

No. 14
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
90th Legislature
REGULAR SESSION OF 2000

House Chamber, Lansing, Tuesday, February 22, 2000.

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	Gieleghem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—excused	Schermesser—present
Bogardus—present	Godchaux—present	Lockwood—present	Scott—excused
Bovin—present	Gosselin—present	Mans—present	Scranton—present
Bradstreet—present	Green—present	Martinez—e/d/s	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—excused
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—present
Cherry—present	Jamnick—present	Perricone—present	Thomas—present
Clark—present	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—e/d/s	Johnson, Ruth—present	Quarles—present	Vear—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. Bob Brown, from the 16th District, offered the following invocation:

“From Proverbs 3: 5, 6, ‘Trust in the Lord with all thine heart; and lean not unto thine own understanding. In all thy ways acknowledge Him, and He shall direct thy paths.’

I would ask this body in prayer, that we let the Lord guide us in our ways today and for the rest of this illustrious year of 2000. Amen.”

Rep. DeHart moved that Reps. Daniels, Lemmons, Scott and Stallworth be excused from today’s session. The motion prevailed.

Second Reading of Bills

House Bill No. 4260, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 53b (MCL 211.53b), as amended by 1995 PA 74.

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. Green 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.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4260, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 53b (MCL 211.53b), as amended by 1995 PA 74.

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

Roll Call No. 46

Yeas—104

Allen	Frank	Koetje	Richner
Baird	Garcia	Kowall	Rison
Basham	Garza	Kuipers	Rivet
Birkholz	Geiger	Kukuk	Rocca
Bisbee	Gielegem	LaForge	Sanborn
Bishop	Gilbert	LaSata	Schauer
Bogardus	Godchaux	Law	Schermesser
Bovin	Gosselin	Lockwood	Scranton
Bradstreet	Green	Mans	Shackleton
Brater	Hager	Mead	Sheltrown
Brewer	Hale	Middaugh	Shulman
Brown, B.	Hanley	Minore	Spade
Brown, C.	Hansen	Mortimer	Stamas
Byl	Hardman	Neumann	Switalski
Callahan	Hart	O’Neil	Tabor
Cassis	Howell	Pappageorge	Tesanovich
Caul	Jacobs	Patterson	Thomas
Cherry	Jamnick	Perricone	Toy

Clark, I.	Jansen	Pestka	Van Woerkom
Clarke, H.	Jelinek	Price	Vander Roest
DeHart	Jellema	Prusi	Vaughn
DeRossett	Johnson, Rick	Pumford	Vear
DeVuyst	Johnson, Ruth	Quarles	Voorhees
DeWeese	Julian	Raczkowski	Wojno
Ehardt	Kelly	Reeves	Woodward
Faunce	Kilpatrick	Richardville	Woronchak

Nays—0

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.

Reps. Martinez and Dennis entered the House Chambers.

Second Reading of Bills

House Bill No. 5017, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 154 (MCL 211.154), as amended by 1996 PA 476.

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

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

Rep. Stamas 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. 803, entitled

A bill to amend 1970 PA 74, entitled “Corner recordation act,” by amending sections 2, 3, 6, 7, 8, 10, 13, and 14 (MCL 54.202, 54.203, 54.206, 54.207, 54.208, 54.210, 54.210c, and 54.210d), sections 2, 6, 8, 13, and 14 as amended by 1988 PA 26; 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-1) previously recommended by the Committee on Local Government and Urban Policy,

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

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.

Rep. Raczkowski 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. 803, entitled

A bill to amend 1970 PA 74, entitled “Corner recordation act,” by amending sections 2, 3, 6, 7, 8, 10, 13, and 14 (MCL 54.202, 54.203, 54.206, 54.207, 54.208, 54.210, 54.210c, and 54.210d), sections 2, 6, 8, 13, and 14 as amended by 1988 PA 26; 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. 47**Yeas—106**

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

Nays—0

In The Chair: Scranton

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

“An act to protect and perpetuate public land survey corners; to require the establishment of monuments and the recording of information concerning public land survey corners; to prescribe the duties of the register of deeds; and to provide penalties.”

The House agreed to the full title.

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 Bill No. 5017** be placed on its immediate passage.

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

House Bill No. 5017, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 154 (MCL 211.154), 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. 48**Yeas—105**

Allen	Frank	Kowall	Richner
Baird	Garcia	Kuipers	Rison
Basham	Garza	Kukuk	Rivet

Birkholz	Geiger	LaForge	Rocca
Bisbee	Gielegem	LaSata	Sanborn
Bishop	Gilbert	Law	Schauer
Bogardus	Godchaux	Lockwood	Schermesser
Bovin	Gosselin	Mans	Scranton
Bradstreet	Green	Martinez	Shackleton
Brater	Hager	Mead	Sheltrown
Brewer	Hale	Middaugh	Shulman
Brown, B.	Hanley	Minore	Spade
Brown, C.	Hansen	Mortimer	Stamas
Byl	Hardman	Neumann	Switalski
Callahan	Hart	O'Neil	Tabor
Cassis	Howell	Pappageorge	Tesanovich
Caul	Jacobs	Patterson	Thomas
Cherry	Jamnack	Perricone	Toy
Clark, I.	Jansen	Pestka	Van Woerkom
Clarke, H.	Jelinek	Price	Vander Roest
DeHart	Jellema	Prusi	Vaughn
Dennis	Johnson, Rick	Pumford	Vear
DeRossett	Johnson, Ruth	Quarles	Voorhees
DeVuyst	Julian	Raczkowski	Wojno
DeWeese	Kelly	Reeves	Woodward
Ehardt	Koetje	Richardville	Woronchak
Faunce			

Nays—0

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.

Second Reading of Bills

Senate Bill No. 866, entitled

A bill to amend 1955 PA 233, entitled "An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies," by amending section 4b (MCL 124.284b), as added by 1985 PA 178.

The bill was read a second time.

Rep. Birkholz moved to amend the bill as follows:

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

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

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

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.

Rep. Raczkowski 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. 866, entitled

A bill to amend 1955 PA 233, entitled “An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies,” by amending section 4b (MCL 124.284b), as added by 1985 PA 178.

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

Roll Call No. 49

Yeas—106

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

Nays—0

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.

By unanimous consent the House returned to the order of
Motions and Resolutions

Reps. Vaughn, Reeves, Schermesser, Brater, Hansen, Spade, Wojno, Rivet, Kelly, Woodward, Scranton, Caul, DeVuyst, Callahan, Quarles, Rison, Schauer, Allen, LaForge, DeHart, Kilpatrick, Jellema, Prusi, Hale, Bogardus, Ehardt, Clark, Van Woerkom, DeRossett, Kowall, Bovin, Garza, Sheltroun, Pappageorge, Price, Switalski, Birkholz, Raczkowski, Green, Minore, Baird, Thomas, Jacobs, DeWeese, Faunce, Cherry, Dennis, Neumann, Bishop and Garcia offered the following resolution:

House Resolution No. 283.

A resolution honoring Leila Gilliam upon the occasion of her 104th birthday.

Whereas, It is a genuine pleasure to extend special greetings to Leila Gilliam upon the occasion of her 104th birthday. We are grateful for this opportunity to join with the family and many friends of Leila Gilliam as we honor an individual who truly understands the beauty of life in its challenges and triumphs; and

Whereas, Born on February 23, 1896, Leila Gilliam grew up in a world quite different in many ways from the one we know today. In the span of her lifetime, tremendous cultural, sociological, and technological changes have transpired here in Michigan and elsewhere. Leila has lived and tasted of life throughout this period which has given her insight, experience, and wisdom few of us can fully appreciate; and

Whereas, Long ago, Charles Dickens made an observation on aging that often seems applicable to people like Leila Gilliam, who have contributed a great deal to life around them. He said: "Father Time is not always a hard parent, and, though he tarries for none of his children, he often lays his hand lightly on those who have used him well". Surely, Leila Gilliam breathes great meaning into this thought; now, therefore, be it

Resolved by the House of Representatives, That we offer birthday greetings to Leila Gilliam as she marks her 104th birthday. May the health and happiness her years so richly merit be with her always; and be it further

Resolved, That a copy of this resolution be transmitted to Leila Gilliam as a token of our esteem.

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 Standing Committees

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

House Bill No. 4920, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 1996 PA 476, and by adding section 27e.

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

HB 4920 To Report Out:

Yeas: Reps. Green, Julian, Bradstreet, DeRossett, DeVuyst, Ehardt, Howell, Rick Johnson, Koetje, Vear, Brater, Hansen, LaForge, 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, February 22, 2000, at 9:00 a.m.,

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

Absent: Rep. Rivet,

Excused: Rep. Rivet.

The Committee on Family and Children Services, by Rep. Hart, Chair, reported
House Concurrent Resolution No. 84.

A concurrent resolution to memorialize the Congress of the United States to adopt House Resolution 280 to encourage community marriage programs.

(For text of resolution, see House Journal No. 13, p. 189.)

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 84 To Report Out:

Yeas: Reps. Hart, DeRossett, Cassis, Law, Shulman,

Nays: Reps. LaForge, Hardman, Jacobs.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hart, Chair of the Committee on Family and Children Services, was received and read:

Meeting held on: Tuesday, February 22, 2000, at 11:45 a.m.,

Present: Reps. Hart, DeRossett, Cassis, Law, Shulman, LaForge, Gielegem, Hardman, Jacobs.

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, February 22, 2000, at 9:00 a.m.,

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

Absent: Rep. Patterson,

Excused: Rep. Patterson.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Howell, Vice-Chair of the Committee on Criminal Law and Corrections, was received and read:

Meeting held on: Tuesday, February 22, 2000, at 10:30 a.m.,

Present: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman, Baird, Callahan, Jacobs, O'Neil.

Messages from the Senate

House Bill No. 4644, 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.

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. 4645, entitled

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales," by amending sections 2 and 3 (MCL 445.112 and 445.113).

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4523, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 35 (MCL 169.235), as amended by 1989 PA 95.

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

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

A bill to amend 1976 PA 388, entitled "An act to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; to require campaign statements and reports; to regulate anonymous contributions; to regulate campaign advertising and literature; to provide for segregated funds for political purposes; to provide for the use of public funds for political purposes; to create certain funds; to provide for reversion, retention, or refunding of unexpended balances in certain funds; to require other statements and reports; to regulate acceptance of certain gifts, payments, and reimbursements; to prescribe the powers and duties of certain state departments and state and local officials and employees; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts," by amending section 35 (MCL 169.235), as amended by 1999 PA 238.

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

House Bill No. 5058, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 15 (MCL 169.215), as amended by 1996 PA 590.

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1976 PA 388, entitled "An act to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; to require campaign statements and reports; to regulate anonymous contributions; to regulate campaign advertising and literature; to provide for segregated funds for political purposes; to provide for the use of public funds for political purposes; to create certain funds; to provide for reversion, retention, or refunding of unexpended balances in certain funds; to require other statements and reports; to regulate acceptance of certain gifts, payments, and reimbursements; to prescribe the powers and duties of certain state departments and state and local officials and employees; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts," by amending section 15 (MCL 169.215), as amended by 1999 PA 238; and to repeal acts and parts of acts.

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, February 16:

Senate Bill Nos. 985 1005 1011 1012 1013

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Friday, February 18:

House Bill Nos. 5360 5361 5362 5363 5364 5365 5366 5367 5368 5369 5370 5371 5372 5373
5374 5375 5376 5377 5378 5379 5380 5381 5382 5383 5384 5385 5386 5387
5388 5389 5390 5391 5392 5393 5394 5395 5396 5397 5398 5399

House Joint Resolution P

Messages from the Governor

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

Date: February 17, 2000
 Time: 12:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4187 (Public Act No. 2, I.E.), being

An act 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; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 5805 (MCL 600.5805), as amended by 1988 PA 115.

(Filed with the Secretary of State February 17, 2000, at 2:40 p.m.)

Date: February 17, 2000

Time: 12:04 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4524 (Public Act No. 3, I.E.), being

An act 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; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 5805 (MCL 600.5805), as amended by 1988 PA 115.

(Filed with the Secretary of State February 17, 2000, at 2:42 p.m.)

Communications from State Officers

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

Notice of Filing
Administrative Rules

February 2, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:02 P.M. this date, administrative rule (00-02-02) for the Department of Consumer and Industry Services, Director's Office, entitled "*Cosmetology*", effective 15 days hereafter.

February 7, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 12:05 P.M. this date, administrative rule (00-02-03) for the Department of Consumer and Industry Services, Director's Office, entitled "*Ethylene Oxide*", effective 15 days hereafter.

February 7, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 12:07 P.M. this date, administrative rule (00-02-04) for the Department of Consumer and Industry Services, Director's Office, entitled "*Acrylonitrile*", effective 15 days hereafter.

February 7, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 12:08 P.M. this date, administrative rule (00-02-05) for the Department of Consumer and Industry Services, Director's Office, entitled "*Construction Safety Occupational Health Standards*", effective 15 days hereafter.

February 7, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 12:10 P.M. this date, administrative rule (00-02-06) for the Department of Consumer and Industry Services, Director's Office, entitled "*Introduction to the General Industry Occupational Health Standards*", effective 15 days hereafter.

February 7, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 12:12 P.M. this date, administrative rule (00-02-07) for the Department of Consumer and Industry Services, Director's Office, entitled "*Hazardous Waste Operations and Emergency Response*", effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
James Fackler, Acting Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

Introduction of Bills

Reps. Hansen, Wojno, Brater, Gielegem, Callahan, Jacobs, Dennis, Schermesser, Bovin, Jamnick and Minore introduced

House Bill No. 5400, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217 and 232 (MCL 257.217 and 257.232), section 217 as amended by 1998 PA 247 and section 232 as amended by 1997 PA 101.

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

Reps. Jelinek, Kelly, Patterson, Cameron Brown, Cherry, Sheltroun, Howell, Ehardt, Spade, Pumford, Julian, Mead, Prusi, Vear, Martinez, Schauer, Jellema, Ruth Johnson, Geiger, Law, Callahan, Rison, Rocca, Clarke, Godchaux, Mans, Minore, Lockwood, Bogardus, Rivet, Neumann, Van Woerkom, Tesanovich, Jamnick, Stamas, Gielegem, Dennis, Kukuk, Hart, Bovin, Allen, LaSata, Shackleton, DeHart, Scott, Scranton and Raczkowski introduced

House Bill No. 5401, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by adding section 27.

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

Reps. Howell, Law, Shulman, Sanborn, Kukuk, LaSata, Baird, Minore, Schermesser, Koetje, Voorhees, Hart, Richner, Switalski and Faunce introduced

House Bill No. 5402, entitled

A bill to amend 1974 PA 370, entitled "Vietnam veteran era bonus act," by amending section 17 (MCL 35.1037).

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

Reps. LaSata, Law, Shulman, Sanborn, Kukuk, Baird, Minore, Schermesser, Koetje, Voorhees, Hart, Richner, Switalski and Faunce introduced

House Bill No. 5403, entitled

A bill to amend 1933 PA 94, entitled "The revenue bond act of 1933," by amending section 14 (MCL 141.114).

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

Reps. Bishop, Law, Shulman, Sanborn, Kukuk, LaSata, Baird, Minore, Schermesser, Koetje, Voorhees, Hart, Richner, Switalski and Faunce introduced

House Bill No. 5404, entitled

A bill to amend 1983 PA 102, entitled "Uniform federal lien registration act," by amending section 5 (MCL 211.665), as amended by 1991 PA 132.

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

Reps. Minore, Law, Shulman, Sanborn, Kukuk, LaSata, Baird, Schermesser, Koetje, Voorhees, Hart, Richner, Switalski and Faunce introduced

House Bill No. 5405, entitled

A bill to amend 1968 PA 203, entitled "State tax lien registration act," by amending section 4 (MCL 211.684), as amended by 1989 PA 47.

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

Reps. Voorhees, Law, Shulman, Sanborn, Kukuk, LaSata, Baird, Minore, Schermesser, Koetje, Hart, Richner, Switalski and Faunce introduced

House Bill No. 5406, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 58b (MCL 257.58b).

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

Reps. Patterson, Law, Shulman, Sanborn, Kukuk, LaSata, Baird, Minore, Schermesser, Koetje, Voorhees, Hart, Richner, Switalski and Faunce introduced

House Bill No. 5407, entitled

A bill to amend 1978 PA 387, entitled "An act to make appropriations to the department of state; to prescribe the powers and duties of the department of state and the state treasurer; to provide for loans to persons who own certain vehicles for the cost of their alteration or replacement; and to provide an interest rate for repayment of those loans," by amending section 4 (MCL 257.934).

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

Reps. Switalski, Law, Shulman, Sanborn, Kukuk, LaSata, Baird, Minore, Schermesser, Koetje, Voorhees, Hart, Richner and Faunce introduced

House Bill No. 5408, entitled

A bill to amend 1939 PA 141, entitled "Grain dealers act," by amending section 7a (MCL 285.67a), as amended by 1998 PA 388.

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

Reps. Shulman, Law, Richner, Sanborn, Kukuk, LaSata, Baird, Minore, Schermesser, Koetje, Voorhees, Hart, Switalski and Faunce introduced

House Bill No. 5409, entitled

A bill to amend 1969 PA 295, entitled "Higher education facilities authority act," by amending section 11 (MCL 390.931).

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

Reps. Sanborn, Law, Shulman, Kukuk, LaSata, Baird, Minore, Schermesser, Koetje, Voorhees, Hart, Richner, Switalski and Faunce introduced

House Bill No. 5410, entitled

A bill to amend 1976 PA 289, entitled "An act to implement, clarify, and confirm the constitutional powers of the bodies corporate controlling those institutions of higher education named in sections 4, 5, and 6 of article 8 of the state constitution of 1963, or established by law as therein provided, regarding the establishment and financing of student loan programs," by amending section 5 (MCL 390.1355).

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

Reps. Faunce, Law, Shulman, Sanborn, Kukuk, LaSata, Baird, Minore, Schermesser, Koetje, Voorhees, Hart, Richner and Switalski introduced

House Bill No. 5411, entitled

A bill to amend 1984 PA 341, entitled "Farm and utility equipment act," by amending section 9 (MCL 445.1459), as amended by 1995 PA 86.

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

Reps. Kukuk, Law, Shulman, Sanborn, LaSata, Baird, Minore, Schermesser, Koetje, Voorhees, Hart, Richner, Switalski and Faunce introduced

House Bill No. 5412, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 471 (MCL 450.1471).

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

Reps. Hart, Law, Shulman, Sanborn, Kukuk, LaSata, Baird, Minore, Schermesser, Koetje, Voorhees, Richner and Switalski introduced

House Bill No. 5413, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 471 (MCL 450.2471).

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

Reps. Koetje, Law, Shulman, Sanborn, Kukuk, LaSata, Baird, Minore, Schermesser, Voorhees, Hart, Richner, Switalski and Faunce introduced

House Bill No. 5414, entitled

A bill to amend 1996 PA 354, entitled "Savings bank act," by amending section 501 (MCL 487.3501).

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

Reps. Schermesser, Law, Shulman, Sanborn, Kukuk, LaSata, Baird, Minore, Koetje, Voorhees, Hart, Richner, Switalski and Faunce introduced

House Bill No. 5415, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by amending section 420 (MCL 491.420).

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

Reps. Baird, Law, Shulman, Sanborn, Kukuk, LaSata, Minore, Schermesser, Koetje, Voorhees, Hart, Richner, Switalski and Faunce introduced

House Bill No. 5416, entitled

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," by amending section 14 (MCL 492.114).

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

Reps. Law, Richner, Shulman, Sanborn, Kukuk, LaSata, Baird, Minore, Schermesser, Koetje, Voorhees, Hart, Switalski and Faunce introduced

House Bill No. 5417, entitled

A bill to amend 1998 PA 434, entitled "Uniform fraudulent transfer act," by amending section 8 (MCL 566.38).

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

Reps. DeVuyst, Kilpatrick, Bogardus, Richardville, Kowall, Garza, Ehardt, Pappageorge, Martinez, Scranton, Tabor, Green, Howell, Law, Bradstreet, Mans and Hager introduced

House Bill No. 5418, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20140 (MCL 324.20140), as amended by 1995 PA 71.

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

Rep. Brewer introduced

House Bill No. 5419, entitled

A bill to require the department of state police to provide certain equipment to its enforcement members; and to require certain employees of the department of state police to carry certain equipment while on duty.

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

Reps. Hart, Richardville, Kuipers, Kowall, Kelly, Cameron Brown, Kukuk, Birkholz, Byl, Shulman, Ehardt, Bradstreet, Pappageorge, Voorhees, Gosselin, Mead, Hager, Van Woerkom, Jansen, Scranton, Vear and Howell introduced

House Bill No. 5420, entitled

A bill to amend 1935 PA 245, entitled "An act to provide educational opportunities for the children of certain members of the armed forces of the United States," by amending section 1 (MCL 35.111), as amended by 1996 PA 335.

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

Reps. Rick Johnson, Middaugh, Rocca, Allen, Kelly, Rivet, Vear, Mans, Law, Mortimer, Sheltroun, Pappageorge, Ehardt, Vander Roest, Birkholz, Clarke, Jansen, Bovin and DeHart introduced

House Bill No. 5421, entitled

A bill to designate the part of the bypass of highway US-131 that is located between highway M-115 and Boon road in Wexford county as the "Sidney Ouwinga Memorial Bypass"; and to prescribe the duties of the state transportation department.

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

Reps. Baird, Switalski, Lockwood, O'Neil, Dennis, Callahan, Hansen, Wojno, Bob Brown, Jammick, Bogardus, Gielegem, Martinez and Hanley introduced

House Bill No. 5422, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," (MCL 29.1 to 29.34) by adding section 7d.
The bill was read a first time by its title and referred to the Committee on Family and Civil Law.

Reps. DeVuyst, Wojno, Woronchak, DeWeese, Lockwood, Birkholz, Shackleton, Green, Jammick, Jellema, Mans, Schermesser, Middaugh, Jansen and DeHart introduced

House Bill No. 5423, entitled

A bill to require warranties on new manufactured homes; to require certain repairs to manufactured homes; and to provide remedies for the failure to repair.
The bill was read a first time by its title and referred to the Committee on Family and Civil Law.

Reps. Garcia, DeHart, Mans, Gosselin, Faunce, Vander Roest, Vear, DeWeese, Mortimer, Martinez, Mead, Voorhees and Toy introduced

House Bill No. 5424, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending sections 17j and 18 (MCL 38.17j and 38.18), section 17j as amended by 1998 PA 205 and section 18 as amended by 1995 PA 176.
The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Garcia, DeHart, Mans, Gosselin, Faunce, Vander Roest, Ehardt, Vear, DeWeese, Mortimer, Martinez, Mead, Scranton, Voorhees and Toy introduced

House Bill No. 5425, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 12a (MCL 46.12a), as amended by 1998 PA 502.
The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Garcia, DeHart, Mans, Gosselin, Faunce, Vander Roest, Vear, DeWeese, Mortimer, Martinez, Mead, Scranton, Voorhees and Toy introduced

House Bill No. 5426, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 74 (MCL 38.1374), as amended by 1989 PA 194.
The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Garcia, DeHart, Mans, Gosselin, Faunce, Vander Roest, Ehardt, Vear, DeWeese, Mortimer, Martinez, Mead, Scranton, Voorhees and Toy introduced

House Bill No. 5427, entitled

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," by amending sections 32 and 35 (MCL 38.1632 and 38.1635).
The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Garcia, Faunce, Voorhees, Gosselin, Rick Johnson, Richner, Lemmons, Mans, Switalski, Jelinek and Mortimer introduced

House Bill No. 5428, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1284 (MCL 380.1284), as amended by 1997 PA 53.
The bill was read a first time by its title and referred to the Committee on Education.

Reps. Garcia, DeHart, Mans, Gosselin, Faunce, Vander Roest, Ehardt, Vear, DeWeese, Mortimer, Martinez, Mead, Scranton and Voorhees introduced

House Bill No. 5429, entitled

A bill to amend 1937 PA 345, entitled "Firefighters and police officers retirement act," by amending section 6 (MCL 38.556), as amended by 1991 PA 54.
The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Shackleton, Gilbert, Woronchak, Bisbee, DeRossett, Richardville, Hager, Kowall, Faunce, Van Woerkom, Mortimer, Bishop, Julian, Vear, Birkholz, Tabor, Ehardt and Lemmons introduced

House Bill No. 5430, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 1999 PA 119.

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

Reps. Lockwood, Switalski, Wojno, DeHart, Schermesser, Bovin, Spade, Shackleton, O'Neil, Jacobs and Birkholz introduced

House Bill No. 5431, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 540e (MCL 750.540e), as amended by 1988 PA 395.

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

Reps. Caul, Richardville, Gilbert, Woronchak, Voorhees, Howell, Garza, Tabor, Toy, Rocca, Ehardt, Green, Kukuk, Birkholz, Kuipers, Schermesser, Middaugh, Julian, Richner, Scranton, Ruth Johnson, Garcia and Jansen introduced

House Bill No. 5432, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 167 and 168 (MCL 750.167 and 750.168).

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

Reps. Caul, Richardville, Gilbert, Woronchak, Voorhees, Howell, Garza, Tabor, Toy, Rocca, Ehardt, Green, Kukuk, Birkholz, Kuipers, Schermesser, Middaugh, Julian, Scranton, Ruth Johnson, Garcia and Jansen introduced

House Bill No. 5433, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as added by 1998 PA 317.

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

Reps. Law, Rocca, Sanborn and Kowall introduced

House Bill No. 5434, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 1999 PA 117.

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

Rep. Byl moved that the House adjourn.

The motion prevailed, the time being 3:40 p.m.

Associate Speaker Pro Tempore Scranton declared the House adjourned until Wednesday, February 23, at 2:00 p.m.

GARY L. RANDALL

Clerk of the House of Representatives.

