

No. 15
STATE OF MICHIGAN
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House of Representatives
90th Legislature
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House Chamber, Lansing, Wednesday, February 23, 2000.

2:00 p.m.

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—excused	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—e/d/s
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—present
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—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—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—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. Michael Bishop, from the 45th District, offered the following invocation:

“Almighty and most merciful Father, who calls the world into being and creates persons in Your own image, we praise and give thanks to You for the beauty and bounty of our state. Be Thou to us this day, the guide of our pilgrimage. We pray Thee for wisdom and character in ourselves and the leaders of this state. Give us the peace of God—passing all understanding. Let us not lose faith in Thine eternal purpose, despite the confusion and dismay of this troubled world. Especially grant to our nation wisdom and sanity, courage and patience, so we as leaders put the state’s and the nation’s welfare above party. And, when our children’s children remember us in times to come, may they be able to give thanks for our devotion to justice, liberty and peace on earth and good will towards our fellow man. We ask this in Thy name. Amen.”

Rep. Scott moved that Rep. Baird be excused from today’s session.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 589, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” by amending section 401 (MCL 550.1401), as amended by 1998 PA 135.

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.

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. 589, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” by amending section 401 (MCL 550.1401), as amended by 1998 PA 135.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

Senate Bill No. 590, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3407b.

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.

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. 590, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3407b.

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

Roll Call No. 50

Yeas—106

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

Nays—0

In The Chair: Birkholz

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain

insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”

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.

Second Reading of Bills

Senate Bill No. 591, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 21072a.

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.

Senate Bill No. 807, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 5431 (MCL 333.5431), as amended by 1998 PA 88.

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

Rep. Switalski moved that Rep. O’Neil be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 807, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 5431 (MCL 333.5431), as amended by 1998 PA 88.

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

Roll Call No. 51**Yeas—106**

Allen	Frank	Kowall	Richner
Basham	Garcia	Kuipers	Rison
Birkholz	Garza	Kukuk	Rivet
Bisbee	Geiger	LaForge	Rocca
Bishop	Gielegem	LaSata	Sanborn
Bogardus	Gilbert	Law	Schermesser
Bovin	Godchaux	Lemmons	Scott
Bradstreet	Gosselin	Lockwood	Scranton
Brater	Green	Mans	Shackleton
Brewer	Hager	Martinez	Sheltrown
Brown, B.	Hale	Mead	Shulman
Brown, C.	Hanley	Middaugh	Spade
Byl	Hansen	Minore	Stamas
Callahan	Hardman	Mortimer	Switalski
Cassis	Hart	Neumann	Tabor
Caul	Howell	Pappageorge	Tesanovich
Cherry	Jacobs	Patterson	Thomas
Clark, I.	Jamnick	Perricone	Toy
Clarke, H.	Jansen	Pestka	Van Woerkom
Daniels	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: 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 "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending section 5431 (MCL 333.5431), as amended by 1999 PA 138.

The motion prevailed.

The House agreed to the title as amended.

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. 594, entitled

A bill to amend 1990 PA 250, entitled “DNA identification profiling system act,” by amending section 6 (MCL 28.176), as amended by 1996 PA 508.

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.

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. 594, entitled

A bill to amend 1990 PA 250, entitled “DNA identification profiling system act,” by amending section 6 (MCL 28.176), as amended by 1996 PA 508.

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

Roll Call No. 52

Yeas—108

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

Nays—0

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

“An act to provide for a DNA identification profiling system; to provide for the collection of samples from certain prisoners, convicted offenders, and juvenile offenders and the analysis of those samples; and to prescribe the powers and duties of certain state departments and county agencies.”.

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.

Second Reading of Bills

Senate Bill No. 593, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16221 and 16226 (MCL 333.16221 and 333.16226), section 16221 as amended by 1998 PA 227 and section 16226 as amended by 1998 PA 109, and by adding sections 17020 and 17520.

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

The substitute (H-2) 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. 593, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16221 and 16226 (MCL 333.16221 and 333.16226), section 16221 as amended by 1998 PA 227 and section 16226 as amended by 1998 PA 109, and by adding sections 17020 and 17520.

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

Roll Call No. 53

Yeas—104

Allen	Faunce	Kowall	Rison
Basham	Frank	Kuipers	Rivet
Birkholz	Garcia	Kukuk	Rocca
Bisbee	Garza	LaForge	Sanborn
Bishop	Gielegem	LaSata	Schermesser
Bogardus	Gilbert	Law	Scott
Bovin	Godchaux	Lemmons	Scranton
Bradstreet	Gosselin	Lockwood	Shackleton
Brater	Green	Mans	Sheltrown
Brewer	Hager	Mead	Shulman
Brown, B.	Hale	Middaugh	Spade
Brown, C.	Hanley	Mortimer	Stallworth
Byl	Hansen	Neumann	Stamas
Callahan	Hardman	O’Neil	Switalski
Cassis	Hart	Pappageorge	Tabor
Caul	Howell	Patterson	Tesanovich
Cherry	Jamnack	Perricone	Thomas
Clark, I.	Jansen	Pestka	Toy
Clarke, H.	Jelinek	Price	Van Woerkom
Daniels	Jellema	Prusi	Vander Roest
DeHart	Johnson, Rick	Pumford	Vaughn

Dennis
DeRossett
DeVuyst
DeWeese
Ehardt

Johnson, Ruth
Julian
Kelly
Kilpatrick
Koetje

Quarles
Raczkowski
Reeves
Richardville
Richner

Vear
Voorhees
Wojno
Woodward
Woronchak

Nays—0

In The Chair: Birkholz

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”

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.

Second Reading of Bills

Senate Bill No. 595, entitled

A bill to amend 1956 PA 205, entitled “The paternity act,” by amending sections 1, 6, and 6a (MCL 722.711, 722.716, and 722.716a), sections 1 and 6 as amended and section 6a as added by 1998 PA 113.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Health 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. 595, entitled

A bill to amend 1956 PA 205, entitled “The paternity act,” by amending sections 1, 6, and 6a (MCL 722.711, 722.716, and 722.716a), sections 1 and 6 as amended and section 6a as added by 1998 PA 113.

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

Roll Call No. 54

Yeas—108

Allen
Basham
Birkholz

Frank
Garcia
Garza

Kowall
Kuipers
Kukuk

Richner
Rison
Rivet

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

Nays—0

In The Chair: Birkholz

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

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

A bill to amend 1956 PA 205, entitled "An act to confer upon circuit courts jurisdiction over proceedings to compel and provide support of children born out of wedlock; to prescribe the procedure for determination of such liability; to authorize agreements providing for furnishing of such support and to provide for the enforcement thereof; and to prescribe penalties for the violation of certain provisions of this act," by amending sections 1, 6, and 6a (MCL 722.711, 722.716, and 722.716a), section 1 as amended by 1999 PA 157 and section 6 as amended and section 6a as added by 1998 PA 113.

The motion prevailed.

The House agreed to the title as amended.

Rep. Rackowski 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. 815, entitled

A bill to amend 1976 PA 220, entitled "Persons with disabilities civil rights act," by amending sections 201 and 202 (MCL 37.1201 and 37.1202), section 201 as amended by 1990 PA 121 and section 202 as amended by 1998 PA 20.

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

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

Rep. Rackowski 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. Rackowski 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. 815, entitled

A bill to amend 1976 PA 220, entitled "Persons with disabilities civil rights act," by amending sections 201 and 202 (MCL 37.1201 and 37.1202), section 201 as amended by 1990 PA 121 and section 202 as amended by 1998 PA 20.

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

Roll Call No. 55

Yeas—107

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

Nays—0

In The Chair: Birkholz

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

"An act to define the civil rights of persons with disabilities; to prohibit discriminatory practices, policies, and customs in the exercise of those rights; to prescribe penalties and to provide remedies; and to provide for the promulgation of rules,".

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.

The House returned to the consideration of

Senate Bill No. 589, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 401 (MCL 550.1401), as amended by 1998 PA 135.

(The bill was considered earlier today, see today's journal, p. 216.)

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. 56**Yeas—106**

Allen	Frank	Kuipers	Rison
Basham	Garcia	Kukuk	Rivet
Birkholz	Garza	LaForge	Rocca
Bisbee	Geiger	LaSata	Sanborn
Bishop	Gielegem	Law	Schermesser
Bogardus	Gilbert	Lemmons	Scott
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	Tesanovich
Cherry	Jacobs	Patterson	Thomas
Clark, I.	Jamnick	Perricone	Toy
Clarke, H.	Jansen	Pestka	Van Woerkom
Daniels	Jelinek	Price	Vander Roest
DeHart	Jellema	Prusi	Vaughn
Dennis	Johnson, Rick	Pumford	Vear
DeRossett	Johnson, Ruth	Raczkowski	Voorhees
DeVuyst	Julian	Reeves	Wojno
DeWeese	Kilpatrick	Richardville	Woodward
Ehardt	Koetje	Richner	Woronchak
Faunce	Kowall		

Nays—0

In The Chair: Birkholz

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

“An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts.”

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 **Senate Bill No. 591** be placed on its immediate passage. The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 591, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 21072a.

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

Roll Call No. 57

Yeas—106

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

Nays—0

In The Chair: Birkholz

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain

immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

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.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Scranton to the Chair.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

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 received from the Senate on February 17 with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 13, p. 194.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 58

Yeas—107

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

Nays—0

In The Chair: Scranton

The House agreed to the full title of the bill.

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

Rep. Schermesser moved that Rep. O'Neil be excused temporarily from today's session.

The motion prevailed.

The Speaker laid before the House

House Bill No. 5014, 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 received from the Senate on February 17 with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 13, p. 194.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 59**Yeas—107**

Allen	Frank	Kowall	Rison
Basham	Garcia	Kuipers	Rivet
Birkholz	Garza	Kukuk	Rocca
Bisbee	Geiger	LaForge	Sanborn
Bishop	Gielegem	LaSata	Schermesser
Bogardus	Gilbert	Law	Scott
Bovin	Godchaux	Lemmons	Scranton
Bradstreet	Gosselin	Lockwood	Shackleton
Brater	Green	Mans	Sheltrown
Brewer	Hager	Martinez	Shulman
Brown, B.	Hale	Mead	Spade
Brown, C.	Hanley	Middaugh	Stallworth
Byl	Hansen	Minore	Stamas
Callahan	Hardman	Mortimer	Switalski
Cassis	Hart	Neumann	Tabor
Caul	Howell	Pappageorge	Tesanovich
Cherry	Jacobs	Patterson	Thomas
Clark, I.	Jamnick	Perricone	Toy
Clarke, H.	Jansen	Pestka	Van Woerkom
Daniels	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	Richner	

Nays—0

In The Chair: Scranton

The House agreed to the full title of the bill.

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

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

Rep. Schauer entered the House Chambers.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Richner, Vaughn, Birkholz, DeVuyst, Julian, Hager, Kowall, Bishop, Shulman, Allen, Ehardt, Rick Johnson, DeHart, Vander Roest, Cassis, Voorhees, Mead, Koetje, Kelly, Pappageorge, Gosselin, Kukuk, Garcia, Jammick, Raczkowski, Clarke, Faunce, Scott, Jellema, Vear, Perricone, Lemmons, DeWeese and DeRossett offered the following resolution:

House Resolution No. 284.

A resolution honoring Gopalkrishna Trivedi.

Whereas, Gopalkrishna Trivedi, an esteemed resident of Grosse Pointe Park and a student at Pierce Middle School, has achieved national recognition for exemplary volunteer service by receiving a 2000 Prudential Spirit of Community Award; and

Whereas, This prestigious award, presented by the Prudential Insurance Company of America in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and

Whereas, Gopalkrishna Trivedi earned this award by giving generously of his time and energy to repairing and upgrading obsolete computers to help non-English-speaking students learn and work in English; and

Whereas, The success of the State of Michigan, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Gopalkrishna Trivedi who use their considerable talents and resources to serve others; now, therefore, be it

Resolved by the House of Representatives, That this legislative body congratulates and honors Gopalkrishna Trivedi as a recipient of a Prudential Spirit of Community Award, recognizes his outstanding record of volunteer service, peer leadership, and community spirit, and extends best wishes for his continued success and happiness; and be it further

Resolved, That a copy of this resolution be transmitted to Gopalkrishna Trivedi 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 Gaming and Casino Oversight, by Rep. Koetje, Chair, reported

House Bill No. 5358, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 24b.

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 5358 To Report Out:

Yeas: Reps. Koetje, Vander Roest, Law, Richner, Voorhees, Brewer, Callahan,

Nays: Reps. Garza, Hardman.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Koetje, Chair of the Committee on Gaming and Casino Oversight, was received and read:

Meeting held on: Wednesday, February 23, 2000, at 10:30 a.m.,

Present: Reps. Koetje, Vander Roest, Law, Richner, Voorhees, Brewer, Callahan, Garza, Hardman.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kuipers, Vice-Chair of the Committee on Employment Relations, Training and Safety, was received and read:

Meeting held on: Wednesday, February 23, 2000, at 9:00 a.m.,

Present: Reps. Gosselin, Kuipers, DeWeese, Raczkowski, Dennis, LaForge, Switalski.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Middaugh, Chair of the Committee on Energy and Technology, was received and read:

Meeting held on: Wednesday, February 23, 2000, at 10:30 a.m.,

Present: Reps. Middaugh, Bradstreet, Birkholz, Bisbee, Cassis, Garcia, Gosselin, Howell, Kowall, Kuipers, Richardville, Shulman, Bob Brown, Daniels, Hansen, Lemmons, Neumann, Quarles, Schauer, Woodward,

Absent: Rep. Thomas,

Excused: Rep. Thomas.

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, Friday, February 18:

Senate Bill Nos.	1014	1015	1016	1017	1018	1019	1020	1021	1022	1023	1024	1025	1026	1027
	1028	1029	1030	1031	1032	1033	1034	1035	1036	1037	1038	1039	1040	

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

House Bill No. 5418**Communications from State Officers**

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

February 22, 2000

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

Financial Audit of the

Michigan State Fair and Exposition Center

Department of Consumer and Industry Services

October 1, 1996 through September 30, 1997

Sincerely,

Thomas H. McTavish, C.P.A.

Auditor General

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

Introduction of Bills

Rep. Jelinek introduced

House Bill No. 5435, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 8, 11, 11f, 11g, 19, 20, 20j, 21b, 24, 26a, 31a, 31c, 31d, 32, 36, 36a, 40, 41, 51a, 53a, 54, 56, 57, 61a, 62, 63, 67, 68, 74, 81, 91b, 91c, 94, 99, 101, 102, 104a, 105b, 105c, 107, 147, 151, 152, and 163 (MCL 388.1603, 388.1606, 388.1608, 388.1611, 388.1611f, 388.1611g, 388.1619, 388.1620, 388.1620j, 388.1621b, 388.1624, 388.1626a, 388.1631a, 388.1631c, 388.1631d, 388.1632, 388.1636, 388.1636a, 388.1640, 388.1641, 388.1651a, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1663, 388.1667, 388.1668, 388.1674, 388.1681, 388.1691b, 388.1691c, 388.1694, 388.1699, 388.1701, 388.1702, 388.1704a, 388.1705b, 388.1705c, 388.1707, 388.1747, 388.1751, 388.1752, and 388.1763), sections 6, 11, 11f, 11g, 20, 24, 26a, 31a, 31c, 36, 36a, 41, 51a, 53a, 54, 56, 57, 61a, 62, 63, 67, 68, 74, 81, 91b, 94, 99, 101, 104a, 107, and 147 as amended by 1999 PA 119, and sections 20j, 31d, 32, and 105c as added by 1999 PA 119, and section 8 as amended by 1997 PA 142, and sections 3 and 151, as amended by 1997 PA 93, and section 105b as added by 1997 PA 24, and sections 19, 21b, 102, and 163 as amended by 1996 PA 300, and section 91c as added by 1995 PA 130, and section 152 as amended by 1993 PA 175, and section 40 as amended by 1991 PA 118, and by adding sections 22a, 22b, 22c, 51c, 94a, 101b, and 108a; and to repeal acts and parts of acts.

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

Reps. Baird, Schauer, Callahan, Switalski, LaForge and Jacobs introduced

House Bill No. 5436, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending sections 4 and 5 (MCL 42.4 and 42.5), section 4 as amended by 1998 PA 101 and section 5 as amended by 1986 PA 34.

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

Reps. Baird, Schauer, Callahan, Switalski, LaForge, Bovin and Jacobs introduced

House Bill No. 5437, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 198, 345, 348, 349, 352, 354, 355, 357, 358, 362, 534, 535, 561, 570a, 582, 686a, 694, 719, and 973 (MCL 168.198, 168.345, 168.348, 168.349, 168.352, 168.354, 168.355, 168.357, 168.358, 168.362, 168.534, 168.535, 168.561, 168.570a, 168.582, 168.686a, 168.694, 168.719, and 168.973), section 349 as amended by 1996 PA 583, section 358 as amended by 1990 PA 7, section 362 as amended by 1980 PA 112, sections 534 and 686a as amended by 1988 PA 116, and section 582 as amended by 1980 PA 160.

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

Reps. Garcia, Gosselin, Ehardt, Faunce, Raczkowski, Mortimer, Kowall, DeWeese and Neumann introduced

House Bill No. 5438, entitled

A bill to amend 1999 PA 212, entitled "An act to restrict certain governmental entities from requiring individuals to reside within certain geographic areas or specified distances or travel times from their place of employment as a condition of employment or promotion," by amending section 2 (MCL 15.602).

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

Reps. Garcia and Gosselin introduced

House Bill No. 5439, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," by amending sections 16, 44, and 76 (MCL 780.766, 780.794, and 780.826), sections 16 and 76 as amended by 1998 PA 232 and section 44 as amended by 1996 PA 562.

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

Rep. Callahan moved that the House adjourn.
The motion prevailed, the time being 3:55 p.m.

Associate Speaker Pro Tempore Scranton declared the House adjourned until Thursday, February 24, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.

