

No. 47
STATE OF MICHIGAN
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House of Representatives
90th Legislature
REGULAR SESSION OF 2000

House Chamber, Lansing, Tuesday, May 23, 2000.

12:00 Noon.

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—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—excused	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—excused
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. Derrick Hale, from the 14th District, offered the following invocation:

“If a task is once begun, never leave it till it’s done. Be the labor great or small, do it well or not at all. ‘Whatever your hand finds to do, do it with your might.’ —Ecclesiastes 9:10. And, let us also remind ourselves, when we do things, do them in the name of the Lord. Amen.”

Rep. Scott moved that Reps. Prusi and Vaughn be excused from this week’s session.
The motion prevailed.

Rep. Vander Roest moved that Rep. Perricone be excused temporarily from today’s session.
The motion prevailed.

Rep. Kelly moved that Rep. LaForge be excused temporarily from today’s session.
The motion prevailed.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4664, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 10.

(The bill was received from the Senate on May 18 with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 46, p. 1073.)

The question being on concurring in the amendments made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 437

Yeas—103

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

The Senate returned, in accordance with the request of the House

Senate Bill No. 1006, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 204a and 210 (MCL 330.1204a and 330.1210), section 204a as added and section 210 as amended by 1995 PA 290.

Rep. Raczkowski moved that Rule 67 be suspended.

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

Rep. Raczkowski moved to reconsider the vote by which the House passed the bill.

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

Rep. Raczkowski moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

Second Reading of Bills**Senate Bill No. 1006, entitled**

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 204a and 210 (MCL 330.1204a and 330.1210), section 204a as added and section 210 as amended by 1995 PA 290.

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

The motion prevailed and the substitute (H-6) 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. Bob Brown moved that Rep. Thomas 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. 1006, entitled**

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 204a and 210 (MCL 330.1204a and 330.1210), section 204a as added and section 210 as amended by 1995 PA 290.

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. 438**Yeas—103**

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

Nays—0

In The Chair: Scranton

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 1974 PA 258, entitled "An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disabilities; to establish guardianship procedures for individuals with development disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts," by amending section 204a (MCL 330.1204a), as added by 1995 PA 290.

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.

The Speaker Pro Tempore assumed the Chair.

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

May 23, 2000

Honorable John Engler
 Governor
 State of Michigan
 Lansing, Michigan
 Dear Sir:

The House of Representatives, in accordance with the concurrence of the Senate, respectfully requests the return of Enrolled House Bill No. 4684, which was presented to you on May 11, 2000, at 11:44 a.m.

Respectfully,
 Gary L. Randall
 Clerk of the House

Second Reading of Bills

Senate Bill No. 1200, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 514.

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.

Rep. Godchaux moved that Rep. Scranton 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. 1200, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 514.

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

Roll Call No. 439

Yeas—79

Allen	Geiger	LaForge	Rocca
Baird	Gielegem	LaSata	Sanborn
Basham	Gilbert	Law	Schauer
Birkholz	Godchaux	Lockwood	Schermesser
Bisbee	Hager	Mans	Scott
Bishop	Hale	Martinez	Shackleton
Bogardus	Hanley	Mead	Sheltrown
Bovin	Hansen	Middaugh	Shulman
Brater	Hart	Minore	Spade
Brewer	Howell	Neumann	Stallworth

Brown, B.	Jacobs	O'Neil	Stamas
Brown, C.	Jamnick	Pappageorge	Switalski
Callahan	Jelinek	Patterson	Tabor
Cherry	Jellema	Pestka	Toy
Daniels	Johnson, Rick	Price	Van Woerkom
DeHart	Julian	Pumford	Vander Roest
DeRossett	Kelly	Richardville	Vear
DeWeese	Koetje	Richner	Wojno
Faunce	Kowall	Rison	Woodward
Frank	Kukuk	Rivet	

Nays—19

Bradstreet	Garcia	Jansen	Reeves
Cassis	Garza	Johnson, Ruth	Tesanovich
Clark, I.	Gosselin	Kilpatrick	Voorhees
DeVuyst	Green	Kuipers	Woronchak
Ehardt	Hardman	Raczkowski	

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 create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal 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.

Second Reading of Bills

Pending the Second Reading of

House Bill No. 5721, entitled

A bill to amend 1991 PA 179, entitled “Michigan telecommunications act,” by amending sections 101 and 304 (MCL 484.2101 and 484.2304), as amended by 1995 PA 216, and by adding section 214.

Point of Order

Rep. Kilpatrick requested a point of order on whether the bill is properly before the House.

The question being on the point of order request made by Rep. Kilpatrick,

Rep. Kilpatrick demanded the yeas and nays.

The demand was supported.

The question being on the point of order request made by Rep. Kilpatrick,

The House ruled that the bill is properly before the House, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 440**Yeas—56**

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

Nays—49

Baird	Frank	Lemmons	Rivet
Basham	Garza	Lockwood	Schauer
Bogardus	Gielegem	Mans	Schermesser
Bovin	Hale	Martinez	Scott
Brater	Hanley	Minore	Sheltrown
Brewer	Hansen	Neumann	Spade
Brown, B.	Hardman	O'Neil	Stallworth
Callahan	Jacobs	Pestka	Switalski
Cherry	Jamnick	Price	Tesanovich
Clark, I.	Kelly	Quarles	Thomas
Daniels	Kilpatrick	Reeves	Wojno
DeHart	LaForge	Rison	Woodward
Dennis			

In The Chair: Birkholz

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

The bill was read a second time.

The question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Energy and Technology,

Rep. Kilpatrick moved that the bill be re-referred to the Committee on Energy and Technology.

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

Rep. Kilpatrick demanded the yeas and nays.

The demand was supported.

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

The motion did not prevail, a majority of the members present not voting therefor, by yeas and nays, as follows:

Roll Call No. 441**Yeas—51**

Baird	Dennis	Lemmons	Schauer
Basham	Frank	Lockwood	Schermesser
Bogardus	Garza	Mans	Scott

Bovin	Gielegem	Martinez	Shackleton
Brater	Hale	Minore	Sheltrown
Brewer	Hanley	Neumann	Spade
Brown, B.	Hansen	O'Neil	Stallworth
Callahan	Hardman	Pestka	Switalski
Cherry	Jacobs	Price	Tesanovich
Clark, I.	Jamnick	Quarles	Thomas
Clarke, H.	Kelly	Reeves	Wojno
Daniels	Kilpatrick	Rison	Woodward
DeHart	LaForge	Rivet	

Nays—56

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

In The Chair: Scranton

The question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Energy and Technology,

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

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

1. Amend page 16, following line 17, by inserting:

“Sec. 312. (1) Except as provided by this act, the commission shall not review or set the rates for toll service.

(2) A provider of toll service may charge the same rate for the service on its routes of similar distance.

(3) The commission shall require that toll service is universally available to all persons within the state.

(4) ALL PROVIDERS OF TOLL SERVICE SHALL MAKE AVAILABLE TO THEIR CUSTOMERS ADJACENT exchange toll calling plans as ordered by the commission on June 19, 1991. ALL PROVIDERS OF TOLL SERVICE SHALL INFORM THEIR CUSTOMERS OF THE AVAILABLE PLANS. THE PLANS shall remain in effect under this act until altered by order of the commission. A provider of toll service shall implement an optional discount plan for calling to exchanges within 20 miles of a customer's home exchange. The plan shall not violate the conditions delineated in the commission's order in case number U-9153, dated September 26, 1989.”

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

Rep. Thomas moved to reconsider the vote by which the amendment was adopted.

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

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

Rep. Thomas moved that consideration of the amendment be postponed temporarily.

The motion prevailed.

Reps. Middaugh and Garcia moved to amend the bill as follows:

1. Amend page 15, line 1, after "PROVIDER" by striking out the balance of the subdivision and inserting "PROVIDES BASIC LOCAL EXCHANGE SERVICE OR BASIC LOCAL EXCHANGE AND TOLL SERVICE TO LESS THAN 250,000 END-USERS."

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

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

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

Rep. Cherry demanded the yeas and nays.

The demand was supported.

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

The motion did not prevail, a majority of the members present not voting therefor, by yeas and nays, as follows:

Roll Call No. 442

Yeas—50

Baird	Dennis	Lemmons	Rivet
Basham	Frank	Lockwood	Schauer
Bogardus	Garza	Mans	Schermesser
Bovin	Gielegem	Martinez	Scott
Brater	Hale	Minore	Sheltrown
Brewer	Hanley	Neumann	Spade
Brown, B.	Hansen	O'Neil	Stallworth
Callahan	Hardman	Pestka	Switalski
Cherry	Jacobs	Price	Tesanovich
Clark, I.	Jamnack	Quarles	Thomas
Clarke, H.	Kelly	Reeves	Wojno
Daniels	Kilpatrick	Rison	Woodward
DeHart	LaForge		

Nays—57

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

In The Chair: Scranton

Reps. Middaugh and Howell moved to amend the bill as follows:

1. Amend page 4, line 18, after "PROTECT" by striking out the balance of the sentence and inserting "COMPETITIONS."

2. Amend page 9, line 23, after "(1)" by striking out "THE" and inserting "SUBJECT TO SECTION 201, the".

3. Amend page 10, line 1, after "24.328" by striking out the balance of the sentence and inserting a period.

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

Reps. Schauer and Vander Roest moved to amend the bill as follows:

1. Amend page 10, following line 26, by inserting:

“SEC. 214. (1) THE COMMISSION SHALL ISSUE ORDERS THAT ASSIGN THE TELEPHONE DIGITS 2-1-1 TO COMMUNITY RESOURCE INFORMATION AND REFERRAL ANSWERING POINTS ESTABLISHED UNDER SUBSECTION (3) AND PRESCRIBE APPROPRIATE INTERCONNECTION ORDERS TO CARRY OUT THE INTENT OF THIS SECTION.

(2) EACH PROVIDER OF BASIC LOCAL EXCHANGE SERVICE IN THIS STATE SHALL ASSIGN THE TELEPHONE NUMBER 2-1-1 ONLY TO A COMMUNITY RESOURCE INFORMATION AND REFERRAL ANSWERING POINT ESTABLISHED UNDER SUBSECTION (3).

(3) THE COMMISSION SHALL DESIGNATE A COMMUNITY RESOURCE INFORMATION AND REFERRAL ENTITY TO BE THE 2-1-1 ANSWERING POINT FOR VARIOUS GEOGRAPHICAL AREAS WITHIN THIS STATE. IN MAKING ITS DETERMINATION, THE COMMISSION SHALL CONSIDER ALL OF THE FOLLOWING:

(A) THE RECOMMENDATIONS OF THE MICHIGAN ALLIANCE FOR INFORMATION AND REFERRAL SYSTEMS.

(B) WHETHER THE RELEVANT STATE-ENDORSED MULTIPURPOSE COLLABORATIVE BODIES ARE IN AGREEMENT.

(C) WHETHER THE ENTITY HAS ESTABLISHED A FRAMEWORK TO ASSURE THE PROVISION OF COVERAGE OF THE 2-1-1 TELEPHONE NUMBER 24 HOURS PER DAY, 7 DAYS PER WEEK.

(D) WHETHER THE ENTITY MEETS 2-1-1 STANDARDS ADOPTED BY THE MICHIGAN ALLIANCE FOR INFORMATION AND REFERRAL SYSTEMS.

(4) EACH COMMUNITY RESOURCE INFORMATION AND REFERRAL ENTITY DESIGNATED BY THE COMMISSION TO BE THE 2-1-1 ANSWERING POINT FOR A PARTICULAR GEOGRAPHICAL AREA WITHIN THE STATE SHALL ESTABLISH THE FRAMEWORK TO PROVIDE SUFFICIENT RESOURCES TO OPERATE THE 2-1-1 TELEPHONE NUMBER 24 HOURS PER DAY, 7 DAYS PER WEEK.”

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

The question being on the amendment offered previously by Rep. Ruth Johnson,
The amendment was adopted, a majority of the members serving voting therefor.

Rep. Quarles moved to amend the bill as follows:

1. Amend page 15, following line 11, by inserting:

“Sec. 304b. (1) A provider of basic local exchange service shall develop and offer various rate plans that reflect residential customer calling patterns that shall include, but not limited to, all of the following at the option of the customer unless it is not technologically feasible:

(a) A flat rate allowing unlimited personal and domestic outgoing calls.

(b) ~~A flat~~ FLAT rate CALLING PLANS allowing personal and domestic outgoing calls ~~up to~~ OF 50, 100, 150, AND 400 calls per month per line. Calls in excess of 400 EACH PLAN LIMIT per month may be charged at an incremental rate as set by the provider under section 304. If a customer has more than 1 line at the same location that appears on the customer’s bill, the allowable calls under this subdivision shall be the aggregate of all the lines regardless from which line the calls originate. A person with disabilities or who is voluntarily providing a service for an organization classified by the internal revenue service as a section 501(c)(3) or (19) organization, or a congressionally chartered veterans organization or their duly authorized foundations, is exempt from the 400 calls per month limitation and shall receive a flat rate allowing unlimited calls per month. A person exempt from the call cap under this subdivision shall not be charged a rate greater than the flat rate charged other residential customers for 400 calls.

~~(c) A flat rate allowing personal and domestic outgoing calls of not less than 50 nor more than 150 per month, per line. Providers may offer additional plans allowing personal and domestic outgoing calls of not less than 150 per month nor more than 400 per month, per line. Calls in excess of upper per call limit per month may be charged at an incremental rate as set by the provider under section 304. If a customer has more than 1 line at the same location that appears on the customer’s bill, the allowable calls under this subdivision shall be the aggregate of all the lines regardless from which line the calls originate.~~

(C) ~~(d)~~ A rate determined by the time duration of service usage or the distance between the points of service origination and termination.

(D) ~~(e)~~ A rate determined by the number of times the service is used.

(E) ~~(f)~~ A rate that includes 1 or more of the rates allowed by this section.

(F) ~~(g)~~ A rate that includes toll-free calling to contiguous Michigan local calling exchanges.

(2) If an option required under subsection (1) is not being offered by the provider on January 1, 1996, the provider shall set the initial rate for the option.

(3) A provider who, together with any affiliated providers, provides basic local exchange service or basic local exchange and toll service to less than 250,000 end-users in this state is not required to provide a rate plan required under subsection (1) if it is not economically feasible to provide the rate plan.”.

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

Rep. Lockwood moved to amend the bill as follows:

1. Amend page 11, following line 17, by inserting:

“(4) THE COMMISSION HAS THE AUTHORITY TO APPROVE OR DENY A PROPOSED ADDITION, ELIMINATION, OR MODIFICATION OF AN AREA CODE IN THIS STATE. THE COMMISSION SHALL GIVE PUBLIC NOTICE AND SHALL CONDUCT A PUBLIC HEARING IN THE AFFECTED GEOGRAPHIC AREA BEFORE AN ADDITION, ELIMINATION, OR MODIFICATION OF AN AREA CODE IS MADE IN THIS STATE.”.

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

Rep. Lockwood demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 443

Yeas—106

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

Nays—0

In The Chair: Scranton

Rep. Garcia moved to amend the bill as follows:

1. Amend page 16, line 18, by striking out all of section 316A and inserting:

“SEC. 316A. (1) AS USED IN THIS SECTION:

(A) “AFFORDABLE RATES” MEANS, AT A MINIMUM, RATES IN EFFECT ON JANUARY 1, 2001 OR AS DETERMINED BY THE COMMISSION.

(B) "INTRASTATE UNIVERSAL SERVICE FUND" MEANS A FUND CREATED BY THE COMMISSION TO PROVIDE A SUBSIDY TO CUSTOMERS FOR THE PROVISION OF SUPPORTED TELECOMMUNICATION SERVICES PROVIDED BY ANY TELECOMMUNICATION CARRIER.

(C) "SUPPORTED TELECOMMUNICATION SERVICES" MEANS PRIMARY RESIDENTIAL ACCESS LINES AND A MINIMUM LEVEL OF LOCAL USAGE ON THOSE LINES, AS DETERMINED BY THE COMMISSION.

(D) "UNIVERSAL SERVICE" SHALL MEAN THE PROVISION OF SUPPORTED TELECOMMUNICATION SERVICES BY ANY CARRIER.

(2) NO LATER THAN JULY 1, 2001, THE COMMISSION SHALL INITIATE AN INVESTIGATION TO DETERMINE WHETHER AN INTRASTATE UNIVERSAL SERVICE FUND SHOULD BE CREATED. THE COMMISSION SHALL COMPLETE THE INVESTIGATION NO LATER THAN DECEMBER 1, 2001. ALL PROVIDERS SHALL BE MADE RESPONDENTS IN THE PROCEEDING AND ANY OTHER INTERESTED PARTY MAY PARTICIPATE AND INTERVENE IN THE PROCEEDING.

(3) THE COMMISSION SHALL DETERMINE FOR EACH PROVIDER WHETHER AND TO WHAT EXTENT THE AFFORDABLE RATE LEVEL TO PROVIDE SUPPORTED TELECOMMUNICATION SERVICES IS BELOW EACH PROVIDER'S FORWARD LOOKING ECONOMIC COST OF THE SUPPORTED TELECOMMUNICATION SERVICES.

(4) TO THE EXTENT PROVIDERS PROVIDE SUPPORTED TELECOMMUNICATION SERVICES AT AN AFFORDABLE RATE THAT IS BELOW THE FORWARD LOOKING ECONOMIC COST OF THE SUPPORTED TELECOMMUNICATION SERVICES, THE COMMISSION SHALL CREATE A UNIVERSAL SERVICE FUND TO PROVIDE A SUBSIDY FOR CUSTOMERS IN AN AMOUNT WHICH IS EQUAL TO THE DIFFERENCE BETWEEN THE AFFORDABLE RATE AS DETERMINED BY THE COMMISSION AND THE FORWARD LOOKING ECONOMIC COST OF THE SUPPORTED SERVICES, LESS ANY FEDERAL UNIVERSAL SERVICE SUPPORT RECEIVED FOR THOSE SUPPORTED SERVICES.

(5) ELIGIBILITY FOR CUSTOMERS TO RECEIVE INTRASTATE UNIVERSAL SERVICE SUPPORT UNDER SUBSECTION (4) SHALL BE CONSISTENT WITH THE ELIGIBILITY GUIDELINES OF SECTION 254(E) OF THE TELECOMMUNICATIONS ACT OF 1996 AND THE RULES AND REGULATIONS OF THE FEDERAL COMMUNICATIONS COMMISSION. THE STATE FUND SHALL BE ADMINISTERED BY AN INDEPENDENT THIRD PARTY ADMINISTRATOR SELECTED BY THE COMMISSION.

(6) TO THE EXTENT AN INTRASTATE UNIVERSAL SERVICE FUND IS ESTABLISHED, THE COMMISSION SHALL REQUIRE THAT THE COSTS OF THE FUND BE RECOVERED FROM ALL TELECOMMUNICATION PROVIDERS ON A COMPETITIVELY NEUTRAL BASIS. PROVIDERS CONTRIBUTING TO THE INTRASTATE UNIVERSAL SERVICE FUND MAY RECOVER FROM END-USERS THE COSTS OF THE FINANCIAL SUPPORT THROUGH SURCHARGES ASSESSED ON END-USERS' BILLS.

(7) UPON REQUEST OR ON ITS OWN MOTION, THE COMMISSION, AFTER NOTICE AND HEARING, SHALL DETERMINE IF, BASED UPON CHANGES IN TECHNOLOGY OR OTHER FACTORS, THE FINDINGS MADE UNDER THIS SECTION SHOULD BE REVIEWED."

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

Rep. Garcia moved to amend the bill as follows:

1. Amend page 23, line 24, after "SECTION," by inserting "EXCEPT FOR RATES CHARGED UNDER CONTRACT".

2. Amend page 24, line 1, after "SERVICE" by inserting "NOT OFFERED UNDER A CONTRACT".

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

Rep. Shulman moved to amend the bill as follows:

1. Amend page 23, line 22, after "(1)" by inserting "EXCEPT FOR SERVICES DETERMINED TO BE COMPETITIVE PURSUANT TO SUBSECTION (3),".

2. Amend page 23, line 23, after "ACT," by striking out "UPON" and inserting "60 DAYS AFTER".

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

Rep. Patterson moved that Rep. Toy be excused temporarily from today's session.

The motion prevailed.

Rep. Bob Brown moved to amend the bill as follows:

1. Amend page 24, following line 16, by inserting:

"SEC. 702. IF A CUSTOMER OF A PROVIDER OF A TELECOMMUNICATION SERVICE IS ELIGIBLE TO RECEIVE A DISCOUNT OR REDUCED RATE UNDER ANY RATE PLAN OFFERED BY THE PROVIDER, THE PROVIDER SHALL AUTOMATICALLY APPLY THE DISCOUNT OR REDUCED RATE TO THE CUSTOMER'S SERVICE PACKAGE."

The question being on the adoption of the amendment offered by Rep. Bob Brown,
Rep. Bob Brown demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 444**Yeas—53**

Baird	Frank	LaForge	Rivet
Basham	Garza	Lemmons	Schauer
Bogardus	Gielegem	Lockwood	Schermesser
Bovin	Hale	Mans	Scott
Brater	Hanley	Martinez	Shackleton
Brewer	Hansen	Minore	Sheltrown
Brown, B.	Hardman	Neumann	Spade
Callahan	Jacobs	O'Neil	Stallworth
Cherry	Jamnick	Pestka	Switalski
Clark, I.	Julian	Price	Tesanovich
Clarke, H.	Kelly	Quarles	Thomas
Daniels	Kilpatrick	Reeves	Wojno
DeHart	Kowall	Rison	Woodward
Dennis			

Nays—54

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

In The Chair: Scranton

Rep. Bob Brown moved to amend the bill as follows:

1. Amend page 11, line 3, after "finds" by striking out "both" and inserting "ALL".
2. Amend page 11, following line 11, by inserting:

"(C) THAT THE APPLICANT WILL PROVIDE SERVICES TO EACH CLASS OF CUSTOMERS WITH ITS PROPOSED SERVICE AREA ON THE SAME BASIS AND RATIO AS IS PROVIDED BY THE INCUMBENT LOCAL EXCHANGE CARRIER."

3. Amend page 11, line 23, after "CUSTOMERS" by striking out "OR" and inserting a comma.

4. Amend page 11, line 24, after "CUSTOMERS" by inserting a comma and "OR HAS NOT COMPLIED WITH SECTION 302(1)(C)".

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

Rep. Bob Brown demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 445**Yeas—50**

Baird	DeHart	LaForge	Schauer
Basham	Dennis	Lemmons	Schermesser
Bisbee	Frank	Lockwood	Scott
Bogardus	Garza	Mans	Shackleton
Bovin	Gielegem	Martinez	Sheltrown
Brater	Hale	Minore	Spade
Brewer	Hanley	Neumann	Stallworth
Brown, B.	Hansen	O'Neil	Switalski
Callahan	Hardman	Pestka	Tesanovich
Cherry	Jacobs	Price	Thomas
Clark, I.	Jamnack	Reeves	Wojno
Clarke, H.	Kelly	Rison	Woodward
Daniels	Kilpatrick		

Nays—56

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

In The Chair: Scranton

Rep. Thomas moved to amend the bill as follows:

1. Amend page 16, line 16, after "SHALL" by striking out the balance of the subsection and inserting "BE ELIMINATED AND ANY AMOUNTS COLLECTED FOR THESE CHARGES FROM JANUARY 1, 1995 UNTIL THE EFFECTIVE DATE OF THIS SUBSECTION SHALL BE REBATED TO THE PROVIDER'S CUSTOMERS.".

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

Rep. Bob Brown moved to amend the bill as follows:

1. Amend page 24, line 7, after "A" by inserting "PROVIDER HAS COMPLIED WITH SECTION 303(1) AND ITS".

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

Rep. Bob Brown demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 446**Yeas—50**

Baird	DeHart	LaForge	Rivet
Basham	Dennis	Lemmons	Schauer
Bisbee	Frank	Lockwood	Schermesser

Bogardus	Garza	Mans	Scott
Bovin	Gielegem	Martinez	Shackleton
Brater	Hale	Minore	Sheltrown
Brewer	Hanley	Neumann	Spade
Brown, B.	Hansen	O'Neil	Stallworth
Callahan	Hardman	Pestka	Switalski
Cherry	Jacobs	Price	Thomas
Clark, I.	Jamnick	Reeves	Wojno
Clarke, H.	Kelly	Rison	Woodward
Daniels	Kilpatrick		

Nays—54

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

In The Chair: Scranton

Rep. Thomas moved to amend the bill as follows:

1. Amend page 11, line 1, by striking out all of section 302 and inserting:

“Sec. 302. (1) After notice and hearing, the commission shall approve an application for a license if the commission finds ~~both~~ ALL of the following:

(a) The applicant possesses sufficient technical, financial, and managerial resources and abilities to provide basic local exchange service to every person within the geographic area of the license.

(B) THE APPLICANT HAS COMMITTED TO OFFER ALL SERVICES ON A NONDISCRIMINATORY BASIS TO ALL CUSTOMERS AND CLASSES OF CUSTOMERS WHO ARE POTENTIAL USERS OF THE SERVICES WITHIN THE GEOGRAPHIC AREA OF THE LICENSE. THE SERVICES SHALL BE OFFERED WITHIN 2 YEARS OF THE FILING OF THE APPLICATION.

(C) ~~(b)~~ The granting of a license to the applicant would not be contrary to the public interest.

(2) THE COMMISSION SHALL AS A CONDITION TO THE GRANTING OF A LICENSE REQUIRE THE PROCUREMENT OF A PERFORMANCE BOND, LETTER OF CREDIT, OR OTHER INSTRUMENT OF SECURITY SUFFICIENT TO PROTECT END-USERS OF AT LEAST 100,000 DOLLARS.

(3) ~~(2)~~ The commission shall retain a copy of all granted licenses and make all information contained in the licenses available to the public.

(4) ~~(3)~~ Each provider granted a license shall retain a copy of the license at its principal place of business and make the license available for review to the public.

(5) AFTER GRANTING A LICENSE, THE COMMISSION SHALL ANNUALLY REVIEW WHETHER THE LICENSEE CONTINUES TO POSSESS THE RESOURCES AND ABILITIES SPECIFIED IN SUBSECTION (1)(A) AND IS IN COMPLIANCE WITH THE SCHEDULE REQUIRED UNDER SUBSECTION (1)(B).

(6) THE COMMISSION MAY SUSPEND OR REVOKE THE LICENSE OF ANY PROVIDER OR REQUIRE SECURITY UNDER SUBSECTION (2) IF, AFTER NOTICE AND A HEARING, IT FINDS THAT THE PROVIDER DOES NOT MEET THE REQUIREMENTS OF THIS SECTION.”.

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

Rep. Daniels moved to amend the bill as follows:

1. Amend page 18, following line 22, by inserting:

“Sec. 318. (1) A provider of basic local exchange service shall not discriminate in favor of its or an affiliate’s payphone service over similar services offered by another provider.

(2) A provider of payphone service shall comply with all nonstructural safeguards adopted by the federal communications commission for payphone service.

(3) A PROVIDER OF PAYPHONE SERVICE SHALL EITHER FURNISH A TELEPHONE DIRECTORY AT EACH PAYPHONE OR PROVIDE THE CALLER WITH FREE DIRECTORY ASSISTANCE.

(4) ALL PROVIDERS OF TELECOMMUNICATION SERVICES SHALL PROVIDE 5 FREE DIRECTORY ASSISTANCE CALLS PER MONTH.”.

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

Rep. Daniels demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 447

Yeas—54

Baird	Faunce	Mans	Schauer
Basham	Frank	Martinez	Schermesser
Bogardus	Garza	Minore	Scott
Bovin	Gielegem	Neumann	Shackleton
Brater	Hale	O’Neil	Sheltrown
Brewer	Hanley	Pestka	Spade
Brown, B.	Hardman	Price	Stallworth
Callahan	Jacobs	Quarles	Switalski
Cherry	Jamnick	Raczkowski	Tesanovich
Clark, I.	Kilpatrick	Reeves	Thomas
Clarke, H.	Kowall	Rison	Wojno
Daniels	LaForge	Rivet	Woodward
DeHart	Lemmons	Rocca	Woronchak
Dennis	Lockwood		

Nays—51

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

In The Chair: Scranton

Rep. Bob Brown moved to amend the bill as follows:

1. Amend page 15, following line 11, by inserting:

“(11) IF A PROVIDER OFFERS A RATE REDUCTION OR DISCOUNT TO ITS COMMERCIAL CUSTOMERS, THE PROVIDER SHALL OFFER THE SAME RATE REDUCTION OR DISCOUNT TO ITS RESIDENTIAL CUSTOMERS.”.

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

Rep. Howell moved to amend the bill as follows:

1. Amend page 4, line 25, after “REASONABLE.” by inserting “IF THE COMMISSION FINDS THAT EXTRAORDINARY CIRCUMSTANCES EXIST THAT WARRANT EXPEDITED REVIEW BEFORE THE COMMISSION’S ISSUANCE OF A FINAL ORDER, IT SHALL SET A SCHEDULE PROVIDING FOR THE ISSUANCE OF A PARTIAL FINAL ORDER AS TO ALL OR PART OF THE ISSUES FOR WHICH EMERGENCY RELIEF WAS GRANTED WITHIN 90 DAYS OF THE ISSUANCE OF THE EMERGENCY RELIEF ORDER.”.

2. Amend page 5, line 13, by striking out “Commission’s final order OR” and inserting “SOONER OF ANY OF THE FOLLOWING:

- (i) NINETY DAYS AFTER ITS ISSUANCE.
- (ii) ISSUANCE OF THE COMMISSION’S PARTIAL ORDER.
- (iii)”.

3. Amend page 5, line 14, after “COMMISSION.” by inserting “NOTWITHSTANDING THIS SUBSECTION, THE COMMISSION MAY EXTEND THE EMERGENCY RELIEF ORDER TO A DATE NO LATER THAN THE DATE ON WHICH THE FINAL ORDER IN THE PROCEEDING IS ISSUED.”.

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

Rep. Scranton moved to amend the bill as follows:

1. Amend page 15, following line 11, by inserting:

“(11) A RESIDENTIAL CUSTOMER SHALL NOT BE CHARGED FOR A DIRECTORY ASSISTANCE CALL FOR A NUMBER OUTSIDE THE LATA IN WHICH THE CUSTOMER’S SERVICE ADDRESS IS LOCATED. THE CUSTOMER MAY BE ASSESSED A CHARGE FOR A DIRECTORY ASSISTANCE CALL MADE FOR A NUMBER WITHIN THE LATA OF THEIR SERVICE ADDRESS.”.

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

Rep. Daniels moved to amend the bill as follows:

1. Amend page 18, following line 22, by inserting:

“Sec. 318. (1) A provider of basic local exchange service shall not discriminate in favor of its or an affiliate’s payphone service over similar services offered by another provider.

(2) A provider of payphone service shall comply with all nonstructural safeguards adopted by the federal communications commission for payphone service.

(3) A PROVIDER OF PAYPHONE SERVICE SHALL EITHER FURNISH A TELEPHONE DIRECTORY AT EACH PAYPHONE OR PROVIDE THE CALLER WITH FREE DIRECTORY ASSISTANCE.”.

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

Rep. Bob Brown moved to amend the bill as follows:

1. Amend page 18, following line 22, by inserting:

“(8) THE COMMISSION SHALL MAKE RECOMMENDATIONS TO THE LEGISLATURE REGARDING THE ESTABLISHMENT OF UNIVERSAL SERVICE IN THIS STATE. UNIVERSAL SERVICE SHALL NOT BE ESTABLISHED WITHOUT LEGISLATIVE APPROVAL.”.

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

Rep. Bob Brown demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 448

Yeas—45

Baird	Dennis	Kilpatrick	Reeves
Basham	Frank	LaForge	Rison
Bogardus	Garza	Lemmons	Rocca
Brater	Gielegem	Lockwood	Schauer
Brewer	Hale	Mans	Schermesser
Brown, B.	Hanley	Martinez	Scott
Callahan	Hansen	Minore	Stallworth
Cherry	Hardman	O’Neil	Switalski
Clark, I.	Jacobs	Pestka	Thomas
Clarke, H.	Jamnack	Price	Wojno
Daniels	Kelly	Quarles	Woodward
DeHart			

Nays—62

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

In The Chair: Scranton

Rep. Thomas moved to amend the bill as follows:

1. Amend page 21, line 12, by striking out all of section 507 and inserting:

“SEC. 507. (1) A TELECOMMUNICATIONS PROVIDER SHALL NOT INCLUDE OR ADD OPTIONAL SERVICES IN AN END-USER’S TELECOMMUNICATIONS SERVICE PACKAGE WITHOUT THE EXPRESS ORAL OR WRITTEN AUTHORIZATION OF THE END-USER.

(2) UPON THE RECEIPT OF A COMPLAINT FILED BY A PERSON ALLEGING A VIOLATION OF THIS SECTION OR UPON THE COMMISSION’S OWN MOTION, THE COMMISSION MAY CONDUCT A CONTESTED CASE AS PROVIDED UNDER SECTION 203.

(3) IF THE COMMISSION FINDS THAT A PERSON HAS VIOLATED THIS SECTION OR AN ORDER ISSUED UNDER THIS SECTION, THE COMMISSION SHALL ORDER REMEDIES AND PENALTIES TO PROTECT AND MAKE WHOLE END-USERS AND OTHER PERSONS WHO HAVE SUFFERED DAMAGES AS A RESULT OF THE VIOLATION, INCLUDING, BUT NOT LIMITED TO, 1 OR MORE OF THE FOLLOWING:

(A) ORDER THE PERSON TO PAY A FINE FOR THE FIRST OFFENSE OF NOT LESS THAN \$10,000.00 OR MORE THAN \$25,000.00 FOR A SECOND AND ANY SUBSEQUENT OFFENSE, THE COMMISSION SHALL ORDER THE PERSON TO PAY A FINE OF NOT LESS THAN \$25,000.00 OR MORE THAN \$45,000.00. IF THE COMMISSION FINDS THAT THE SECOND OR ANY OF THE SUBSEQUENT OFFENSES WERE KNOWINGLY MADE IN VIOLATION OF THIS SECTION, THE COMMISSION SHALL ORDER THE PERSON TO PAY A FINE OF NOT MORE THAN \$60,000.00.

(B) ORDER THE PROVIDER TO REFUND TO THE END-USER ANY AMOUNT THE END-USER PAID TO THE PROVIDER FOR THE UNAUTHORIZED SERVICES.

(C) IF THE PERSON IS LICENSED UNDER THIS ACT, REVOKE THE LICENSE IF THE COMMISSION FINDS A PATTERN OF VIOLATIONS OF THIS SECTION.

(D) ISSUE CEASE AND DESIST ORDERS.

(4) ONE-HALF OF ANY FINES ORDERED UNDER THIS SECTION SHALL BE PAID TO THE END-USER WHO FILED THE COMPLAINT.”.

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

Rep. Bisbee moved to amend the bill as follows:

1. Amend page 21, following line 11, by inserting:

“Sec. 506. (1) Upon the receipt of a complaint filed by a person alleging a violation of section 505 OR 507, an end user who has been switched to another provider OR HAD SERVICES ADDED in violation of section 505 OR 507, or a provider who has been removed as an end user’s provider without the end user’s authorization, or upon the commission’s own motion, the commission may conduct a contested case as provided under section 203.

(2) If the commission finds that a person has violated section 505 OR 507 or an order issued under section 505 OR 507, the commission shall order remedies and penalties to protect and make whole end-users and other persons who have suffered damages as a result of the violation, including, but not limited to, 1 or more of the following:

(a) Order the person to pay a fine for the first offense of not less than \$20,000.00 or more than ~~\$20,000.00~~ \$30,000.00. For a second and any subsequent offense, the commission shall order the person to pay a fine of not less than \$30,000.00 or more than ~~\$40,000.00~~ \$50,000.00. If the commission finds that the second or any of the subsequent offenses were knowingly made in violation of section 505 OR 507, the commission shall order the person to pay a fine of not more than ~~\$50,000.00~~ \$75,000.00. Each switch made in violation of section 505 OR SERVICE ADDED IN VIOLATION OF SECTION 507 shall be a separate offense under this subdivision.

(b) Order an unauthorized provider to refund to the end-user any amount greater than the end-user would have paid to an authorized provider.

(c) Order an unauthorized provider to reimburse an authorized provider an amount equal to the amount paid by the end-user that should have been paid to the authorized provider.

(d) If the person is licensed under this act, revoke the license if the commission finds a pattern of violations of section 505 OR 507.

(e) Issue cease and desist orders.

(3) Notwithstanding subsection (2), a fine shall not be imposed for a violation of section 505 OR 507 if the provider has otherwise fully complied with ~~section 505~~ SECTIONS 505 AND 507 and shows that the violation was an unintentional and bona fide error notwithstanding the maintenance of procedures reasonably adopted to avoid the error. Examples of a bona fide error include clerical, calculation, computer malfunction, programming, or printing errors. An error in legal judgment with respect to a person's obligations under section 505 is not a bona fide error. The burden of proving that a violation was an unintentional and bona fide error is on the provider.

(4) If the commission finds that a party's complaint or defense filed under this section is frivolous, the commission shall award to the prevailing party costs, including reasonable attorney fees, against the nonprevailing party and their attorney."

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

Reps. Thomas and Neumann moved to substitute (H-6) the bill.

The question being on the adoption of the substitute (H-6) offered by Reps. Thomas and Neumann,

Rep. Thomas demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-6) offered by Reps. Thomas and Neumann,

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

Roll Call No. 449

Yeas—51

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

Nays—55

Allen	Gilbert	Kowall	Richner
Birkholz	Godchaux	Kuipers	Rocca
Bisbee	Gosselin	Kukuk	Sanborn
Bishop	Green	LaSata	Scranton
Bradstreet	Hager	Law	Shulman
Brown, C.	Hart	Mead	Stamas

Byl	Howell	Middaugh	Tabor
Cassis	Jansen	Mortimer	Toy
Caul	Jelinek	Pappageorge	Van Woerkom
DeRossett	Jellema	Patterson	Vander Roest
DeVuyst	Johnson, Rick	Perricone	Vear
Ehardt	Johnson, Ruth	Pumford	Voorhees
Faunce	Julian	Rackowski	Woronchak
Garcia	Koetje	Richardville	

In The Chair: Scranton

Rep. Thomas moved to amend the bill as follows:

1. Amend page 21, following line 11, by striking out all of section 506, by inserting:

“Sec. 506. (1) Upon the receipt of a complaint filed by a person alleging a violation of section 505 OR 507, an ~~end-user~~ END-USER who has been switched to another provider OR HAD SERVICES ADDED in violation of section 505 OR 507, or a provider who has been removed as an end-user’s provider without the end-user’s authorization, or upon the commission’s own motion, the commission may conduct a contested case as provided under section 203. THE COMMISSION SHALL CREATE, AND SHALL SUPPLY UPON REQUEST, A FORM AFFIDAVIT DESIGNED TO ENABLE AN END-USER TO PROVIDE ALL INFORMATION NECESSARY TO PROMOTE EFFICIENT RESOLUTION OF COMPLAINTS ALLEGING A VIOLATION OF SECTION 505 OR 507. HEARINGS CONDUCTED UNDER THIS SECTION SHALL COMPLY WITH THE FOLLOWING REQUIREMENTS:

(A) HEARINGS SHALL BE CONDUCTED IN A MANNER AS TO OPTIMIZE EXPEDIENCY, CONVENIENCE, AND THE ABILITY OF END-USERS TO BRING AND PROSECUTE, WITHOUT THE ASSISTANCE OF COUNSEL, COMPLAINTS ALLEGING VIOLATIONS OF SECTION 505 OR 507, WHILE PRESERVING THE RIGHTS OF THE PARTIES.

(B) IF POSSIBLE, THE COMMISSION SHALL HOLD THE HEARING AT A LOCATION NEAR THE END-USER’S RESIDENCE OR PLACE OF BUSINESS.

(C) IF THE COMPLAINANT HAS SUBMITTED AN AFFIDAVIT, ON THE FORM SUPPLIED BY THE COMMISSION OR OTHERWISE, ALLEGING FACTS SUFFICIENT TO SUPPORT A FINDING OF A VIOLATION OF SECTION 505 OR 507, THE RESPONDENT SHALL HAVE THE BURDEN OF PROVING THAT NO VIOLATION HAS OCCURRED.

(2) If the commission finds that a person has violated section 505 OR 507 or an order issued under section 505 OR 507, the commission shall order remedies and penalties to protect and make whole end-users and other persons who have suffered damages as a result of the violation, including, but not limited to, 1 or more of the following:

(a) Order the person to pay a fine for the first offense of not less than \$20,000.00 or more than ~~\$20,000.00~~ \$30,000.00. For a second and any subsequent offense, the commission shall order the person to pay a fine of not less than \$30,000.00 or more than ~~\$40,000.00~~ \$50,000.00. If the commission finds that the second or any of the subsequent offenses were knowingly made in violation of section 505 OR 507, the commission shall order the person to pay a fine of not more than ~~\$50,000.00~~ \$70,000.00. Each switch made in violation of section 505 OR SERVICE ADDED IN VIOLATION OF 507 shall be a separate offense under this subdivision. ONE-HALF OF THE FINES ORDERED UNDER THIS SUBDIVISION SHALL BE PAID TO THE PERSON WHO WAS THE SUBJECT OF THE VIOLATION UNDER SECTION 505 OR 507.

(b) Order an unauthorized provider to refund to the end-user any amount greater than the end-user would have paid to an authorized provider.

(c) Order an unauthorized provider to reimburse an authorized provider an amount equal to the amount paid by the end-user that should have been paid to the authorized provider.

(d) If the person is licensed under this act, revoke the license if the commission finds a pattern of violations of section 505 OR 507.

(e) Issue cease and desist orders.

(3) Notwithstanding subsection (2), a fine shall not be imposed for a violation of section 505 OR 507 if the provider has otherwise fully complied with ~~section~~ SECTIONS 505 AND 507 and shows that the violation was an unintentional and bona fide error notwithstanding the maintenance of procedures reasonably adopted to avoid the error. Examples of a bona fide error include clerical, calculation, computer malfunction, programming, or printing errors. An error in legal judgment with respect to a person’s obligations under section 505 is not a bona fide error. The burden of proving that a violation was an unintentional and bona fide error is on the provider.

(4) If the commission finds that a party’s complaint or defense filed under this section is frivolous, the commission shall award to the prevailing party costs, including reasonable attorney fees, against the nonprevailing party and their attorney.

(5) ONE-HALF OF ANY FINES ORDER UNDER SUBSECTION (2) SHALL BE PAID TO THE END-USER WHO WAS VIOLATED UNDER SECTION 505 OR 507.”.

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

Rep. Quarles moved to amend the bill as follows:

1. Amend page 15, following line 11, by inserting:

“Sec. 304b. (1) A provider of basic local exchange service shall develop and offer various rate plans that reflect residential customer calling patterns that shall include, but not limited to, all of the following at the option of the customer unless it is not technologically feasible:

(a) A flat rate allowing unlimited personal and domestic outgoing calls.

(b) ~~A flat~~ FLAT rate CALLING PLANS allowing personal and domestic outgoing calls ~~up to~~ OF 50, 100, 150, AND 500 calls per month per line. Calls in excess of 400 EACH PLAN LIMIT per month may be charged at an incremental rate as set by the provider under section 304. If a customer has more than 1 line at the same location that appears on the customer’s bill, the allowable calls under this subdivision shall be the aggregate of all the lines regardless from which line the calls originate. A person with disabilities or who is voluntarily providing a service for an organization classified by the internal revenue service as a section 501(c)(3) or (19) organization, or a congressionally chartered veterans organization or their duly authorized foundations, is exempt from the 400 calls per month limitation and shall receive a flat rate allowing unlimited calls per month. A person exempt from the call cap under this subdivision shall not be charged a rate greater than the flat rate charged other residential customers for 400 calls.

~~(c) A flat rate allowing personal and domestic outgoing calls of not less than 50 nor more than 150 per month, per line. Providers may offer additional plans allowing personal and domestic outgoing calls of not less than 150 per month nor more than 400 per month, per line. Calls in excess of upper per call limit per month may be charged at an incremental rate as set by the provider under section 304. If a customer has more than 1 line at the same location that appears on the customer’s bill, the allowable calls under this subdivision shall be the aggregate of all the lines regardless from which line the calls originate.~~

(C) ~~(d)~~ A rate determined by the time duration of service usage or the distance between the points of service origination and termination.

(D) ~~(e)~~ A rate determined by the number of times the service is used.

(E) ~~(f)~~ A rate that includes 1 or more of the rates allowed by this section.

(F) ~~(g)~~ A rate that includes toll-free calling to contiguous Michigan local calling exchanges.

(2) If an option required under subsection (1) is not being offered by the provider on January 1, 1996, the provider shall set the initial rate for the option.

(3) A provider who, together with any affiliated providers, provides basic local exchange service or basic local exchange and toll service to less than 250,000 end-users in this state is not required to provide a rate plan required under subsection (1) if it is not economically feasible to provide the rate plan.”.

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

Rep. Quarles demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 450

Yeas—49

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

Nays—57

Allen	Gilbert	Kowall	Richner
Birkholz	Godchaux	Kuipers	Rocca
Bisbee	Gosselin	Kukuk	Sanborn

Bishop	Green	LaSata	Scranton
Bradstreet	Hager	Law	Shackleton
Brown, C.	Hart	Mead	Shulman
Byl	Howell	Middaugh	Stamas
Cassis	Jansen	Mortimer	Tabor
Caul	Jelinek	Pappageorge	Toy
DeRossett	Jellema	Patterson	Van Woerkom
DeVuyst	Johnson, Rick	Perricone	Vander Roest
DeWeese	Johnson, Ruth	Pumford	Vear
Ehardt	Julian	Raczkowski	Voorhees
Faunce	Koetje	Richardville	Woronchak
Garcia			

In The Chair: Scranton

Rep. Bisbee moved to amend the bill as follows:

1. Amend page 16, following line 17, after section 312, following subsection (4), by inserting:

“(5) A PROVIDER SHALL NOT CHARGE A MANDATORY MINIMUM MONTHLY OF MANDATORY FLAT-RATE CHARGE FOR TOLL CALLS EXCEPT IN CONNECTION WITH AN OPTIONAL DISCOUNT TOLL CALLING PLAN.”.

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

Rep. Daniels moved to amend the bill as follows:

1. Amend page 18, following line 22, by inserting:

“Sec. 318. (1) A provider of basic local exchange service shall not discriminate in favor of its or an affiliate’s payphone service over similar services offered by another provider.

(2) A provider of payphone service shall comply with all nonstructural safeguards adopted by the federal communications commission for payphone service.

(3) A PROVIDER OF PAYPHONE SERVICE SHALL FURNISH A TELEPHONE DIRECTORY AT EACH PAYPHONE AND/OR PROVIDE THE CALLER WITH FREE DIRECTORY ASSISTANCE.”.

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

Rep. Daniels demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 451

Yeas—48

Baird	Dennis	Lemmons	Schauer
Basham	Garza	Lockwood	Schermesser
Bogardus	Gielegem	Mans	Scott
Bovin	Hale	Minore	Shackleton
Brewer	Hanley	Neumann	Sheltrown
Brown, B.	Hansen	O’Neil	Spade
Callahan	Hardman	Pestka	Stallworth
Cherry	Jacobs	Price	Switalski
Clark, I.	Jamnick	Quarles	Tesanovich
Clarke, H.	Kelly	Reeves	Thomas
Daniels	Kilpatrick	Rison	Wojno
DeHart	LaForge	Rivet	Woodward

Nays—57

Allen	Geiger	Koetje	Richardville
Birkholz	Gilbert	Kowall	Richner
Bisbee	Godchaux	Kuipers	Rocca

Bishop	Gosselin	Kukuk	Sanborn
Bradstreet	Green	LaSata	Scranton
Brown, C.	Hager	Law	Shulman
Byl	Hart	Mead	Stamas
Cassis	Howell	Middaugh	Tabor
Caul	Jansen	Mortimer	Toy
DeRossett	Jelinek	Pappageorge	Van Woerkom
DeVuyst	Jellema	Patterson	Vander Roest
DeWeese	Johnson, Rick	Perricone	Vear
Ehardt	Johnson, Ruth	Pumford	Voorhees
Faunce	Julian	Rackowski	Woronchak
Garcia			

In The Chair: Scranton

Rep. Bob Brown moved to amend the bill as follows:

1. Amend page 10, following line 26, by inserting:

“Sec. 301. (1) A telecommunication provider shall not provide or resell basic local exchange service in this state, without a license issued from the commission pursuant to this act.

(2) Pending the determination of an application for a license, the commission without notice and hearing may issue a temporary license for a period not to exceed 1 year.

(3) FOR PURPOSES OF THIS SECTION, A HOTEL, INN OR LODGING HOUSE AS DEFINED IN 1913 PA 188, MCL 427.1, THAT IMPOSES OR PERMITS THE IMPOSITION OF A CHARGE FOR MAKING A LOCAL CALL SHALL BE CONSIDERED TO BE A RESELLER OF BASIC LOCAL EXCHANGE SERVICE.”.

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

Rep. Hale moved to amend the bill as follows:

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

“SEC. 304C. ALL FUNDS RECEIVED BY A PAY-PHONE PROVIDER IN EXCESS OF THE AMOUNT THE PROVIDER ACTUALLY CHARGED THE END-USER SHALL BE CONTRIBUTED TO A FUND TO BE CREATED BY THE COMMISSION TO ASSIST LOW-INCOME AND SENIOR CITIZEN CUSTOMERS IN RECEIVING AFFORDABLE TELECOMMUNICATION SERVICES.”.

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

Rep. Hale demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 452

Yeas—55

Basham	Garza	Lockwood	Schermesser
Bogardus	Gielegem	Mans	Scott
Bovin	Gilbert	Martinez	Shackleton
Brater	Hager	Minore	Sheltrown
Brewer	Hale	Neumann	Spade
Brown, B.	Hardman	O’Neil	Stallworth
Clark, I.	Jacobs	Pestka	Switalski
Clarke, H.	Jamnick	Price	Tesanovich
Daniels	Julian	Quarles	Thomas
DeHart	Kelly	Reeves	Van Woerkom
Dennis	Kilpatrick	Rison	Wojno
DeWeese	Kowall	Rivet	Woodward
Faunce	LaForge	Rocca	Woronchak
Frank	Lemmons	Schauer	

Nays—47

Allen	Godchaux	Kuipers	Richardville
Birkholz	Gosselin	Kukuk	Richner
Bisbee	Green	LaSata	Sanborn
Bishop	Hansen	Law	Scranton
Bradstreet	Hart	Mead	Shulman
Brown, C.	Howell	Middaugh	Stamas
Byl	Jansen	Mortimer	Tabor
Cassis	Jelinek	Pappageorge	Toy
Caul	Jellema	Patterson	Vander Roest
DeRossett	Johnson, Rick	Perricone	Vear
DeVuyst	Johnson, Ruth	Pumford	Voorhees
Garcia	Koetje	Raczkowski	

In The Chair: Scranton

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

1. Amend page 16, line 16, after “SHALL” by striking out the balance of the sentence and inserting “BE SET BY THE COMMISSION.”.

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

Rep. Shulman demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 453**Yeas—77**

Allen	Ehardt	Kowall	Sanborn
Baird	Faunce	Kukuk	Schauer
Birkholz	Frank	LaForge	Schermesser
Bishop	Garza	LaSata	Scott
Bogardus	Geiger	Lemmons	Shackleton
Bovin	Gielegem	Lockwood	Sheltrown
Bradstreet	Gilbert	Mans	Shulman
Brater	Gosselin	Martinez	Spade
Brewer	Hager	Mortimer	Stamas
Brown, B.	Hansen	Neumann	Switalski
Brown, C.	Hardman	O’Neil	Tabor
Byl	Hart	Pappageorge	Tesanovich
Callahan	Howell	Patterson	Toy
Cassis	Jacobs	Pestka	Van Woerkom
Caul	Jamnick	Pumford	Vear
Cherry	Jansen	Raczkowski	Voorhees
Clarke, H.	Johnson, Ruth	Richardville	Wojno
DeHart	Julian	Richner	Woodward
Dennis	Kelly	Rocca	Woronchak
DeWeese			

Nays—28

Basham	Green	Kuipers	Reeves
Bisbee	Hale	Law	Rison
Clark, I.	Jelinek	Mead	Rivet

DeRossett	Jellema	Middaugh	Scranton
DeVuyst	Johnson, Rick	Perricone	Stallworth
Garcia	Kilpatrick	Price	Thomas
Godchaux	Koetje	Quarles	Vander Roest

In The Chair: Scranton

Rep. Thomas moved to amend the bill as follows:

1. Amend page 23, line 25, after “ICE” by inserting “AND SERVICES LISTED IN SECTION 401”.

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

Rep. Thomas demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 454

Yeas—81

Baird	Ehardt	Lemmons	Sanborn
Basham	Faunce	Lockwood	Schauer
Birkholz	Frank	Mans	Schermesser
Bisbee	Garza	Martinez	Scott
Bishop	Gielegem	Middaugh	Scranton
Bogardus	Godchaux	Minore	Shackleton
Bovin	Hale	Neumann	Sheltrown
Brater	Hansen	O’Neil	Spade
Brewer	Hardman	Pappageorge	Stallworth
Brown, B.	Howell	Patterson	Stamas
Brown, C.	Jacobs	Pestka	Switalski
Byl	Jamnick	Price	Tabor
Callahan	Jellema	Pumford	Tesanovich
Cassis	Johnson, Ruth	Quarles	Thomas
Caul	Julian	Rackowski	Toy
Cherry	Kelly	Reeves	Van Woerkom
Clark, I.	Kilpatrick	Richner	Vander Roest
Clarke, H.	Koetje	Rison	Wojno
DeHart	LaForge	Rivet	Woodward
Dennis	Law	Rocca	Woronchak
DeWeese			

Nays—25

Allen	Gosselin	Johnson, Rick	Mortimer
Bradstreet	Green	Kowall	Perricone
DeRossett	Hager	Kuipers	Richardville
DeVuyst	Hart	Kukuk	Shulman
Garcia	Jansen	LaSata	Vear
Geiger	Jelinek	Mead	Voorhees
Gilbert			

In The Chair: Scranton

Rep. Hale moved to amend the bill as follows:

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

“SEC. 304C. ALL FUNDS RECEIVED BY A PAY-PHONE PROVIDER IN EXCESS OF THE AMOUNT THE PROVIDER ACTUALLY CHARGED THE END-USER SHALL BE CONTRIBUTED TO A FUND TO BE CREATED BY THE COMMISSION TO ASSIST LOW-INCOME AND SENIOR CITIZEN CUSTOMERS IN RECEIVING TELECOMMUNICATION SERVICES.”.

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

Rep. Hale demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 455

Yeas—55

Baird	Faunce	Lemmons	Rocca
Basham	Frank	Lockwood	Schauer
Bogardus	Garza	Mans	Schermesser
Bovin	Gielegem	Martinez	Scott
Brater	Hale	Minore	Shackleton
Brewer	Hanley	Neumann	Sheltrown
Brown, B.	Hansen	O’Neil	Spade
Callahan	Hardman	Pestka	Stallworth
Cherry	Jacobs	Price	Switalski
Clark, I.	Jamnick	Quarles	Tesanovich
Clarke, H.	Julian	Reeves	Thomas
DeHart	Kelly	Richardville	Wojno
Dennis	Kilpatrick	Rison	Woodward
DeWeese	LaForge	Rivet	

Nays—51

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

In The Chair: Scranton

Rep. Bisbee moved to amend the bill as follows:

1. Amend page 16, line 12, after “reduced” by striking out “under section 304a”.

2. Amend page 16, line 14, after “amount.” by inserting “THE COMMISSION SHALL INVESTIGATE AND ENSURE THAT THE PROVIDER HAS COMPLIED WITH THIS SUBSECTION.”.

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

Rep. Middaugh 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. 5721, entitled

A bill to amend 1991 PA 179, entitled “Michigan telecommunications act,” by amending sections 101 and 304 (MCL 484.2101 and 484.2304), as amended by 1995 PA 216, and by adding section 214.

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

Roll Call No. 456

Yeas—72

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

Nays—36

Baird	DeHart	Kelly	Rison
Basham	Dennis	Kilpatrick	Rivet
Bovin	Garza	LaForge	Schermesser
Brater	Gielegem	Lemmons	Scott
Brewer	Hale	Martinez	Stallworth
Cherry	Hanley	Minore	Switalski
Clark, I.	Hardman	Price	Tesanovich
Clarke, H.	Jacobs	Quarles	Thomas
Daniels	Jamnick	Reeves	Woodward

In The Chair: Scranton

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 1991 PA 179, entitled “Michigan telecommunications act,” by amending sections 101, 103, 201, 203, 203a, 213, 302, 303, 304, 310, 312, 502, 503, 506, and 601 (MCL 484.2101, 484.2103, 484.2201, 484.2203, 484.2203a, 484.2213, 484.2302, 484.2303, 484.2304, 484.2310, 484.2312, 484.2502, 484.2503, 484.2506, and 484.2601), sections 101, 203, 213, 303, 304, 310, 312, and 601 as amended and sections 203a, 502, and 503 as added by 1995 PA 216 and section 506 as added by 1998 PA 259, and by adding sections 214, 316a, 507, and 701; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

Reps. Birkholz, Bradstreet, Cameron Brown, Callahan, Cassis, DeRossett, Ehardt, Garcia, Gosselin, Hart, Howell, Jansen, Jelinek, Ruth Johnson, Kuipers, Kukuk, LaSata, Mortimer, Pappageorge, Raczkowski, Richardville, Rocca, Sanborn, Shackleton, Shulman, Vear and Voorhees were named co-sponsors of the bill.

Reps. Garza, Clark, Jamnick, Basham, Clarke, Hardman, Lemmons, Jacobs and Woodward, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on House Bill 5721 (H-4) because this bill fails to provide any significant savings to people who are paying too much for monopolized telephone service in Michigan. I supported a substitute bill which would have provided consumers with millions of dollars in savings by eliminating state access charges, eliminating automatic rate increases, and providing much deeper rate cuts than House Bill 5721 (H-4). Unfortunately, this substitute was rejected by the Majority party. In 1995, when telecommunications deregulation first passed the state legislature, the House Republican Majority was responsible for its passage. That proposal has obviously failed to provide consumers with significant savings and has failed to inject competition in to the telecommunications marketplace. I fear that this approach by the Republican Majority is more of the same—a repeat of the mistakes made in 1995. House Bill 5721 (H-4) does not go far enough to protect consumers, or provide them with substantive rate relief. I therefore vote no.”

Rep. Gielegem, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

This bill purports to be a rate cut but in reality, it fails to provide a significant rate cut for residential customers in Michigan.

I suggested a substitute bill which would have provided real costs savings and real protections.

Furthermore, this bill fails to deal with the important issues of furthering competition and outdated zones that inflate phone rates for customers in Macomb County.”

Rep. Hale, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

With the passage of House Bill 5721, we have failed the telephone consumers of our state. The legislature in its attempt to pass the legislation by a party line vote during the committee process, included several amendments offered by members of the minority caucus. We did not look at providing affordable services to low-income and senior citizen consumers. We did not attempt to address the need for more equitable calling plans for our constituents. We failed to develop fair and reasonable market strategies to deal with the ever growing market place. We did not lower the costs of intra-lata calls on our constituents. In years to come our constituents will be very upset with the legislature of 2000 when the final verdict on this issue when it comes to light.”

Second Reading of Bills

House Bill No. 5624, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 675d and 742 (MCL 257.675d and 257.742), section 675d as amended by 1992 PA 230 and section 742 as amended by 1998 PA 68.

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

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

Rep. Voorhees moved to substitute (H-2) the bill.

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

Rep. Voorhees moved to amend the bill as follows:

1. Amend page 7, line 3, after “(1)” by striking out the balance of the line through “STATE” on line 4 and inserting “A law enforcement agency”.

2. Amend page 7, line 16, after “government.” by inserting “A LAW ENFORCEMENT AGENCY OF A LOCAL UNIT OF GOVERNMENT SHALL NOT IMPLEMENT OR ADMINISTER A PROGRAM UNDER THIS SECTION WITHOUT THE SPECIFIC AUTHORIZATION OF THE GOVERNING BODY OF THAT LOCAL UNIT OF GOVERNMENT.”.

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

The Speaker Pro Tempore resumed the Chair.

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 5624, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 675d and 742 (MCL 257.675d and 257.742), section 675d as amended by 1992 PA 230 and section 742 as amended by 1998 PA 68.

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

Roll Call No. 457

Yeas—92

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

Nays—16

Brater	Garza	Martinez	Rison
Brewer	Hale	Price	Scott
Clark, I.	Hardman	Quarles	Stallworth
Daniels	Kilpatrick	Reeves	Tesanovich

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 1949 PA 300, entitled "Michigan vehicle code," by amending sections 629e, 674, 675d, and 742 (MCL 257.629e, 257.674, 257.675d, and 257.742), section 629e as amended by 1991 PA 163, section 674 as amended by 2000 PA 76, section 675d as amended by 1992 PA 230, and section 742 as amended by 1998 PA 68.

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. 965, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. LaSata moved to substitute (H-2) the bill.

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

Rep. DeWeese moved that Rep. Voorhees be excused temporarily from today's session.

The motion prevailed.

Rep. Frank moved to amend the bill as follows:

1. Amend page 20, following line 5, by inserting:

"Sec. 218. Funds appropriated in part 1 shall not be used to produce or distribute potatoes."

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 458

Yeas—41

Baird	Gielegem	Martinez	Rivet
Basham	Hale	Mead	Schauer
Bogardus	Hanley	Minore	Schermesser
Bovin	Hansen	Neumann	Scott
Brater	Hardman	O'Neil	Shackleton
Callahan	Kelly	Pestka	Sheltrown
Cherry	Kilpatrick	Price	Stallworth
Clark, I.	LaForge	Quarles	Tesanovich
Daniels	Lemmons	Reeves	Thomas
Dennis	Mans	Rison	Woodward
Frank			

Nays—65

Allen	Faunce	Johnson, Ruth	Richardville
Birkholz	Garcia	Julian	Richner
Bisbee	Geiger	Koetje	Rocca
Bishop	Gilbert	Kowall	Sanborn
Bradstreet	Godchaux	Kuipers	Scranton
Brewer	Gosselin	Kukuk	Shulman
Brown, B.	Green	LaSata	Spade
Brown, C.	Hager	Law	Stamas
Byl	Hart	Lockwood	Switalski
Cassis	Howell	Middaugh	Tabor
Caul	Jacobs	Mortimer	Toy
Clarke, H.	Jamnick	Pappageorge	Van Woerkom
DeHart	Jansen	Patterson	Vander Roest
DeRossett	Jelinek	Perricone	Vear
DeVuyst	Jellema	Pumford	Wojno
DeWeese	Johnson, Rick	Raczkowski	Woronchak
Ehardt			

In The Chair: Birkholz

Rep. Cherry moved to amend the bill as follows:

1. Amend page 20, following line 5, by inserting:

“Sec. 218. The department shall report by April 1, 2001 to the senate and house of representatives appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the amount of milk and milk products produced and distributed, by month and location, during the preceding fiscal year.”.

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

Rep. Stamas moved that Rep. Pappageorge be excused temporarily from today’s session.

The motion prevailed.

Rep. Godchaux moved that Rep. Scranton be excused temporarily from today’s session.

The motion prevailed.

Rep. Cherry moved to amend the bill as follows:

1. Amend page 20, following line 5, following section 218, by inserting:

“Sec. 219. (1) The department shall monthly calculate the savings accruing through clinical care services provided through contract with correctional medical services, inc., or its subsidiary or parent organizations, under the contract amendment approved by the state administrative board on May 2, 2000, and any similar contract amendments. These savings shall be deposited in a separate account. At the end of the fiscal year, the funds in the special account shall not revert to the general fund, but instead shall be allocated for substance abuse treatment programs designed to reduce offender recidivism.

(2) The department shall provide to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director quarterly reports on the balance of the special account. Quarterly reports shall also identify the clinical accounts from which savings accrued and describe the source of the savings within those accounts.

(3) By September 30, 2001, the department shall provide the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director with a report that identifies the current and projected balance of the special account and sets forth a plan for the expenditure of the account on substance abuse treatment programs designed to reduce offender recidivism.”.

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

Rep. Cherry demanded the yeas and nays.
The demand was supported.

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

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

Roll Call No. 459**Yeas—49**

Baird	Garza	Lockwood	Rivet
Basham	Gielegem	Mans	Schauer
Bogardus	Hale	Martinez	Schermesser
Bovin	Hanley	Minore	Scott
Brewer	Hansen	Neumann	Sheltrown
Callahan	Hardman	O'Neil	Spade
Cherry	Jacobs	Pestka	Stallworth
Clark, I.	Jamnick	Price	Switalski
Clarke, H.	Kelly	Quarles	Tesanovich
Daniels	Kilpatrick	Reeves	Thomas
DeHart	LaForge	Richner	Wojno
Dennis	Lemmons	Rison	Woodward
Frank			

Nays—56

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

In The Chair: Birkholz

Rep. Cherry moved to amend the bill as follows:

1. Amend page 41, following line 7, by inserting:

“Sec. 904. (1) Funds appropriated in part 1 shall not be used to pay charges for goods or services provided through contract with correctional medical services, inc., or a subsidiary or parent organization of correctional medical services, inc., unless the goods or services were provided under a contract entered into before June 1, 2000 or were provided under a contract entered into on or after June 1, 2000 for which an invitation to bid has been issued for the goods or services in question, and correctional medical services, inc., or its subsidiary or parent organization, was the successful bidder under customary department of management and budget procedures developed in accordance with the management and budget act, 1984 PA 431.”.

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

Rep. Cherry demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 460**Yeas—53**

Baird	Frank	Lemmons	Rivet
Basham	Garcia	Lockwood	Schauer
Bogardus	Garza	Mans	Schermesser
Bovin	Gielegthem	Martinez	Scott
Brater	Hale	Minore	Shackleton
Brewer	Hanley	Mortimer	Sheltrown
Brown, B.	Hansen	Neumann	Spade
Callahan	Hardman	O'Neil	Stallworth
Cherry	Jacobs	Pestka	Switalski
Clark, I.	Jamnick	Price	Tesanovich
Clarke, H.	Kelly	Quarles	Thomas
Daniels	Kilpatrick	Reeves	Wojno
DeHart	LaForge	Rison	Woodward
Dennis			

Nays—54

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

In The Chair: Birkholz

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 35, following line 13, by inserting:

“(d) The felon is a parolee convicted on a new felony charge and sentenced to jail.”.

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

Rep. Stallworth demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 461**Yeas—50**

Baird	Dennis	Lemmons	Rivet
Basham	Frank	Lockwood	Schauer
Bogardus	Garza	Mans	Schermesser
Bovin	Gielegthem	Martinez	Scott

Brater	Hale	Minore	Sheltrown
Brewer	Hanley	Neumann	Spade
Brown, B.	Hansen	O'Neil	Stallworth
Callahan	Hardman	Pestka	Switalski
Cherry	Jacobs	Price	Tesanovich
Clark, I.	Jamnick	Quarles	Thomas
Clarke, H.	Kelly	Reeves	Wojno
Daniels	Kilpatrick	Rison	Woodward
DeHart	LaForge		

Nays—56

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

In The Chair: Birkholz

Rep. LaSata moved to amend the bill as follows:

1. Amend page 17, line 1, after “least” by striking out “60” and inserting “120”.

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

Rep. Brater moved to amend the bill as follows:

1. Amend page 20, following line 5, following section 218, by inserting:

“Sec. 219. (1) Not later than July 1 of every odd numbered year beginning with 2001, the department of corrections, in conjunction with the department of community health, shall submit a report to the legislature, the house and senate appropriations subcommittees on corrections, and the house and senate fiscal agencies, based on a joint evaluation, that includes, but is not limited to, all of the following with respect to the 2-year period preceding the report:

(a) A description of the provision of mental health services to prisoners.

(b) The total number of prisoners served.

(c) The number of hearings held pursuant to section 1003c of the mental health code, 1974 PA 258, MCL 330.2003c, and the disposition of each hearing.

(d) The number of developmentally disabled prisoners in the corrections system and a description of the services those prisoners received.

(e) The number of prisoners in the corrections system with a dual diagnosis of both a mental illness and a substance abuse problem and a description of the services those prisoners received.

(f) The number of prisoners in the corrections system who received substance abuse treatment or rehabilitation services and a description of the services those prisoners received.

(g) The number of prisoners with a history of inpatient hospitalization in a state-operated psychiatric hospital, unit, or center and a description of the services those prisoners received.

(h) The number of prisoners who are persons requiring treatment as defined in section 401 of the mental health code, 1974 PA 258, MCL 330.1401, and a description of the services those prisoners received.

(i) The characteristics of the prisoners served and a description of the services they received, including, but not limited to, the length of stay in the corrections mental health program and the type of treatment received.

(j) The number of prisoners receiving services described in subdivisions (a) to (i) in administrative segregation and a breakdown of the services to those prisoners.

(2) The report required under subsection (1) shall include recommendations for appropriate changes in mental health programs for prisoners.”.

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 462

Yeas—51

Baird	Dennis	LaForge	Schauer
Basham	Frank	Lemmons	Schermesser
Bogardus	Garza	Lockwood	Scott
Bovin	Gielegem	Mans	Sheltrown
Brater	Hager	Martinez	Spade
Brewer	Hale	Minore	Stallworth
Brown, B.	Hanley	Neumann	Switalski
Callahan	Hansen	Pestka	Tesanovich
Cherry	Hardman	Price	Thomas
Clark, I.	Jacobs	Quarles	Van Woerkom
Clarke, H.	Jamnick	Reeves	Wojno
Daniels	Kelly	Rison	Woodward
DeHart	Kilpatrick	Rivet	

Nays—54

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

In The Chair: Birkholz

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.

Rep. Vander Roest moved that Rep. Perricone be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 965, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

Roll Call No. 463

Yeas—94

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

Nays—12

Brater	Gosselin	Kilpatrick	Minore
Brewer	Hardman	LaForge	Reeves
Garza	Jamnack	Martinez	Scott

In The Chair: Birkholz

The House agreed to the title of the bill.

Rep. Gosselin, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I vote ‘no’ on this budget because I was elected on a promise to shrink government, not grow it. The increase in the general purpose/general fund portion of this budget, the portion of the budget which comes from the state taxes,

exceeds the rate of inflation for the past year. If the goal is to lock up more prisoners for a longer time, then the department needs to take a more aggressive role in reducing costs by privatizing services and seeking other efficiencies. If to reduce costs it is necessary to make life harder for prisoners, so be it. For these reasons, I must vote 'no' on this budget. This is almost up to 9% more than last year."

Rep. Minore, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I oppose adoption of the Correction budget for several reasons:

- (1) It continues warehousing prisoners with little and/or inadequate rehabilitation efforts; and
- (2) The budget passes on costs to local government and local jails, in particular, and
- (3) The budget includes a contract of significant cost that was not competitively bid and which will be extended virtually automatically and without bids; and
- (4) The budget fails to adequately address issues surrounding the incarceration of mentally ill prisoners with little or no treatment."

Rep. Jamnick, having reserved the right to explain her protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I vote no on the Corrections budget because I believe we must begin to spend more dollars for education and health services for our Michigan residents. Dollars spent for these efforts have the potential to reduce our need for warehousing people in jails and persons. In my opinion it is obscene to spend nearly 4 times as much to support a person in prison than to educate a child."



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

Rep. Spade moved that Rep. Mans be excused temporarily from today's session.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 963, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2001; to provide for the expenditures of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

Rep. Scott moved to amend the bill as follows:

- 1. Amend page 2, following line 19, by inserting:

"Highland Park College.....	\$	6,545,650"
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and adjusting the subtotals, totals, and section 201 accordingly.

- 2. Amend page 16, following line 12, by inserting:

"Sec. 236. Upon the establishment of a community college district pursuant to the community college act of 1966, 1966 PA 331, MCL 389.1 to 389.195, the funds appropriated under part 1 shall be used for start-up costs for the new community college under a board of trustees separate and distinct from the board of the school district."

The question being on the adoption of the amendments offered by Rep. Scott,
 Rep. Scott demanded the yeas and nays.
 The demand was supported.

The question being on the adoption of the amendments offered by Rep. Scott,
 The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 464

Yeas—49

Baird	Garza	LaForge	Rocca
Basham	Gielegem	Law	Schauer
Bogardus	Godchaux	Lemmons	Schermesser
Bovin	Hale	Lockwood	Scott
Brater	Hanley	Martinez	Scranton
Brown, B.	Hansen	Minore	Stallworth
Callahan	Hardman	O’Neil	Switalski
Cherry	Jacobs	Price	Tesanovich
Clark, I.	Jamnick	Quarles	Thomas
Clarke, H.	Kelly	Reeves	Toy
Daniels	Kilpatrick	Rison	Wojno
DeHart	Kowall	Rivet	Woodward
Dennis			

Nays—51

Allen	Garcia	Koetje	Richner
Birkholz	Gilbert	Kuipers	Sanborn
Bisbee	Gosselin	Kukuk	Shackleton
Bishop	Green	LaSata	Sheltrown
Bradstreet	Hager	Mead	Shulman
Brown, C.	Hart	Middaugh	Spade
Byl	Howell	Mortimer	Stamas
Cassis	Jansen	Pappageorge	Tabor
Caul	Jelinek	Patterson	Van Woerkom
DeRossett	Jellema	Pestka	Vander Roest
DeVuyst	Johnson, Rick	Pumford	Vear
Ehardt	Johnson, Ruth	Raczkowski	Woronchak
Faunce	Julian	Richardville	

In The Chair: Scranton



Rep. Reeves moved that Rep. Lemmons be excused temporarily from today’s session.
 The motion prevailed.

Rep. Frank moved to amend the bill as follows:

1. Amend page 2, line 13, by striking out all of lines 13 through line 14, page 3 and inserting:	
“Alpena Community College.....	5,700,793
Bay de Noc Community College.....	5,502,351
Delta College.....	15,028,615
Glen Oaks Community College.....	2,917,625

Gogebic Community College	4,793,930
Grand Rapids Community College	18,859,866
Henry Ford Community College	22,665,587
Jackson Community College	12,873,553
Kalamazoo Valley Community College	12,969,639
Kellogg Community College	10,321,045
Kirtland Community College.....	3,509,442
Lake Michigan College	5,788,277
Lansing Community College	32,008,113
Macomb Community College	34,312,300
Mid Michigan Community College	4,972,646
Monroe County Community College.....	4,850,352
Montcalm Community College.....	3,672,295
Mott Community College.....	16,466,972
Muskegon Community College	9,594,404
North Central Michigan College	3,582,588
Northwestern Michigan College	9,751,443
Oakland Community College	21,869,620
St. Clair County Community College	7,637,789
Schoolcraft College	12,981,992
Southwestern Michigan College	7,130,608
Washtenaw Community College.....	13,060,726
Wayne County Community College.....	17,470,907
West Shore Community College.....	2,834,878”

and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 465

Yeas—53

Baird	Faunce	LaForge	Schauer
Basham	Frank	Lockwood	Schermesser
Bogardus	Garza	Martinez	Scott
Bovin	Gielegem	Minore	Shackleton
Brater	Hager	Neumann	Sheltrown
Brown, B.	Hale	O’Neil	Spade
Callahan	Hansen	Pestka	Stallworth
Caul	Hardman	Price	Switalski
Cherry	Howell	Quarles	Tesanovich
Clark, I.	Jacobs	Reeves	Thomas
Clarke, H.	Jamnick	Rison	Wojno
Daniels	Kelly	Rivet	Woodward
DeHart	Kilpatrick	Rocca	Woronchak
Dennis			

Nays—48

Allen	Garcia	Koetje	Rackowski
Birkholz	Gilbert	Kowall	Richardville
Bisbee	Godchaux	Kuipers	Richner
Bishop	Gosselin	Kukuk	Sanborn

Bradstreet	Green	LaSata	Scranton
Brown, C.	Hart	Law	Shulman
Byl	Jansen	Mead	Stamas
Cassis	Jelinek	Middaugh	Tabor
DeRossett	Jellema	Mortimer	Toy
DeVuyst	Johnson, Rick	Pappageorge	Van Woerkom
DeWeese	Johnson, Ruth	Patterson	Vander Roest
Ehardt	Julian	Pumford	Vear

In The Chair: Scranton

Rep. Brewer moved to amend the bill as follows:

1. Amend page 18, line 15, after "2001" by inserting:

"Sec. 304. A community college receiving funds under this act shall have their appropriated funds reduced by 2 times the amount spent to purchase the contract of an administrator or athletic department employee.".

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

Rep. Brewer demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 466

Yeas—9

Brewer	LaForge	Scott	Stallworth
Hale	Rison	Scranton	Tesanovich
Kelly			

Nays—91

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

In The Chair: Scranton

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. Julian moved that Rep. Toy 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. 963, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2001; to provide for the expenditures of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

Roll Call No. 467

Yeas—101

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

Nays—3

Gosselin	Rivet	Scott
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In The Chair: Scranton

The House agreed to the title of the bill.

Rep. Gosselin, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I vote ‘no’ on this budget because I was elected on a promise to shrink government, not grow it. The increase in the general purpose/general fund portion of this budget, the portion of the budget which comes from the state taxes, exceeds the rate of inflation for the past year. For this reason, I must vote ‘no’ on this budget. This is up almost 5.4 % from last year.”

Rep. Scott, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on Senate Bill 963 because my city of Highland Park and surrounding communities need the opportunity to establish a new community college to educate their people. \$6.5 million is a small amount to request.

Many of our family members in this state were educated from 1912 until 1995 at H.P.C.C. (formerly junior college), the oldest college in this great state.”

Rep. Rivet, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on final passage of Senate Bill 963, the community college appropriation, due to the bill not prioritizing this initial secondary education opportunity as a major issue in our State. The higher education budget increases dwarf the increases outlined in this budget. In addition, the adjustment of the personal property tables has significantly and negatively impacted our community colleges. This budget has not reflected these revenue reductions. Increases that are only a fraction of those of higher education institutions, with no accounting for local revenue reductions mandated by the State mean only token increases in the appropriations for these important institutions. The most important economic and social activity the State can carry out is to educate its citizens. Community colleges provide the best opportunity to provide this educational opportunity.”

Second Reading of Bills

Senate Bill No. 967, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2001; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

Rep. Price moved to amend the bill as follows:

1. Amend page 1, line 7, by striking out all of line 7 through line 24 of page 6 and inserting:

“HIGHER EDUCATION

Full-time equated classified positions	1.0	
GROSS APPROPRIATION		\$ 1,915,733,485
Total interdepartmental grants and intradepartmental transfers.....		\$ 0
ADJUSTED GROSS APPROPRIATION.....		\$ 1,915,733,485

Appropriated from:

Federal revenues:		
Total federal revenues		3,900,000
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		84,250,000
State general fund/general purpose.....		\$ 1,827,583,485

Sec. 102. CENTRAL MICHIGAN UNIVERSITY

Operations		\$ 92,078,347
GROSS APPROPRIATION		\$ 92,078,347
Appropriated from:		
State general fund/general purpose.....		\$ 92,078,347

Sec. 103. EASTERN MICHIGAN UNIVERSITY	
Operations.....	\$ 88,285,187
GROSS APPROPRIATION	\$ 88,285,187
Appropriated from:	
State general fund/general purpose.....	\$ 88,285,187
Sec. 104. FERRIS STATE UNIVERSITY	
Operations.....	\$ 55,445,466
GROSS APPROPRIATION	\$ 55,445,466
Appropriated from:	
State general fund/general purpose.....	\$ 55,445,466
Sec. 105. GRAND VALLEY STATE UNIVERSITY	
Operations.....	\$ 61,787,207
GROSS APPROPRIATION	\$ 61,787,207
Appropriated from:	
State general fund/general purpose.....	\$ 61,787,207
Sec. 106. LAKE SUPERIOR STATE UNIVERSITY	
Operations.....	\$ 14,249,386
GROSS APPROPRIATION	\$ 14,249,386
Appropriated from:	
State general fund/general purpose.....	\$ 14,249,386
Sec. 107. MICHIGAN STATE UNIVERSITY	
Operations.....	\$ 334,238,762
GROSS APPROPRIATION	\$ 334,238,762
Appropriated from:	
State general fund/general purpose.....	\$ 334,238,762
Sec. 108. MICHIGAN TECHNOLOGICAL UNIVERSITY	
Operations.....	\$ 55,167,099
GROSS APPROPRIATION	\$ 55,167,099
Appropriated from:	
State general fund/general purpose.....	\$ 55,167,099
Sec. 109. NORTHERN MICHIGAN UNIVERSITY	
Operations.....	\$ 51,942,819
GROSS APPROPRIATION	\$ 51,942,819
Appropriated from:	
State general fund/general purpose.....	\$ 51,942,819
Sec. 110. OAKLAND UNIVERSITY	
Operations.....	\$ 54,293,750
GROSS APPROPRIATION	\$ 54,293,750
Appropriated from:	
State general fund/general purpose.....	\$ 54,293,750
Sec. 111. SAGINAW VALLEY STATE UNIVERSITY	
Operations.....	\$ 28,201,320
GROSS APPROPRIATION	\$ 28,201,320
Appropriated from:	
State general fund/general purpose.....	\$ 28,201,320
Sec. 112. UNIVERSITY OF MICHIGAN-ANN ARBOR	
Operations.....	\$ 360,548,358
GROSS APPROPRIATION	\$ 360,548,358
Appropriated from:	
State general fund/general purpose.....	\$ 360,548,358
Sec. 113. UNIVERSITY OF MICHIGAN-DEARBORN	
Operations.....	\$ 28,249,519
GROSS APPROPRIATION	\$ 28,249,519
Appropriated from:	
State general fund/general purpose.....	\$ 28,249,519
Sec. 114. UNIVERSITY OF MICHIGAN-FLINT	
Operations.....	\$ 24,351,768
GROSS APPROPRIATION	\$ 24,351,768
Appropriated from:	
State general fund/general purpose.....	\$ 24,351,768

Sec. 115. WAYNE STATE UNIVERSITY

Operations.....	\$ 253,302,993
GROSS APPROPRIATION	\$ 253,302,993
Appropriated from:	
State general fund/general purpose.....	\$ 253,302,993

Sec. 116. WESTERN MICHIGAN UNIVERSITY

Operations.....	\$ 128,216,737
GROSS APPROPRIATION	\$ 128,216,737
Appropriated from:	
State general fund/general purpose.....	\$ 128,216,737

Sec. 117. STATE AND REGIONAL PROGRAMS

Full-time equated classified positions.....1.0	
Agricultural experiment station	\$ 36,745,972
Cooperative extension service	31,693,486
Michigan molecular institute	236,538
Japan center for Michigan universities	422,631
Higher education database modernization and conversion—1.0 FTE position.....	275,000
Midwest higher education compact	75,000
GROSS APPROPRIATION	\$ 69,448,628
Appropriated from:	
State general fund/general purpose.....	\$ 69,448,628

Sec. 118. MARTIN LUTHER KING, JR.- CESAR CHAVEZ - ROSA PARKS PROGRAM

Select student supportive services	\$ 2,170,507
Michigan college/university partnership program.....	651,152
Morris Hood, Jr. educator development program.....	164,867
GROSS APPROPRIATION	\$ 2,986,526
Appropriated from:	
State general fund/general purpose.....	\$ 2,986,526

Sec. 119. GRANTS AND FINANCIAL AID

State competitive scholarships.....	\$ 35,388,818
Tuition grants	66,150,276
Merged institution student grant.....	100
Michigan work-study program	8,024,037
Part-time independent student program	2,906,000
Grant for Michigan resident dental graduates.....	5,057,454
Grant for general degree graduates.....	6,344,274
Grant for allied health graduates	936,023
Michigan education opportunity grants	2,282,632
Robert C. Byrd honors scholarship program.....	1,600,000
Michigan merit award program	79,000,000
Tuition incentive program/high school completion.....	5,250,000
GROSS APPROPRIATION	\$ 212,939,614
Appropriated from:	
Federal revenues:	
Higher education act of 1965, title IV, 20 U.S.C.....	2,300,000
Higher education act of 1965, title IV, part A	1,600,000
Special revenue funds:	
Michigan merit award trust fund	84,250,000
State general fund/general purpose.....	\$ 124,789,614"

and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Price demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 468**Yeas—55**

Baird	Ehardt	Lemmons	Schauer
Basham	Frank	Lockwood	Schermesser
Bogardus	Garza	Martinez	Scott
Bovin	Gielegem	Minore	Shackleton
Brater	Hale	Neumann	Sheltrown
Brewer	Hanley	O'Neil	Spade
Brown, B.	Hansen	Pestka	Stallworth
Callahan	Hardman	Price	Switalski
Cherry	Jacobs	Pumford	Tesanovich
Clark, I.	Jamnack	Quarles	Thomas
Clarke, H.	Kelly	Reeves	Wojno
Daniels	Kilpatrick	Richardville	Woodward
DeHart	Kowall	Rison	Woronchak
Dennis	LaForge	Rivet	

Nays—49

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

In The Chair: Scranton

Rep. Godchaux moved to amend the bill as follows:

1. Amend page 25, following line 24, by inserting:

“Sec. 435. By December 15, 2000, the state budget director shall review the appropriateness of the placement of funding for the Michigan molecular institute in the higher education budget and report to the house and senate appropriations subcommittees on higher education.”.

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

Reps. Price and Caul moved to amend the bill as follows:

1. Amend page 19, following line 5, by inserting:

“(15) If the funds appropriated in section 119 from the Michigan merit award trust fund are insufficient to support the tuition incentive program, a sum sufficient to fund the tuition incentive program shall be appropriated from the general fund.”.

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

Rep. LaForge moved to amend the bill as follows:

1. Amend page 2, line 14, by striking out “\$91,212,949” and inserting “\$91,000,000” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 24, line 24, after “academy.” and inserting “Central Michigan University shall be appropriated an additional \$212,949.00 upon complying with the request of the auditor general in the 1997 performance audit of Central Michigan University’s charter school office.”.

The question being on the adoption of the amendments offered by Rep. LaForge, Rep. LaForge demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 469**Yeas—48**

Baird	DeHart	Kilpatrick	Reeves
Basham	Dennis	LaForge	Rison
Bogardus	Frank	Lemmons	Rivet
Bovin	Garza	Lockwood	Schauer
Brater	Gielegem	Mans	Schermesser
Brewer	Hale	Martinez	Sheltrown
Brown, B.	Hanley	Minore	Spade
Callahan	Hansen	Neumann	Stallworth
Cherry	Hardman	O'Neil	Switalski
Clark, I.	Jacobs	Patterson	Thomas
Clarke, H.	Jamnick	Pestka	Wojno
Daniels	Kelly	Quarles	Woodward

Nays—53

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

In The Chair: Scranton

Reps. Jellema and Frank moved to amend the bill as follows:

1. Amend page 6, line 5, by striking out "35,077,833" and inserting "35,886,394".
2. Amend page 6, line 6, by striking out "65,539,555" and inserting "67,220,997".
3. Amend page 6, line 8, by striking out "7,948,623" and inserting "8,144,699".
4. Amend page 6, line 9, by striking out "2,878,688" and inserting "2,949,699".
5. Amend page 6, line 10, by striking out "5,009,921" and inserting "5,133,506".
6. Amend page 6, line 11, by striking out "6,273,655" and inserting "6,363,697".
7. Amend page 6, line 12, by striking out "927,226" and inserting "950,099".
8. Amend page 6, line 13, by striking out "2,261,179" and inserting "2,316,957".
9. Amend page 6, line 17, by striking out "211,766,780" and inserting "214,816,148".
10. Amend page 6, line 24, by striking out "123,616,780" and inserting "126,666,148", and adjusting the subtotals, totals, and section 201 accordingly.

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

Reps. Frank and Caul moved to amend the bill as follows:

1. Amend page 34, line 10, after “by” by striking out “September 1, 2001” and inserting “October 15, 2000”.
The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Price moved to amend the bill as follows:

1. Amend page 1, line 7, by striking out all of line 7 through line 24 of page 6 and inserting:

“HIGHER EDUCATION

Full-time equated classified positions	1.0	
GROSS APPROPRIATION		\$ 1,915,733,486
Total interdepartmental grants and intradepartmental transfers.....		\$ 0
ADJUSTED GROSS APPROPRIATION.....		\$ 1,915,733,486

Appropriated from:

Federal revenues:		
Total federal revenues		3,900,000
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		84,250,000
State general fund/general purpose.....		\$ 1,827,583,486

Sec. 102. CENTRAL MICHIGAN UNIVERSITY

Operations		\$ 92,078,347
GROSS APPROPRIATION		\$ 92,078,347

Appropriated from:

State general fund/general purpose.....		\$ 92,078,347
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Sec. 103. EASTERN MICHIGAN UNIVERSITY

Operations		\$ 88,285,187
GROSS APPROPRIATION		\$ 88,285,187

Appropriated from:

State general fund/general purpose.....		\$ 88,285,187
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Sec. 104. FERRIS STATE UNIVERSITY

Operations		\$ 55,445,466
GROSS APPROPRIATION		\$ 55,445,466

Appropriated from:

State general fund/general purpose.....		\$ 55,445,466
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Sec. 105. GRAND VALLEY STATE UNIVERSITY

Operations		\$ 61,787,208
GROSS APPROPRIATION		\$ 61,787,208

Appropriated from:

State general fund/general purpose.....		\$ 61,787,208
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Sec. 106. LAKE SUPERIOR STATE UNIVERSITY

Operations		\$ 14,249,386
GROSS APPROPRIATION		\$ 14,249,386

Appropriated from:

State general fund/general purpose.....		\$ 14,249,386
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Sec. 107. MICHIGAN STATE UNIVERSITY

Operations		\$ 334,238,762
GROSS APPROPRIATION		\$ 334,238,762

Appropriated from:

State general fund/general purpose.....		\$ 334,238,762
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Sec. 108. MICHIGAN TECHNOLOGICAL UNIVERSITY

Operations		\$ 55,167,099
GROSS APPROPRIATION		\$ 55,167,099

Appropriated from:

State general fund/general purpose.....		\$ 55,167,099
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Sec. 109. NORTHERN MICHIGAN UNIVERSITY

Operations		\$ 51,942,819
GROSS APPROPRIATION		\$ 51,942,819

Appropriated from:

State general fund/general purpose.....		\$ 51,942,819
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Sec. 110. OAKLAND UNIVERSITY	
Operations.....	\$ 54,293,750
GROSS APPROPRIATION	\$ 54,293,750
Appropriated from:	
State general fund/general purpose.....	\$ 54,293,750
Sec. 111. SAGINAW VALLEY STATE UNIVERSITY	
Operations.....	\$ 28,201,320
GROSS APPROPRIATION	\$ 28,201,320
Appropriated from:	
State general fund/general purpose.....	\$ 28,201,320
Sec. 112. UNIVERSITY OF MICHIGAN-ANN ARBOR	
Operations.....	\$ 360,548,358
GROSS APPROPRIATION	\$ 360,548,358
Appropriated from:	
State general fund/general purpose.....	\$ 360,548,358
Sec. 113. UNIVERSITY OF MICHIGAN-DEARBORN	
Operations.....	\$ 28,249,519
GROSS APPROPRIATION	\$ 28,249,519
Appropriated from:	
State general fund/general purpose.....	\$ 28,249,519
Sec. 114. UNIVERSITY OF MICHIGAN-FLINT	
Operations.....	\$ 24,351,768
GROSS APPROPRIATION	\$ 24,351,768
Appropriated from:	
State general fund/general purpose.....	\$ 24,351,768
Sec. 115. WAYNE STATE UNIVERSITY	
Operations.....	\$ 253,302,993
GROSS APPROPRIATION	\$ 253,302,993
Appropriated from:	
State general fund/general purpose.....	\$ 253,302,993
Sec. 116. WESTERN MICHIGAN UNIVERSITY	
Operations.....	\$ 128,216,737
GROSS APPROPRIATION	\$ 128,216,737
Appropriated from:	
State general fund/general purpose.....	\$ 128,216,737
Sec. 117. STATE AND REGIONAL PROGRAMS	
Full-time equated classified positions.....	1.0
Agricultural experiment station.....	\$ 36,745,972
Cooperative extension service.....	31,693,486
Michigan molecular institute.....	236,538
Japan center for Michigan universities.....	422,631
Higher education database modernization and conversion—1.0 FTE position.....	275,000
Midwest higher education compact	75,000
GROSS APPROPRIATION	\$ 69,448,628
Appropriated from:	
State general fund/general purpose.....	\$ 69,448,628
Sec. 118. MARTIN LUTHER KING, JR.- CESAR CHAVEZ - ROSA PARKS PROGRAM	
Select student supportive services.....	\$ 2,170,507
Michigan college/university partnership program.....	651,152
Morris Hood, Jr. educator development program.....	164,867
GROSS APPROPRIATION	\$ 2,986,526
Appropriated from:	
State general fund/general purpose.....	\$ 2,986,526
Sec. 119. GRANTS AND FINANCIAL AID	
State competitive scholarships.....	\$ 35,388,818
Tuition grants.....	66,150,276
Merged institution student grant.....	100
Michigan work-study program	8,024,037
Part-time independent student program	2,906,000

Grant for Michigan resident dental graduates.....	5,057,454
Grant for general degree graduates.....	6,344,274
Grant for allied health graduates.....	936,023
Michigan education opportunity grants.....	2,282,632
Robert C. Byrd honors scholarship program.....	1,600,000
Michigan merit award program.....	79,000,000
Tuition incentive program/high school completion.....	5,250,000
GROSS APPROPRIATION.....	\$ 212,939,614

Appropriated from:

Federal revenues:

Higher education act of 1965, title IV, 20 U.S.C.....	2,300,000
Higher education act of 1965, title IV, part A.....	1,600,000

Special revenue funds:

Michigan merit award trust fund.....	84,250,000
State general fund/general purpose.....	\$ 124,789,614"

and adjusting the subtotals, totals, and section 201 accordingly.

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

Reps. Shackleton, Woronchak, Pumford, Ehardt, Richardville, Price and Stallworth moved to amend the bill as follows:

1. Amend page 2, line 12, by striking out "1,815,790,904" and inserting "1,830,844,468".
2. Amend page 2, line 14, by striking out "91,212,949" and inserting "92,078,347".
3. Amend page 2, line 19, by striking out "87,455,439" and inserting "88,285,187".
4. Amend page 2, line 24, by striking out "54,924,362" and inserting "55,466,600".
5. Amend page 3, line 3, by striking out "61,787,207" and inserting "62,311,412".
6. Amend page 3, line 8, by striking out "14,115,463" and inserting "14,254,820".
7. Amend page 3, line 13, by striking out "334,238,762" and inserting "337,241,089".
8. Amend page 3, line 18, by striking out "54,648,611" and inserting "55,167,099".
9. Amend page 3, line 23, by striking out "51,454,635" and inserting "51,942,819".
10. Amend page 4, line 2, by striking out "54,179,711" and inserting "54,693,750".
11. Amend page 4, line 7, by striking out "27,936,270" and inserting "28,201,320".
12. Amend page 4, line 12, by striking out "357,159,746" and inserting "360,548,358".
13. Amend page 4, line 17, by striking out "27,984,016" and inserting "28,249,519".
14. Amend page 4, line 22, by striking out "24,122,898" and inserting "24,351,768".
15. Amend page 5, line 1, by striking out "250,922,326" and inserting "253,302,993".
16. Amend page 5, line 6, by striking out "128,216,737" and inserting "129,339,818" and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Tesanovich moved to amend the bill as follows:

1. Amend page 2, line 19, by striking out "87,455,439" and inserting "90,468,632."
2. Amend page 2, line 20, by striking out "87,455,439" and inserting "90,468,632."
3. Amend page 2, line 22, by striking out "87,455,439" and inserting "90,468,632."
4. Amend page 2, line 24, by striking out "54,924,362" and inserting "55,466,598".
5. Amend page 2, line 25, by striking out "54,924,362" and inserting "55,466,598".
6. Amend page 3, line 1, by striking out "54,924,362" and inserting "55,466,598".
7. Amend page 3, line 8, by striking out "14,115,463" and inserting "14,254,817".
8. Amend page 3, line 9, by striking out "14,115,463" and inserting "14,254,817".
9. Amend page 3, line 11, by striking out "14,115,463" and inserting "14,254,817".
10. Amend page 3, line 18, by striking out "54,648,611" and inserting "55,688,125".
11. Amend page 3, line 19, by striking out "54,648,611" and inserting "55,688,125".
12. Amend page 3, line 21, by striking out "54,648,611" and inserting "55,688,125".
13. Amend page 3, line 23, by striking out "51,454,635" and inserting "51,962,617".
14. Amend page 3, line 24, by striking out "51,454,635" and inserting "51,962,617".
15. Amend page 3, line 26, by striking out "51,454,635" and inserting "51,962,617".
16. Amend page 4, line 12, by striking out "357,159,746" and inserting "362,185,779".
17. Amend page 4, line 13, by striking out "357,159,746" and inserting "362,185,779".
18. Amend page 4, line 15, by striking out "357,159,746" and inserting "362,185,779".

19. Amend page 5, line 1, by striking out “250,922,326” and inserting “253,899,538”.

20. Amend page 5, line 2, by striking out “250,922,326” and inserting “253,899,538”.

21. Amend page 5, line 4, by striking out “250,922,326” and inserting “253,899,538” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Shackleton moved to reconsider the vote by which the House adopted the amendments offered previously by Reps. Shackleton, Woronchak, Pumford, Ehardt, Richardville, Price and Stallworth.

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

The question being on the adoption of the amendments offered previously by Reps. Shackleton, Woronchak, Pumford, Ehardt, Richardville, Price and Stallworth,

Rep. Shackleton demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered previously by Reps. Shackleton, Woronchak, Pumford, Ehardt, Richardville, Price and Stallworth,

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

Roll Call No. 470

Yeas—81

Allen	Faunce	LaForge	Rivet
Baird	Frank	LaSata	Rocca
Basham	Garza	Law	Schauer
Bishop	Gielegem	Lemmons	Schermesser
Bogardus	Gilbert	Lockwood	Scott
Bovin	Green	Mans	Shackleton
Brater	Hager	Martinez	Sheltrown
Brewer	Hale	Minore	Shulman
Brown, B.	Hanley	Neumann	Spade
Callahan	Hansen	O’Neil	Stallworth
Caul	Hardman	Patterson	Switalski
Cherry	Howell	Pestka	Tabor
Clark, I.	Jacobs	Price	Tesanovich
Clarke, H.	Jamnick	Pumford	Thomas
Daniels	Jelinek	Quarles	Toy
DeHart	Julian	Raczkowski	Van Woerkom
Dennis	Kelly	Reeves	Vear
DeRossett	Kilpatrick	Richardville	Wojno
DeVuyst	Koetje	Richner	Woodward
DeWeese	Kowall	Rison	Woronchak
Ehardt			

Nays—24

Birkholz	Garcia	Jellema	Middaugh
Bisbee	Geiger	Johnson, Rick	Pappageorge
Bradstreet	Godchaux	Johnson, Ruth	Sanborn
Brown, C.	Gosselin	Kuipers	Scranton
Byl	Hart	Kukuk	Stamas
Cassis	Jansen	Mead	Vander Roest

Reps. Bradstreet, Kukuk, Garcia, Gosselin, Koetje, Jansen, DeVuyst and Green moved to amend the bill as follows:
 1. Amend page 10, following line 4, by inserting:

“Sec. 217. (1) Included in the appropriation in part 1 to each state institution of higher education is an amount equal to 10% of the entire operating budget for each institution of higher education. This set-aside amount is an incentive to accept an “agreement not to use taxpayer dollars to violate broadly accepted social mores” grant. To be eligible to receive the set-aside amount under this grant, a state institution of higher education shall certify to the state budget director by October 1, 2000 that the state institution does not and will not use funds appropriated in part 1 to offer a course meeting both of the following criteria:

(a) The content may be interpreted as promoting or facilitating the participation in a sexual lifestyle or practices other than heterosexual monogamy.

(b) There is a reasonable expectation that a majority of citizens would object to the use of taxpayer dollars for the course.

(2) In the event that a state institution of higher education does not meet or otherwise satisfy the criteria to be eligible to receive the set-aside amount under this grant, the set-aside amount to that institution shall be forfeited and the amount so forfeited shall be divided proportionately among those state institutions of higher education that are eligible to receive the set-aside amount under this grant.”.

The question being on the adoption of the amendment offered by Reps. Bradstreet, Kukuk, Garcia, Gosselin, Koetje, Jansen, DeVuyst and Green,

Rep. Bradstreet demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Bradstreet, Kukuk, Garcia, Gosselin, Koetje, Jansen, DeVuyst and Green,

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

Roll Call No. 471

Yeas—52

Allen	Ehardt	Koetje	Richardville
Basham	Frank	Kowall	Rocca
Birkholz	Garcia	Kuipers	Sanborn
Bisbee	Gilbert	Kukuk	Schermesser
Bishop	Gosselin	Mans	Shackleton
Bradstreet	Green	Middaugh	Sheltrown
Brown, B.	Hager	Neumann	Shulman
Brown, C.	Howell	O’Neil	Spade
Callahan	Jansen	Pappageorge	Stamas
Cassis	Jelinek	Patterson	Tabor
DeRossett	Johnson, Rick	Perricone	Vander Roest
DeVuyst	Johnson, Ruth	Pestka	Vear
DeWeese	Julian	Rackowski	Wojno

Nays—44

Baird	Geiger	LaForge	Rison
Brater	Gielegem	LaSata	Rivet
Byl	Godchaux	Lemmons	Schauer
Caul	Hale	Lockwood	Scott
Cherry	Hanley	Martinez	Scranton
Clark, I.	Hansen	Mead	Stallworth
Clarke, H.	Hardman	Minore	Switalski
Daniels	Jacobs	Price	Thomas
DeHart	Jamnick	Pumford	Toy
Dennis	Jellema	Quarles	Van Woerkom
Garza	Kelly	Richner	Woodward

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. 967, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2001; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

Roll Call No. 472

Yeas—104

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

Nays—3

Cherry	Gosselin	Kilpatrick
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In The Chair: Scranton

The House agreed to the title of the bill.

Rep. Gosselin, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I vote ‘no’ on this budget because I was elected on a promise to shrink government, not grow it. The increase in the general purpose/general fund portion of this budget, the portion of the budget which comes from state taxes, exceeds the rate of inflation for the past year.

In addition, this budget includes funding for the University of Michigan, which is spending hundreds of thousands of taxpayer dollars defending itself in a lawsuit brought by deserving students who have been victimized by preferential treatment based on race in university admissions policies. I do not believe that we should subsidize discrimination on the basis of race in state college and university admissions.”

Second Reading of Bills

Senate Bill No. 966, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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

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

Rep. Gilbert moved to amend the bill as follows:

1. Amend page 18, line 18, after “searches” by adding a comma and “the state model policy on firearm safety and awareness.”.

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

Rep. Price moved to amend the bill as follows:

1. Amend page 36, line 24, after “development,” by inserting “pilot alternative education programs,”.

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

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

The motion prevailed.

Messages from the Governor

May 23, 2000

Mr. Gary L. Randall, Clerk
House of Representatives
State Capitol Building
Lansing, Michigan 48909
Dear Mr. Randall:

Per the request of the House of Representatives, I am returning Enrolled House Bill 4684.

Sincerely,
John Engler
Governor

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Raczkowski moved to vacate the enrollment of **House Bill No. 4684**.

The motion prevailed.

Messages from the Senate

The Senate requested the return of

House Bill No. 4684, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2162 (MCL 600.2162), as amended by 1994 PA 67.

Rep. Raczkowski moved that the request of the Senate be granted.
The motion prevailed.

Second Reading of Bills

The House returned to the consideration of

Senate Bill No. 966, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

(The bill was considered earlier today, see today's journal, p. 1135.)

Rep. Hager moved to amend the bill as follows:

1. Amend page 18, following line 19, by inserting:

"(e) Work in collaboration with the department of state police in establishing a toll-free school violence hotline".

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

Rep. Lockwood moved to amend the bill as follows:

1. Amend page 8, following line 25, by inserting:

"Toll-free school violence hotline 200,000".

2. Amend page 9, line 7, by striking out "990,600" and inserting "1,190,600" and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Lockwood demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 473

Yeas—55

Baird	Faunce	Lemmons	Schauer
Basham	Frank	Lockwood	Schermesser
Bogardus	Garza	Mans	Scott
Bovin	Gielegem	Martinez	Sheltrown
Brater	Hale	Minore	Spade
Brewer	Hanley	Neumann	Stallworth
Brown, B.	Hansen	O'Neil	Switalski
Callahan	Hardman	Pestka	Tesanovich
Cherry	Jacobs	Price	Thomas
Clark, I.	Jamnack	Quarles	Van Woerkom
Clarke, H.	Julian	Reeves	Wojno
Daniels	Kelly	Richardville	Woodward
DeHart	Kilpatrick	Rison	Woronchak
Dennis	LaForge	Rivet	

Nays—53

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

In The Chair: Scranton

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. 966, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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

Roll Call No. 474**Yeas—107**

Allen	Frank	Kowall	Rison
Baird	Garcia	Kuipers	Rivet
Basham	Garza	Kukuk	Rocca
Birkholz	Geiger	LaForge	Sanborn
Bisbee	Gielegem	LaSata	Schauer
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, B.	Hanley	Middaugh	Spade
Brown, C.	Hansen	Minore	Stallworth
Byl	Hardman	Mortimer	Stamas
Callahan	Hart	Neumann	Switalski
Cassis	Howell	O'Neil	Tabor
Caul	Jacobs	Pappageorge	Tesanovich

Cherry	Jamnick	Patterson	Thomas
Clark, I.	Jansen	Perricone	Toy
Clarke, H.	Jelinek	Pestka	Van Woerkom
DeHart	Jellema	Price	Vander Roest
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 title of the bill.

Second Reading of Bills

House Bill No. 5766, entitled

A bill to amend 1986 PA 281, entitled “The local development financing act,” by amending sections 2, 4, 10, and 12 (MCL 125.2152, 125.2154, 125.2160, and 125.2162), section 2 as amended by 1998 PA 92 and sections 4, 10, and 12 as amended by 1993 PA 333, and by adding section 12a.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Garcia moved to substitute (H-2) the bill.

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

Reps. Bob Brown and Garcia moved to amend the bill as follows:

1. Amend page 33, line 6, after “AUTHORITY” by striking out “OR” and inserting “AND.”.
2. Amend page 33, line 8, after “AUTHORITY” by striking out “OR” and inserting “AND”.

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

Rep. Kelly moved to amend the bill as follows:

1. Amend page 34, following line 9, by inserting:

“(11) EACH YEAR, THIS STATE SHALL REIMBURSE EACH COMMUNITY COLLEGE AND LIBRARY FOR ALL REVENUE LOST BY THAT COMMUNITY COLLEGE OR LIBRARY DUE TO THE CREATION AND FINANCING OF A CERTIFIED TECHNOLOGY PARK. AS USED IN THIS SUBSECTION, “LIBRARY” MEANS A DISTRICT LIBRARY ESTABLISHED UNDER THE DISTRICT LIBRARY ESTABLISHMENT ACT, 1989 PA 24, MCL 397.171 TO 397.196, A LIBRARY ESTABLISHED UNDER 1877 PA 164, MCL 397.201 TO 397.217, OR A COUNTY LIBRARY CREATED UNDER 1917 PA 138, MCL 397.301 TO 397.305.”.

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

Rep. Kukuk 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. 5766, entitled

A bill to amend 1986 PA 281, entitled “The local development financing act,” by amending sections 2, 4, 10, and 12 (MCL 125.2152, 125.2154, 125.2160, and 125.2162), section 2 as amended by 1998 PA 92 and sections 4, 10, and 12 as amended by 1993 PA 333, and by adding section 12a.

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

Roll Call No. 475**Yeas—108**

Allen	Faunce	Koetje	Richner
Baird	Frank	Kowall	Rison
Basham	Garcia	Kuipers	Rivet
Birkholz	Garza	Kukuk	Rocca
Bisbee	Geiger	LaForge	Sanborn
Bishop	Gielegem	LaSata	Schauer
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	Pumford	Vear
DeRossett	Johnson, Ruth	Quarles	Voorhees
DeVuyst	Julian	Raczkowski	Wojno
DeWeese	Kelly	Reeves	Woodward
Ehardt	Kilpatrick	Richardville	Woronchak

Nays—0

In The Chair: Scranton

The House agreed to the title of the bill.

Second Reading of Bills**House Bill No. 5767, 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 2 (MCL 207.552), as amended by 1999 PA 140.

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

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

Rep. Kuipers 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. LaForge moved that Rep. Kelly be excused from the balance of today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5767, 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 2 (MCL 207.552), as amended by 1999 PA 140.

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

Roll Call No. 476

Yeas—106

Allen	Faunce	Kowall	Richner
Baird	Frank	Kuipers	Rison
Basham	Garcia	Kukuk	Rocca
Birkholz	Garza	LaForge	Sanborn
Bisbee	Geiger	LaSata	Schauer
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	Pumford	Vear
Dennis	Johnson, Rick	Quarles	Voorhees
DeRossett	Johnson, Ruth	Rackowski	Wojno
DeVuyst	Julian	Reeves	Woodward
DeWeese	Kilpatrick	Richardville	Woronchak
Ehardt	Koetje		

Nays—0

In The Chair: Scranton

The House agreed to the title of the bill.

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

Rep. LaForge moved that the Committee on Senior Health, Security and Retirement be discharged from further consideration of **House Bill No. 4159**.

(For first notice see House Journal No. 46, p. 1073.)

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

Rep. LaForge demanded the yeas and nays.

The demand was supported.

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

Rep. Raczkowski moved that consideration of the motion be postponed for the day.

The motion prevailed.

Rep. Raczkowski moved that when the House adjourns today it stand adjourned until Wednesday, May 24, at 12:00 Noon.

The motion prevailed.

Reps. Cassis, Richardville, Jellema, Kelly, Bovin, Jacobs, Wojno, Garcia, DeHart, Clarke, Hale, Brater, Kilpatrick, Gielegghem, Cherry, Raczkowski, Koetje, Jamnick, Vander Roest, Schauer, Schermesser, Baird, Van Woerkom, Toy, Shulman, Hansen, Mead, DeRossett, Vear, Faunce, Kowall, Shackleton, Julian, Kukuk, Gosselin, Voorhees, Scott, Rocca, Pappageorge, Perricone, Birkholz, DeVuyt, Spade, Bogardus, Switalski, Caul and Hanley offered the following resolution:

House Resolution No. 356.

A resolution congratulating Joan Garretson of Pleasant Lake Elementary School upon being named the 2000-2001 Michigan Teacher of the Year.

Whereas, It is with great respect for her years of success in education that we congratulate Joan Garretson of Pleasant Lake Elementary School upon being named the 2000-2001 Michigan Teacher of the Year by the Michigan Department of Education. This designation brings honor to the entire Walled Lake School District and is an appropriate recognition of the excellence demonstrated by Joan Garretson in every aspect of her work; and

Whereas, Being a teacher allows Joan to put into action her "belief that each child truly deserves a chance to realize his/her own self worth." Using a variety of challenge initiatives and problem solving activities within the context of the academic curriculum, she provides opportunities for her students to stretch their thinking. Using the principles of Dr. William Glasser's Choice Theory, she facilitates students to take responsibility for their own choices, which leads to their experiencing success; and

Whereas, Starting her professional career in the United States Air Force and in human resources, Joan came to realize that to really make a difference with her life she had to return to her love of working with children. Since high school and throughout college, she worked with children and young people. Fully aware of the nature of committing to teaching children, Joan returned to college to earn her teaching degree. She knew it would mean giving of herself beyond the 8-hour day, 5 days a week. To this day, she regularly becomes involved in the lives of her students to help them realize their own value. She believes the "time students spend with their teachers has great influence and can produce positive long term and lasting effects"; and

Whereas, Joan believes that the most crucial issue facing public education is "the need for better preparation of new teachers and the development of better partnerships between institutions of higher learning and hiring districts in order to better support those teachers in the first few years of their career"; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize Joan Garretson as Michigan Teacher of the Year for 2000-2001; and be it further

Resolved, That a copy of this resolution be transmitted to the Joan Garretson as evidence of our admiration and warmest wishes for continued success in every endeavor.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Voorhees, Richardville, Kelly, Jacobs, Wojno, Garcia, DeHart, Clarke, Hale, Brater, Kilpatrick, Gielegem, Cherry, Raczkowski, Koetje, Jamnick, Vander Roest, Schauer, Schermesser, Baird, Van Woerkom, Toy, LaForge, Shulman, Scranton, Hansen, DeRossett, Vear, Faunce, Kowall, Shackleton, Julian, Kukuk, Gosselin, Scott, Rocca, Pappageorge, Perricone, Birkholz, Spade, Bogardus, Switalski, Caul and Hanley offered the following resolution:

House Resolution No. 357.

A resolution commemorating the Thirtieth Anniversary of the Michigan Association of District Court Probation Officers.

Whereas, On May 24-26, 2000, at the Mission Point Resort on Mackinac Island, the members of the Michigan Association of District Court Probation Officers (MADCPO) will gather for their Thirtieth Annual Conference. It is a pleasure and privilege to commemorate this special anniversary and this important conference. We also take this opportunity to commend the hardworking district court probation officers for their effective contributions; and

Whereas, District court probation officers are dedicated individuals who work diligently to help protect Michigan's citizens and to hold offenders accountable for their actions. These highly trained professionals supervise offenders and ensure that they are fulfilling the demands of their probation. In so doing, these officers fulfill a crucial role in the criminal justice system and often have a positive and life-changing influence on these lawbreakers; and

Whereas, The MADCPPO is an outstanding organization that greatly assists its members by providing training, support, and education. Members also serve on various committees throughout the state to assist in the judicial system and follow legislation that directly influences probation work. The loyal members are obviously committed to making it a strong and helpful organization; and

Whereas, Clearly, crime is an issue that concerns every citizen. The members of MADCPPO are doing their part to keep our streets safe, and they merit our praise for the leadership, concern, and commitment they demonstrate every day—sometimes in life-threatening situations. Too often, their effective efforts go unnoticed, so we are proud to extend to them the recognition and gratitude they deserve; now, therefore, be it

Resolved by the House of Representatives, That we commemorate the Thirtieth Anniversary of the Michigan Association of District Court Probation Officers. We also commend the members for their valuable contributions to the people of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to MADCPPO, Inc., and its members as a reflection of our gratitude.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Brater, Quarles, Hardman, Kelly, Bovin, Jacobs, Dennis, Wojno, Garcia, DeHart, Clarke, Hale, Kilpatrick, Garza, Gielegem, Cherry, Raczkowski, Martinez, Jamnick, Vander Roest, Schauer, Schermesser, Baird, Van Woerkom, Toy, LaForge, Shulman, Scranton, Hansen, DeRossett, Vear, Faunce, Kowall, Gosselin, Voorhees, Scott, Rocca, Perricone, Spade, Bogardus, Switalski, Caul, Hanley, Callahan and Clark offered the following resolution:

House Resolution No. 358.

A resolution honoring Local 190 Plumbers and Pipefitters on their 100th Anniversary.

Whereas, At the turn of the century, fifteen men gathered in Ann Arbor to accept the Charter of Local 190. That document granted them the jurisdictional territory surrounding Washtenaw county; and

Whereas, In its first years, the union suffered an unstable existence, with membership growth at a near standstill. The Local's activities centered around Ann Arbor and the University of Michigan. For nearly two decades, the downtown shops numbered four, the largest was not favorable to the union and a stormy relationship existed. During this period, antiunion interests formed a program called "The American Plan", which caused much unrest with strikes and lockouts. Many members dropped out of the union; and

Whereas, The union was hard hit by the Great Depression in the 1930s. Many of its members dropped out, while those who remained were unemployed and destitute. The Local's office became a distribution center for welfare packages for needy members; and

Whereas, The union began to grow during World War II, when a bomber plant was built at Willow Run. The apprentice training program was established at the close of the war and returning veterans were given priority as trainees. The post-war years brought government wage controls with allowances for fringe benefit programs. Local 190 staged its first strike to obtain the health and welfare plan for its members; and

Whereas, In the early 1950s, industrial expansion at Willow Run raised Local 190 in national prominence, as 800 United Association members came here to work on the "Gold Rush Job". Following that project, the membership swelled and the Local hired its first full-time business manager; and

Whereas, During the 1960s, many of the fringe benefits were negotiated in peaceful settlement. Construction boomed all over the territory and the membership tripled. The housing and apartment field required the hiring of a second full-time agent. The Local became the sole bargaining agent for the gas distribution workers throughout the state and a third agent was hired to cover this field. The late 1960s provided a major agreement with the University of Michigan as the Plant department became a total union shop; and

Whereas, The 1970s produced noteworthy expansion as a nuclear power plant was built in the western part of the state and Local 190 was assigned the monumental task of furnishing piping craftsmen for that project and a temporary branch office was opened in Bridgeman, Michigan. The mid-1970s saw many members travel to the northwest to work on the Alaska Pipeline and the Local's national reputation continued to build and grow; and

Whereas, The 1980s provided a period of readjustment in the written agreements with the Contractors' Association as the Local prepared to combat the continuing threat of nonunion encroachment, particularly in the residential and service fields; and

Whereas, The 1990s brought more changes, including the move to this area by the United Association Instructor Training Program. This program additionally enhanced the already prestigious national reputation that Local 190 enjoys. The membership remained stable over this period, even though employment was very low in the latter part of the 1980s, while the mid- to late 1990s brought full employment to members; and

Whereas, Throughout the history of Local 190, the union has been active in state, local, and civic affairs; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Local 190 Plumbers and Pipefitters as they celebrate their 100th anniversary; and be it further

Resolved, That a copy of this resolution by transmitted to Local 190 as evidence 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.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL § 18.1246.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 103.

A concurrent resolution to change the scope of the College of Engineering and Applied Sciences project at Western Michigan University.

Whereas, The Western Michigan University College of Engineering and Applied Sciences project was authorized with a total cost of \$50,000,000 by 1996 PA 480, and amended by the adoption of House Concurrent Resolution No. 31 of 1996; and

Whereas, Western Michigan University has estimated that the total cost to complete the College of Engineering and Applied Sciences project has increased to \$72,500,000; and

Whereas, Western Michigan University has agreed to fund the increase in the project cost of \$22,500,000, with the State commitment remaining at \$37,500,000; and

Whereas, Section 246 of 1984 PA 431, as amended, being MCL § 18.1246, provides that the cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Michigan Legislature recognizes the need to increase the total authorized cost for the Western Michigan University College of Engineering and Applied Sciences project to an amount not to exceed \$72,500,000 (State Building Authority share \$37,499,900; State General Fund/General Purpose share \$100; Western Michigan University share \$35,000,000); and that the Legislature intends to continue to appropriate funds for construction subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That a copy of this resolution be transmitted to the State Budget Director, the Director of the Department of Management and Budget, and Western Michigan University.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 104.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Kalamazoo Valley Community College relative to the Kalamazoo Valley Community College Arcadia Commons Campus Phase II.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Kalamazoo Valley Community College (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Kalamazoo Valley Community College Arcadia Commons Campus Phase II (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Kalamazoo Valley Community College Arcadia Commons Campus Phase II project shall not exceed \$22,400,000 (the Authority share is \$11,199,900, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$11,200,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$11,199,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$1,070,000 and \$1,850,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Kalamazoo Valley Community College and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 105.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Community College District of Monroe County relative to the Community College District of Monroe County Business and Technical Center, Library, and Welding and Fastening Project.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of the Community College District of Monroe County (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Business and Technical Center, Library, and Welding and Fastening Project (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the the Community College District of Monroe County Business and Technical Center, Library, and Welding and Fastening Project shall not exceed \$2,500,000 (the Authority share is \$1,249,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$1,250,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$1,249,800, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$115,000 and \$195,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of the Community College District of Monroe County, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

Reports of Standing Committees

The Committee on Transportation, by Rep. Gilbert, Vice-Chair, reported

House Bill No. 5806, entitled

A bill to amend 1980 PA 119, entitled "Motor carrier fuel tax act," by amending sections 2 and 4 (MCL 207.212 and 207.214), as amended by 1996 PA 584.

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 5806 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor,
Nays: None.

The Committee on Transportation, by Rep. Gilbert, Vice-Chair, reported

House Bill No. 5807, entitled

A bill to amend 1927 PA 150, entitled "An act to prescribe a privilege tax for the use of the public highways by owners and drivers of motor vehicles by imposing a specific tax upon the sale or use, within the state of Michigan, of

motor fuel; to prescribe the manner and the time of paying this tax and the duties of officials and others respecting the payment and collection of this tax; to provide for the licensing of wholesale distributors, certain retail dealers, exporters, and suppliers as defined in this act; to fix a time when this tax and interest and penalties thereon become a lien upon the property of persons, firms, partnerships, associations, or corporations, subject to the payment of this tax; to provide for the enforcement of this lien; to permit the inspection and testing of petroleum products; to provide for certain exemptions and refunds and for the disposition of the proceeds of this tax; and to prescribe penalties for the violation of this act," by amending sections 8, 22, and 34 (MCL 207.108, 207.122, and 207.134), sections 8 and 34 as amended by 1997 PA 83 and section 22 as amended by 1998 PA 29.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5807 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Ruth Johnson, Patterson, Shackleton, Tabor, Kilpatrick,
Nays: None.

The Committee on Transportation, by Rep. Gilbert, Vice-Chair, reported

Senate Bill No. 961, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 252a and 719 (MCL 257.252a and 257.719), section 252a as amended by 1981 PA 104 and section 719 as amended by 1996 PA 136.

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 961 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Hart, Ruth Johnson, Patterson, Shackleton, Tabor, Kilpatrick, Brewer,
Jamnick, Lemmons,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gilbert, Vice-Chair of the Committee on Transportation, was received and read:

Meeting held on: Thursday, May 18, 2000, at 3:37 p.m.,

Present: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Shackleton,
Tabor, Kilpatrick, Brewer, Jamnick, Lemmons, Reeves,

Absent: Reps. Bovin, Schermesser,

Excused: Reps. Bovin, Schermesser.

The Committee on Family and Children Services, by Rep. Hart, Chair, reported

House Bill No. 5548, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17015 (MCL 333.17015), as added by 1993 PA 133.

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 5548 To Report Out:

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

Nays: Rep. Jacobs.

The Committee on Family and Children Services, by Rep. Hart, Chair, reported
Senate Bill No. 738, entitled

A bill to prohibit the use of certain unsafe children's products; to prohibit child care facilities from using or having on the facility premises certain unsafe children's products; to prescribe powers and duties of certain departments, officers, and agencies; to provide for the promulgation of rules to carry out the provisions of this act; and to prescribe penalties for violation of the provisions of this act.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 738 To Report Out:

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

Nays: None.

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, May 23, 2000, at 8:30 a.m.,

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

Absent: Reps. LaForge, Hardman.

The Committee on Agriculture and Resource Management, by Rep. Green, Chair, reported
House Bill No. 4943, entitled

A bill to designate the cherry burger as the official burger of this state.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4943 To Report Out:

Yeas: Reps. Green, Julian, DeRossett, Ehardt, Howell, Rick Johnson, Brater, Hansen, Sheltroun, Spade,

Nays: None.

The Committee on Agriculture and Resource Management, by Rep. Green, Chair, reported
House Bill No. 4992, entitled

A bill to designate an official plant of this state.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4992 To Report Out:

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

Nays: None.

The Committee on Agriculture and Resource Management, by Rep. Green, Chair, reported
Senate Bill No. 709, 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.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 709 To Report Out:

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

Nays: Rep. LaForge.

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

Senate Bill No. 830, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 1996 PA 582.

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 830 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 23, 2000, at 8:00 a.m.,

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

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

House Bill No. 5503, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 215 (MCL 750.215), as amended by 1991 PA 145.

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 5503 To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman, Baird, O'Neil,

Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

House Bill No. 5504, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16l of chapter XVII (MCL 777.16l), as amended by 1999 PA 168.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5504 To Report Out:

Yeas: Reps. Faunce, Bishop, Richner, Sanborn, Shulman, Baird, Jacobs, O'Neil,

Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported
Senate Bill No. 373

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 1, 5, 11, 12, 13, 14, 15, 16a, 16b, 16c, 16d, 16e, 16f, 16g, 16h, 16i, 16j, 16k, 16l, 16m, 16n, 16o, 16p, 16q, 16r, 16s, 16t, 16u, 16v, 16w, 16x, 16y, 16z, 17, 18, 19, 21, 35, 36, 43, 47, 48, 54, and 55 of chapter XVII (MCL 777.1, 777.5, 777.11, 777.12, 777.13, 777.14, 777.15, 777.16a, 777.16b, 777.16c, 777.16d, 777.16e, 777.16f, 777.16g, 777.16h, 777.16i, 777.16j, 777.16k, 777.16l, 777.16m, 777.16n, 777.16o, 777.16p, 777.16q, 777.16r, 777.16s, 777.16t, 777.16u, 777.16v, 777.16w, 777.16x, 777.16y, 777.16z, 777.17, 777.18, 777.19, 777.21, 777.35, 777.36, 777.43, 777.47, 777.48, 777.54, and 777.55), sections 1, 5, 12, 14, 15, 16a, 16b, 16c, 16e, 16h, 16i, 16j, 16k, 16l, 16m, 16n, 16o, 16p, 16q, 16r, 16s, 16t, 16u, 16v, 16w, 16x, 16y, 18, 19, 21, 35, 36, 43, 47, 48, 54, and 55 as added by 1998 PA 317, section 11 as amended by 1999 PA 90, section 13 as amended by 1999 PA 61, section 16d as amended by 1999 PA 192, section 16f as amended by 1999 PA 45, section 16g as amended by 1999 PA 39, section 16l as amended by 1999 PA 168, section 16z as amended by 1999 PA 186, and section 17 as amended by 1999 PA 67; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-2) 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 373 To Report Out:

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

Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

Senate Bill No. 1222, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15 of chapter IV (MCL 764.15), as amended by 1999 PA 269.

With the recommendation that the substitute (H-2) 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 1222 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 23, 2000, at 9:30 a.m.,

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

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

House Bill No. 4245, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2150 (MCL 324.2150), as amended by 1996 PA 585.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4245 To Report Out:

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

Nays: None.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported
House Bill No. 4246, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 2150a.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4246 To Report Out:

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

Nays: None.

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

House Bill No. 4474, entitled

A bill to amend 1977 PA 89, entitled "State aid to public libraries act," by amending section 5 (MCL 397.555).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4474 To Report Out:

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

Nays: None.

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

House Bill No. 5043, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 260 (MCL 206.260), as amended by 1996 PA 484.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 5043 To Report Out:

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

Nays: None.

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

Senate Bill No. 1191, entitled

A bill to amend 1993 PA 330, entitled "State real estate transfer tax act," by amending section 6 (MCL 207.526), as amended by 1994 PA 255.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1191 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 23, 2000, at 9:00 a.m.,

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Friday, May 19, for his approval of the following bill:

Enrolled House Bill No. 4809 at 11:14 a.m.

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

House Bill Nos. 5808 5809 5810 5811 5812 5813

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, May 23, for his approval of the following bills:

Enrolled House Bill No. 4400 at 11:46 a.m.

Enrolled House Bill No. 5227 at 11:48 a.m.

Enrolled House Bill No. 5230 at 11:50 a.m.

Enrolled House Bill No. 5270 at 11:52 a.m.

Enrolled House Bill No. 5443 at 11:54 a.m.

Enrolled House Bill No. 5444 at 11:56 a.m.

Enrolled House Bill No. 5582 at 11:58 a.m.

Enrolled House Bill No. 5592 at 12:00 p.m.

Enrolled House Bill No. 5593 at 12:02 p.m.

Enrolled House Bill No. 5595 at 12:04 p.m.

Enrolled House Bill No. 5596 at 12:06 p.m.

Enrolled House Bill No. 5597 at 12:08 p.m.

Enrolled House Bill No. 5598 at 12:10 p.m.

Enrolled House Bill No. 5600 at 12:12 p.m.

Enrolled House Bill No. 5601 at 12:14 p.m.

Enrolled House Bill No. 5602 at 12:16 p.m.

Enrolled House Bill No. 5603 at 12:18 p.m.

Enrolled House Bill No. 5604 at 12:20 p.m.

Enrolled House Bill No. 5620 at 12:22 p.m.

Enrolled House Bill No. 5626 at 12:24 p.m.

Enrolled House Bill No. 5631 at 12:26 p.m.

Enrolled House Bill No. 5633 at 12:28 p.m.

The Clerk announced that the following Senate bills had been received on Tuesday, May 23:

Senate Bill Nos. 859 937 940 941 945 1108 1109 1212 1251 1253

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4205, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 115 (MCL 750.115).

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. 5316, entitled

A bill to authorize certain governmental units to issue notes or bonds for planning for the acquisition, construction, improvement, or installation of safe drinking water facilities; to provide security for the payment of the principal of and interest on the notes or bonds; and to prescribe the powers and duties of certain governmental units.

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. 4238, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 27 of chapter IX (MCL 769.27) and by adding section 1g to chapter IX.

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 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending sections 1e, 16a, and 27 of chapter IX (MCL 769.1e, 769.16a, and 769.27), section 1e as added by 1993 PA 360 and section 16a as amended by 1999 PA 87, and by adding section 1h to chapter IX.

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

House Bill No. 4239, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 64 (MCL 791.264).

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

The Senate has passed the bill as substituted (S-2) and ordered that it be given immediate effect.

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

House Bill No. 5232, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2955b.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 378, entitled

A bill to amend 1931 PA 328, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," (MCL 750.1 to 750.568) by adding section 174a.

The Senate has amended the House substitute (H-4) as follows:

1. Amend page 5, line 18, by striking out all of line 18 and inserting "90 days after the date it is enacted."

The Senate has concurred in the House substitute (H-4) as amended, ordered that the bill be given immediate effect and agreed to the full title.

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

Senate Bill No. 597, entitled

A bill to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 16i of chapter XVII (MCL 777.16i), as added by 1998 PA 317.

The Senate has amended the House substitute (H-1) as follows:

1. Amend page 2, following line 36, enacting section 1, after "effect" by striking out the balance of the enacting section and inserting "90 days after the date it is enacted."

The Senate has concurred in the House substitute (H-1) as amended, ordered that the bill be given immediate effect and agreed to the full title.

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

Senate Bill No. 859, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 667a.

The Senate has passed the bill.

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

Senate Bill No. 937, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law therein on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to provide for a restructuring of rates for certain utilities; to encourage the utilization of resource recovery facilities; to provide for appeals; to provide appropriations; to declare the effect of this act; to prescribe penalties; and to repeal all acts contrary to this act," by amending section 6l (MCL 460.6l), as added by 1982 PA 304, and by adding sections 10, 10a, 10b, 10c, 10d, 10e, 10f, 10g, 10p, 10q, 10r, 10s, 10t, 10v, 10w, 10x, 10y, and 10aa.

The Senate has passed the bill.

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

Senate Bill No. 940, entitled

A bill to amend 1951 PA 35, entitled "An act to authorize intergovernmental contracts between municipal corporations; to authorize any municipal corporation to contract with any person or any municipal corporation to furnish any lawful municipal service to property outside the corporate limits of the first municipal corporation for a consideration; to prescribe certain penalties; to authorize contracts between municipal corporations and with certain nonprofit public transportation corporations to form group self-insurance pools; and to prescribe conditions for the performance of those contracts," by amending section 3 (MCL 124.3).

The Senate has passed the bill.

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

Senate Bill No. 941, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 945, 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 Senate has passed the bill.

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

Senate Bill No. 1108, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 1109, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 348 (MCL 750.348).

The Senate has passed the bill.

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

Senate Bill No. 1212, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 911.

The Senate has passed the bill.

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

Senate Bill No. 1251, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 3, 4, 6, 7, and 10 (MCL 125.2683, 125.2684, 125.2686, 125.2687, and 125.2690), section 3 as amended by 1999 PA 98 and sections 4, 6, and 10 as amended by 1999 PA 139, and by adding sections 8c and 12a.

The Senate has passed the bill.

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

Senate Bill No. 1253, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law therein on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to provide for a restructuring of rates for certain utilities; to encourage the utilization of resource recovery facilities;

to provide for appeals; to provide appropriations; to declare the effect of this act; to prescribe penalties; and to repeal all acts contrary to this act,” (MCL 460.1 to 460.8) by adding sections 10h, 10i, 10j, 10k, 10l, 10m, 10n, 10o, and 10z. The Senate has passed the bill.

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Tax Policy from further consideration of **House Bill No. 5080**.

Rep. Minore

Introduction of Bills

Reps. Patterson, Toy and Mortimer introduced

House Bill No. 5814, 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. Hale, Thomas, Bogardus, Hardman, Daniels, Quarles, Brewer, Neumann, Rison, Clark, Garza, Reeves, Jamnick, Scott, Vaughn, Kilpatrick, Rivet, Hansen, Clarke, Dennis, Stallworth, Price and Lemmons introduced

House Bill No. 5815, entitled

A bill to amend 1967 PA 150, entitled “Michigan military act,” (MCL 32.501 to 32.851) by adding section 206.

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

Reps. Schauer, Lockwood, O’Neil, Baird, Jacobs, Hanley, Dennis, Switalski, Spade, Woodward, Wojno, Hansen, Jamnick, Gielegem, Thomas, Garza, Rivet, Sheltroun, Frank, Pestka, Neumann, Brewer, Quarles, Bogardus, Bob Brown, Callahan, Mans, Clark, Hardman and Lemmons introduced

House Bill No. 5816, entitled

A bill to create certain prescription programs relating to the elderly; to enhance access to prescription drugs to certain elderly residents of the state; to prescribe the powers and duties of certain state departments and agencies; to provide for a fund; and to make appropriations.

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

Reps. Jellema, Caul, Stamas, Gosselin, Birkholz, Richner, Pappageorge, DeVuyst, Garcia and Jansen introduced

House Bill No. 5817, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2803, 2834, 2848, 2850, and 2882 (MCL 333.2803, 333.2834, 333.2848, 333.2850, and 333.2882), section 2882 as amended by 1997 PA 54, and by adding sections 16283 and 20189.

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

Reps. Jellema, Caul, Stamas, Gosselin, Birkholz, Richner, Pappageorge, DeVuyst, Garcia and Jansen introduced

House Bill No. 5818, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 1999 PA 181; and to repeal acts and parts of acts.

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

Reps. Koetje, Bradstreet, Gosselin, Voorhees, Birkholz, Kuipers, Garcia, Toy, Garza, Hardman, Vander Roest and Jansen introduced

House Bill No. 5819, entitled

A bill to amend 1972 PA 239, entitled “McCauley-Traxler-Law-Bowman-McNeely lottery act,” by amending sections 29 and 39 (MCL 432.29 and 432.39).

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

Reps. Koetje, Bradstreet, Gosselin, Voorhees, Birkholz, Kuipers, Garcia, Toy, Garza, Hardman, Vander Roest and Jansen introduced

House Bill No. 5820, entitled

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending section 17 (MCL 431.317), as amended by 1998 PA 408.

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

Reps. Cassis, Garcia, Bisbee, Thomas, Kukuk, Gilbert, Pappageorge, Richner, O'Neil, Switalski, Gosselin, Minore, Jamnick, Jansen and Birkholz introduced

House Bill No. 5821, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 260 (MCL 206.260), as amended by 1996 PA 484.

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

Reps. Richardville, Scranton, DeRossett, Kukuk, Mans, Lockwood and Garcia introduced

House Bill No. 5822, entitled

A bill to amend 1959 PA 243, entitled "An act to define, license and regulate trailer coach parks; to prescribe the powers and duties of the state health commissioner and other state and local officers; to provide for the levy and collection of specific taxes on occupied trailers in trailer coach parks and the disposition of the revenues therefrom; to provide remedies and penalties for the violation of this act; and to repeal certain acts and parts of acts," by amending the title and sections 35, 41, 42, and 43 (MCL 125.1035, 125.1041, 125.1042, and 125.1043), section 42 as amended by 1994 PA 365.

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

Reps. Daniels, Kowall, Stallworth, Basham, Dennis, Hale, Vaughn, Bogardus, Bob Brown, Prusi, Mead, Cherry, Lockwood, Hanley, Kilpatrick, Thomas, Callahan, Jamnick, Clark, Hardman, Sheltroun, Reeves, Pestka, Stamas, Jellema, Kukuk, Gosselin, Voorhees, Middaugh, Bishop, Faunce, Van Woerkom, DeVuyt, Jansen, Pappageorge, Bradstreet, Hager, Shulman, Richardville, Sanborn and Birkholz introduced

House Bill No. 5823, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as added by 2000 PA 77, and by adding section 811m.

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

Reps. Schauer, Dennis, Callahan, Scranton and Jacobs introduced

House Bill No. 5824, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7106, 7311, 7401, 16106, 16221, 16226, 17435, 17708, 17750a, 17751, 17763, and 17766 (MCL 333.7106, 333.7311, 333.7401, 333.16106, 333.16221, 333.16226, 333.17435, 333.17708, 333.17750a, 333.17751, 333.17763, and 333.17766), section 7311 as amended by 1993 PA 80, section 7401 as amended by 1998 PA 319, sections 16106, 17708, 17751, and 17763 as amended by 1997 PA 153, section 16221 as amended by 1998 PA 227, section 16226 as amended by 1998 PA 109, sections 17435 and 17750a as added by 1994 PA 384, and section 17766 as amended by 1990 PA 30.

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

Reps. Faunce, Richardville, Law, Voorhees, Tabor, Julian, Rocca, Van Woerkom, Bradstreet, Kowall, Shackleton, LaSata, Kukuk, Cameron Brown and Cassis introduced

House Bill No. 5825, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21773 (MCL 333.21773).

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Kowall, Law, Hager, Gilbert, Shackleton, Voorhees, Vander Roest, Julian, Shulman, Richardville, Sanborn, Bisbee, Woronchak, Ruth Johnson, Rocca, Faunce, Tabor, Richner and Jansen introduced

House Bill No. 5826, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 506d.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Kukuk, Vander Roest, Law, Richardville, Caul, Ruth Johnson, Faunce, Gilbert, Toy, Tabor, Green, LaSata and Birkholz introduced

House Bill No. 5827, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21720a (MCL 333.21720a).

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Mortimer, Vear, Julian, Ehardt and Garcia introduced

House Bill No. 5828, entitled

A bill to amend 1937 PA 215, entitled "An act to authorize municipalities to own or control cemetery or burial grounds; to provide for perpetual care and maintenance; and to permit municipalities to authorize the creation of joint cemetery associations," by amending section 2 (MCL 128.2), as added by 1980 PA 366.

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

Reps. Mortimer, Vear, Julian, Ehardt and Garcia introduced

House Bill No. 5829, entitled

A bill to amend 1903 PA 81, entitled "An act to provide for the care and preservation of cemetery lots," by amending section 2 (MCL 128.82).

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

Reps. Mortimer, Vear, Julian, Ehardt and Garcia introduced

House Bill No. 5830, entitled

A bill to amend 1915 PA 113, entitled "An act prescribing the powers and duties of township boards and legislative bodies of cities and villages with relation to the care of cemeteries; and to provide for perpetual care deposits, and the disbursement thereof," by amending section 1 (MCL 128.61).

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

Reps. Mortimer, Vear, Julian, Ehardt and Garcia introduced

House Bill No. 5831, entitled

A bill to amend 1909 PA 95, entitled "An act to authorize township boards of trustees to receive and hold property, real or personal, left to the board in trust for the upkeep of a cemetery or lots in a cemetery, and permitting the board to expend the funds in accordance with the trust," by amending section 2 (MCL 128.72).

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

Rep. Jelinek introduced

House Bill No. 5832, entitled

A bill to amend 1961 PA 112, entitled "An act to authorize and provide for the issuance and sale of bonds and notes of the state; to provide funds for making loans to school districts for payment of principal and interest on certain school bonds; to provide for use of moneys repaid to the state by school districts; and to make an appropriation," by amending the title and sections 1 and 2 (MCL 388.981 and 388.982), the title and section 2 as amended by 1991 PA 64, and by adding sections 1a and 1b.

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

Rep. Jelinek introduced

House Bill No. 5833, entitled

A bill to amend 1961 PA 108, entitled "An act to provide for loans by the state of Michigan to school districts for the payment of principal and interest upon school bonds; to prescribe the terms and conditions of the loans and the conditions upon which levies for bond principal and interest shall be included in computing the amount to be so loaned by the state; to prescribe the powers and duties of the superintendent of public instruction and the state treasurer in relation to such loans; to provide for the repayment of such loans; to provide incentives for repayment of such loans; to provide for other matters in respect to such loans; and to make an appropriation," by amending the title and sections 1, 2, 3, 4, 4a, 5, 6, 7, 8, 9, 9b, 10, 10a, 11, and 12 (MCL 388.951, 388.952, 388.953, 388.954, 388.954a, 388.955, 388.956, 388.957, 388.958, 388.959, 388.959b, 388.960, 388.960a, 388.961, and 388.962), the title and sections 6 and 9 as amended and section 9b as added by 1991 PA 65, sections 2, 4, and 11 as amended by 1992 PA 228, section 3 as

amended by 1985 PA 25, section 4a as amended by 1991 PA 22, section 5 as amended by 1983 PA 124, and section 10 as amended and section 10a as added by 1989 PA 6, and by adding sections 1a, 9c, 10b, 10c, and 11a; and to repeal acts and parts of acts.

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

Rep. Jansen moved that the House adjourn.

The motion prevailed, the time being 11:59 p.m.

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

GARY L. RANDALL
Clerk of the House of Representatives.