70

Allen	Frank	Kuipers	Richner
Basham	Garcia	Kukuk	Rivet
Birkholz	Geiger	LaSata	Rocca
Bisbee	Gilbert	Law	Sanborn
Bishop	Gosselin	Lockwood	Shackleton
Bovin	Green	Mead	Sheltrown
Bradstreet	Hager	Middaugh	Shulman
Brown, B.	Hart	Mortimer	Spade
Brown, C.	Howell	Neumann	Stamas
Byl	Jansen	O'Neil	Tabor
Callahan	Jelinek	Patterson	Toy
Cassis	Jellema	Perricone	Van Woerkom
Caul	Johnson, Rick	Pestka	Vander Roest
DeRossett	Johnson, Ruth	Pumford	Vear
DeVuyst	Julian	Raczkowski	Voorhees
DeWeese	Kelly	Reeves	Wojno
Ehardt	Koetje	Richardville	Woronchak
Faunce	Kowall		

Nays—33

Baird	Gielegem	LaForge	Schauer
Bogardus	Godchaux	Lemmons	Scranton
Brater	Hale	Martinez	Stallworth
Brewer	Hanley	Minore	Switalski
Cherry	Hansen	Price	Tesanovich
Clarke, H.	Jacobs	Prusi	Thomas
DeHart	Jamnack	Quarles	Vaughn
Dennis	Kilpatrick	Rison	Woodward
Garza			

In The Chair: Birkholz

Rep. Clark entered the House Chambers.

Second Reading of Bills

House Bill No. 4414, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2552 (MCL 600.2552), as amended by 1994 PA 154.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Family and Civil Law (for amendment, see House Journal No. 40, p. 770),

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

Rep. Ruth Johnson moved to amend the bill as follows:

1. Amend page 3, following line 5, by inserting:

"Enacting section 1. This amendatory act takes effect January 1, 2000."

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

Rep. Ruth Johnson 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. Middaugh 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. 4414, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2552 (MCL 600.2552), as amended by 1994 PA 154.

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

Roll Call No. 818

Yeas—97

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

Nays—6Baird
BishopHanley
Quarles

Rison

Vander Roest

In The Chair: Birkholz

The House agreed to the title of the bill.
Rep. Middaugh moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Middaugh 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
Reports of Standing Committees

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

Senate Bill No. 182, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7208, 7220, and 7227 (MCL 333.7208, 333.7220, and 333.7227) and by adding section 7339.

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 182 To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Ehardt, Gosselin, Green, Ruth Johnson, Raczkowski, Rocca, Vear, Schauer, Baird, Dennis, Neumann, Reeves, Woodward,

Nays: None.

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

Senate Bill No. 436, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17745a (MCL 333.17745a), as added by 1993 PA 305.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 436 To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Ehardt, Gosselin, Ruth Johnson, Rocca, Vear, Schauer, Dennis, Jacobs, Neumann, Reeves, Woodward,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, September 23, 1999, at 10:30 a.m.,

Present: Reps. Law, DeWeese, DeRossett, Ehardt, Gosselin, Green, Ruth Johnson, Raczkowski, Rocca, Vear, Schauer, Baird, Dennis, Jacobs, Neumann, Reeves, Woodward

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Richner, Chair of the Committee on Family and Civil Law, was received and read:

Meeting held on: Thursday, September 23, 1999, at 9:00 a.m.,

Present: Reps. Richner, Shulman, Hart, Koetje, Law, Sanborn, Voorhees, Baird, Minore, Switalski,

Absent: Rep. Schermesser,

Excused: Rep. Schermesser.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members, Thursday, September 23:

House Bill No. 4843

Introduction of Bills

Reps. Wojno, Mans, Schauer, Thomas, Faunce, Garcia, Gosselin, Rivet, Hale, Basham, Bob Brown and Jacobs introduced

House Bill No. 4845, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 9 (MCL 207.559), as amended by 1996 PA 513.

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

Reps. Switalski, Lemmons, Rick Johnson, Allen, DeRossett and Julian introduced

House Bill No. 4846, entitled

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 1a (MCL 480.11a), as amended by 1995 PA 265.

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

Reps. Switalski, Spade, Thomas, Bogardus, Schauer, DeHart, Schermesser, Garza, Martinez, Price, Wojno, Clarke, Rivet, Pappageorge, Bovin, Garcia, LaSata and Lemmons introduced

House Bill No. 4847, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 23f and 24 of chapter X (MCL 710.23f and 710.24), section 23f as amended by 1994 PA 373 and section 24 as amended by 1996 PA 409.

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

Reps. Switalski, Spade, Thomas, Bogardus, DeHart, Schermesser, Garza, Martinez, Price, Wojno, Jacobs, Clarke, Rivet, Bovin, Pappageorge, LaSata and Lemmons introduced

House Bill No. 4848, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 106 (MCL 400.106), as amended by 1990 PA 145.

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

Reps. Switalski, Bogardus, Schauer, Schermesser, Garza and LaSata introduced

House Bill No. 4849, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1101 (MCL 380.1101), as amended by 1995 PA 289.

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

Reps. Mortimer, DeRossett, Garcia, Shackleton, Bradstreet, Birkholz, Julian and Jelinek introduced
House Bill No. 4850, entitled

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 459.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Reps. Richner, Law, DeWeese, Ehardt, Julian, Daniels and Schauer introduced

House Bill No. 4851, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 10103a.

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

Reps. Woronchak, DeRossett, Bisbee, Faunce, Julian, Sanborn, Rivet, Toy and Gilbert introduced

House Bill No. 4852, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 267.

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

Rep. LaSata moved that the House adjourn.

The motion prevailed, the time being 2:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, September 28, at 2:00 p.m.

GARY RANDALL

Clerk of the House of Representatives.

