

**No. 5**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**90th Legislature**  
**REGULAR SESSION OF 1999**

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House Chamber, Lansing, Tuesday, February 2, 1999.

2:00 p.m.

The House was called to order by the Speaker.

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

Allen—present	Frank—present	Kuipers—present	Rison—present
Baird—present	Garcia—present	Kukuk—present	Rivet—present
Basham—present	Garza—present	LaForge—present	Rocca—present
Birkholz—present	Geiger—present	LaSata—present	Sanborn—present
Bisbee—present	Gielegem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—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	Jamnack—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—excused	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—present	Quarles—present	Vear—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—present	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Rep. Clark Bisbee, from the 64th District, offered the following invocation:

“O Heavenly Father, give us the grace to be heard today as we prepare to begin this legislative session. Please Lord, help the families and friends of the terrible plant explosion yesterday in Dearborn cope with their loss. Give us an appreciative perception of our blessings and thanks for the comforts of our lives. Help guide us today and all days as we pursue the will of the people. In Your name, we pray. Amen.”

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Rep. DeWeese moved that Rep. Jellema be excused from this week's sessions due to illness. The motion prevailed.

### **Motions and Resolutions**

Reps. Raczkowski and Kilpatrick offered the following concurrent resolution:

#### **House Concurrent Resolution No. 7.**

A concurrent resolution prescribing the Joint Rules of the House of Representatives and the Senate.

Resolved by the House of Representatives (the Senate concurring), That the following be and are hereby adopted as the Joint Rules of the House of Representatives and the Senate:

### **JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES**

#### **Transmission of Papers.**

Rule 1. All messages necessary for conducting legislative business between the two Houses shall be communicated by the Secretary of the Senate and the Clerk of the House of Representatives.

#### **Amendments.**

Rule 2. It shall be in the power of either House to amend an amendment made by the other to any bill or resolution.

#### **Conferences.**

Rule 3. (a) The House not concurring in the amendments of the other House shall appoint conferees and notify the amending House of its action. The amending House shall request return of the bill or appoint conferees. Upon appointment of conferees by both Houses, the bill shall be referred to the conference committee. The conference committee shall consist of three members from each House, to be appointed as each House may determine. The first named member of the House in which the bill originated shall be chairperson of the conference committee.

(b) The conference committees of the two Houses shall vote separately while in conference, the majority of each committee to determine the attitude to be taken toward the propositions of the conference committee. If the conferees agree, they shall make a report which shall be signed by at least a majority of the conferees of each House. The official bill, including the original signed conference report, and three copies of the report shall be filed in the House of origin where the question shall be on the adoption of the conference report. If the conference report is adopted, the official bill, including the original signed conference report, and two copies of the conference report shall be transmitted to the other House where the question shall be on the adoption of the conference report. If the conference report is adopted in the other House, the bill and the original signed copy of the conference report shall be returned to the House of origin and referred for enrollment printing and presentation to the Governor.

#### **Clerk of Conference.**

Rule 4. The conference clerk shall be the committee clerk from the House of origin, who shall immediately inform the Secretary of the Senate and the Clerk of the House of all scheduled meetings for public posting. Conference committees on appropriation bills may use fiscal agency personnel for clerks.

#### **Conference Report: Rejection.**

Rule 5. If the conference report is rejected by the House of origin, it shall appoint conferees and notify the other House of its action. The procedure shall then be the same as for an original conference.

If the conference report is rejected by the other House, it shall appoint conferees, notify the House of origin of its action and transmit the official bill to the House of origin. Upon receipt of the bill, the House of origin shall appoint conferees and refer the bill to the second conference committee. The procedure shall then be the same as for an original conference.

**Disagreement of Conferees.**

Rule 6. If the conferees are unable to agree, they shall report that fact to both Houses and the bill shall accompany the report to the House of origin. Both Houses shall appoint conferees and the House of origin shall refer the bill to the second conference committee. The procedure shall then be the same as for an original conference.

**Second Conference: Failure.**

Rule 7. When a second conference committee fails to reach agreement, or when a second conference report is rejected by either House, no further conference is in order.

**Power of Conferees.**

Rule 8. The conference committee shall not consider any matters other than the matters of difference between the two Houses. For all bills making appropriations, adoption of a substitute by either House shall not open identical provisions contained in the other House passed version of the bill as a matter of difference; nor shall the adoption of a substitute by either House open provisions not contained in either House version of the bill as a matter of difference. When the conferees arrive at an agreement on the matters of difference that affects other parts of the bill, the conferees may recommend amendments to conform with the agreement. The conferees may also recommend amendments to the other parts of the bill which will be limited to necessary date revisions, adjusting totals, cross references, misspelling and punctuation correction, conflict amendments for bills enacted into law, additional anticipated federal or other flow through funding, and corrections to any errors in the bill or the title.

**Adoption of Conference Report.**

Rule 9. Conference reports shall not be subject to amendments or division. The vote on conference reports shall be taken by "yeas" and "nays" and shall require the same number of votes constitutionally required for passage of the bill. Conference reports shall not be considered until printed in the Journal. The Journal printing requirement may be suspended by a majority vote in either House, provided that a printed copy of the conference report has been placed on each member's desk.

**Points of Order.**

Rule 10. Points of order regarding conference reports shall be decided by the presiding officer, subject to an appeal, which appeal shall be determined by a majority vote. The ruling out of a conference report is a rejection of the report. Either House may refer the conference report back to the conference committee with instructions to eliminate from the report such matters as have been declared not within the powers of the conferees to consider.

**Either House May Recede.**

Rule 11. At any time while in possession of the bill, either House may recede from its position in whole or in part and the bill may be returned to the other House for that purpose; and if this further action is agreed to by both Houses, the bill shall be referred for enrollment printing and presentation to the Governor.

**Correction of Errors.**

Rule 12. If errors are found in a bill which has been passed by both Houses, the House in which the bill originated may make amendments to correct the errors and shall notify the other House of its action. If the corrective amendments are agreed to by the other House, the corrected bill shall be referred for enrollment printing and presentation to the Governor.

**Bills and Joint Resolutions.**

Rule 13. The same joint resolution shall not propose an amendment to the Constitution on more than one subject matter, but more than one section of the Constitution may be included in the same joint resolution, if the subject matter of each section is germane to the proposed amendment. No bill shall include upon introduction, catch lines, a severing clause, or a general repealing clause, as distinguished from a specific or an express repealing clause, and the Secretary of the Senate and the Clerk of the House of Representatives shall delete such catch lines and clauses from all bills.

**Yeas and Nays.**

Rule 14. The yeas and nays shall be taken and entered upon the Journal of the House taking action upon the passage of any bill, joint resolution, conference report and amendments made by the other House to a bill or joint resolution.

**No Members Present.**

Rule 15. In the event the presiding officer and all members are absent on a day scheduled for meeting, then the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, shall call that House to order at the designated time, announce the absence of a quorum and declare that House adjourned until the succeeding legislative day and hour previously designated.

In any event where either or both Houses of the Legislature adjourns to a date certain for more than two days, a committee composed of the Majority Leader of the Senate and the Speaker of the House of Representatives may by a unanimous vote of that committee convene either or both Houses of the Legislature at any time in case of emergency.

If a gubernatorial appointment that is subject to the advice and consent process is made at a time such that 60 days would lapse during an extended recess of the Senate, the Senate Majority Leader may schedule a session of the Senate for the sole purpose of carrying out the Senate's constitutional duties to advise and consent on gubernatorial appointments. No other action shall be taken by the Senate during session convened under this provision. The Senate Majority Leader shall notify the Secretary of the Senate at least 10 calendar days prior to the date of the scheduled session, and the Secretary of the Senate shall take all reasonable steps to notify the members of the Senate of the scheduled session.

### **Passage and Enrollment Printing of Bills.**

Rule 16. Every bill which has passed both Houses and returned to the House of origin shall forthwith be enrolled and presented to the Governor unless the House having last passed the bill requests its return and such request be granted, or unless a motion is made in the House of origin to amend errors in the bill or to give the bill immediate effect.

Every bill, joint resolution and concurrent resolution which is passed by either House shall forthwith be transmitted to the other House unless notice is given from the floor or written notice is filed with the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, that a motion to reconsider will be made on the next succeeding legislative day, in which case the bill, joint resolution and concurrent resolution shall remain in that House until after adjournment the next succeeding legislative day, when, if no motion is made in accordance with such notice, the bill, joint resolution and concurrent resolution shall immediately be transmitted. The notice of intention to move a reconsideration shall be printed on the daily calendar.

### **Immediate Effect.**

Rule 17. Whenever both Houses, by the constitutional vote, direct that any bill shall take effect immediately, a statement shall be added thereto at the enrollment of the bill in words to this effect: "This act is ordered to take immediate effect."

### **Joint Resolutions.**

Rule 18. Joint resolutions shall be used for the following purposes:

1. Amendments to the Constitution of Michigan.
2. Ratification of amendments to the Constitution of the United States submitted by the Congress.
3. Matters upon which power is solely vested in the Legislatures of the several states by the Constitution of the United States.

Joint resolutions proposing amendments to the Constitution of Michigan shall require a 2/3 vote of the members serving in each House for adoption; other joint resolutions may be adopted by a majority of the members serving in each House. All joint resolutions shall require a record roll call vote.

### **Enrollment of Bill Passed Over Veto.**

Rule 19. Whenever a bill has passed both Houses of the Legislature, notwithstanding the objections of the Governor, or not filed by the Governor within the constitutional time limit, or whenever a joint resolution proposing an amendment to the Constitution shall have been passed by both Houses in the manner prescribed by the Constitution, such bill or joint resolution shall be signed by the Secretary of the Senate and the Clerk of the House of Representatives who shall each attach a certificate to such enrolled copy, to the effect that the bill or joint resolution has been passed by the Senate and House, respectively, in accordance with the provisions of the Constitution, and shall forthwith file the bill or joint resolution in the office of the Secretary of State.

### **Section Numbers of Compiled Laws - Amendments.**

Rule 20. The title of every bill to amend or repeal existing laws shall be clear and explicit so as to definitely fix what is proposed to be done. Such title shall refer to the act number and the year in which it was passed, and if passed at an extra session of the Legislature, shall designate what extra session.

Such title shall contain the last title of the act it is proposed to amend, except in all cases where by legislative enactment an act has been given a short title (e.g., This act shall be known and may be cited as "The judicature act of 1915,") the short title shall be used. It shall also contain the chapter and part numbers and the compiler's section numbers, if any, and the year of the compilation containing the same.

Following the passage of a bill with a short title in the House other than the House of origin, the title shall there be amended by striking out the short title and inserting in lieu thereof the last full title of the act it is proposed to amend or repeal, together with such other corrective amendments to the title as may be necessary, which amended title shall thereafter be agreed to by the House in which the bill originated.

When a bill to amend an existing law is printed, words proposed to be added to such law shall be printed in upper case (capital) type; the words to be omitted shall be printed in stricken-through type.

All bills introduced, substitute bills and conference committee reports shall be approved as to form and section numbers by the Legislative Service Bureau.

**Tie-bars.**

Rule 21. A bill that is tie-barred to a request number will not be considered for passage unless that tie-barred request item has been introduced. No bill shall be passed by either House which has a blank space which has not been filled in.

**Elections in Joint Convention.**

Rule 22. Whenever there shall be an election of any officer in joint convention, the result shall be certified by the President of the Senate and the Speaker of the House of Representatives; shall be announced by the presiding officers to their respective Houses; shall be entered on the Journal of each; and shall be communicated to the Governor by the Secretary of the Senate and the Clerk of the House of Representatives.

**Legislative Handbook.**

Rule 23. As soon as possible after the announcement of initial appointment of the standing committee members of the two Houses, is printed in their respective Journals, the Secretary of the Senate and the Clerk of the House of Representatives shall prepare and have printed a legislative handbook containing such information as the Secretary of the Senate and Clerk of the House of Representatives deem advisable.

**Mileage and Compensation.**

Rule 24. Warrants for members, officers and employees of the Legislature shall be delivered to the Secretary of the Senate or Clerk of the House of Representatives who shall transmit same to the payees named therein.

If for any reason the office of a member of the Legislature becomes vacant, and a successor to such member shall be elected and shall qualify for the office, the compensation of such successor in office shall be paid to him or her from the date of his or her qualification.

**Committee Expenses.**

Rule 25. No committee created by concurrent resolution shall incur expenses in excess of \$1,000.00 unless authorized in the resolution creating such committee.

**Final Adjournment of Regular Sessions.**

Rule 26. In the regular session in each year, this rule for adjournment shall govern.

The Majority Floor Leader of the Senate and/or the Majority Floor Leader of the House of Representatives shall introduce a concurrent resolution providing for an adjournment schedule for the Legislature for that regular session.

**Daily Adjournment.**

Rule 27. Neither House shall remain in session on any legislative day beyond the hour of 12:00 midnight. It shall be the duty of the presiding officer of either body, if either House be in session at the hour of 12:00 midnight, to declare that House adjourned until the fixed hour for meeting on the next legislative day, whereupon said House shall stand adjourned.

**Pending Business.**

Rule 28. Any business, bill or joint resolution which has not been defeated by either the Senate or House of Representatives shall be deemed pending under the provisions of Article 4, Section 13 of the Constitution.

It shall not be in order for either House, by suspension of rules or any other means, to reconsider in a subsequent year the vote by which any business, bill, joint resolution or veto override was defeated in a previous year.

Pending the reference of the concurrent resolution to a committee,

Rep. Raczkowski moved that Rule 77 be suspended and the concurrent 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 concurrent resolution,

The concurrent resolution was adopted.

**Second Reading of Bills****House Bill No. 4034, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51b. The bill was read a second time.

Rep. LaForge moved to substitute (H-1) the bill.

### Point of Order

Rep. Raczkowski requested a ruling from the Chair as to whether the substitute (H-1) offered by Rep. LaForge is germane. The Chair ruled that the substitute (H-1) is not germane pursuant to House Rule 64. This substitute introduces a new proposition which is not germane to the subject matter of the bill as introduced and as it is currently before the House.

Rep. Kilpatrick appealed the decision of the Chair.

The question being, "Shall the judgment of the Chair stand as the judgment of the House?"

The judgment of the Chair stood as the judgment of the House, a majority of the members present and voting, voting therefor, by yeas and nays, as follows:

#### Roll Call No. 5

#### Yeas—56

Allen	Garcia	Kowall	Richner
Birkholz	Geiger	Kuipers	Rocca
Bisbee	Gilbert	Kukuk	Sanborn
Bishop	Godchaux	LaSata	Scranton
Bradstreet	Gosselin	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	Raczkowski	Voorhees
Faunce	Koetje	Richardville	Woronchak

#### Nays—52

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	Jamnick	Prusi	Thomas
Clarke	Kelly	Quarles	Vaughn
Daniels	Kilpatrick	Reeves	Wojno
DeHart	LaForge	Rison	Woodward

In The Chair: Perricone

Rep. Schauer moved to substitute (H-3) the bill.

### Point of Order

Rep. Raczkowski requested a ruling from the Chair as to whether the substitute (H-3) offered by Rep. Schauer is germane.

The Chair ruled that the substitute (H-3) is not germane pursuant to House Rule 64. This substitute introduces a new proposition which is not germane to the subject matter of the bill as introduced and as it is currently before the House.

Rep. Kilpatrick appealed the decision of the Chair.

The question being, "Shall the judgment of the Chair stand as the judgment of the House?"

The judgment of the Chair stood as the judgment of the House, a majority of the members present and voting, voting therefor, by yeas and nays, as follows:

**Roll Call No. 6****Yeas—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			

**Nays—52**

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	Jamnick	Prusi	Thomas
Clarke	Kelly	Quarles	Vaughn
Daniels	Kilpatrick	Reeves	Wojno
DeHart	LaForge	Rison	Woodward

In The Chair: Perricone

Rep. Cherry, having reserved the right to explain her nay vote, made the following statement:

"Mr. Speaker and members of the House:

I voted no on upholding the ruling of the Chair because the ruling prevents this House from taking up an income tax cut that is bigger and better for the families in my district.

The debate today is not on whether the income tax should be cut. The debate today is on how the income tax should be cut.

Under the Democrat's plan, the bigger your family, the bigger your tax cut. Under the Republican tax plan, the bigger your salary, the bigger your tax cut. Both plans cut the income tax by the same amount, so the debate should be over who gets the most relief. In my district, the Democratic plan provides more relief for working families.

The Chair's decision prevents the House from even debating this issue, so I voted against it. I am also appalled that members have not been allowed to even finish their comments."

Reps. Callahan and Wojno, having reserved the right to explain their nay vote, made the following statement:

"Mr. Speaker and members of the House:

I voted no on upholding the ruling of the Chair because the ruling prevents this House from taking up an income tax cut that is bigger and better for the families in my district.

The debate today is not on whether the income tax should be cut. The debate today is on how the income tax should be cut.

Under the Democrat's plan, the bigger your family, the bigger your tax cut. Under the Republican tax plan, the bigger your salary, the bigger your tax cut. Both plans cut the income tax by the same amount, so the debate should be over who gets the most relief. In my district, the Democratic plan provides more relief for working families.

The Chair's decision prevents the House from even debating this issue, so I voted against it."

Rep. Quarles, having reserved the right to explain her nay vote, made the following statement:

"Mr. Speaker and members of the House:

I voted no on upholding the ruling of the Chair because the ruling prevents this House from taking up an income tax cut that is bigger and better for the families in my district.

The debate today is not on whether the income tax should be cut.

The Democrat's plan is fairer and will give more of a tax break to the families of Michigan. In my District 36 the Democratic plan provides more relief for working families.

The Chair's decision prevents the House from even debating this issue, so I voted against it."

Rep. Bovin, having reserved the right to explain his nay vote, made the following statement:

"Mr. Speaker and members of the House:

I voted no on upholding the ruling of the Chair because the action does not allow me to explore a potential larger and better tax break.

I do agree with a cut of the income tax; however, we should at the same time consider all aspects so as to be fair. Under the proposed HB 4034, high school and college students would still be paying taxes in Michigan under a lower threshold than at the Federal I.R.S. rules.

Many people in my district and throughout the state would pay less income taxes under substitute bills which address the personal exemption.

We should explore all possibilities because this legislation is important and will have impact for many years."

Rep. Basham, having reserved the right to explain his nay vote, made the following statement:

"Mr. Speaker and members of the House:

I voted on upholding the ruling of the Chair because the ruling prevents the House from taking up an income tax cut that is bigger and better for the families of the 22nd House District.

The debate today is not whether we cut taxes or not, but what is more fair. The Democrat plan is more fair. The Chair's decision prevents the House from even debating this issue, therefore, I voted against it."

Rep. Pestka, having reserved the right to explain his nay vote, made the following statement:

"Mr. Speaker and members of the House:

I voted no on upholding the ruling of the Chair because it prevents a debate on a crucial matter of public policy affecting our state.

Given the importance of the issue I believe that an evaluation of both positions would have been in Michigan's best interest."

Rep. Neumann, having reserved the right to explain his nay vote, made the following statement:

"Mr. Speaker and members of the House:

I voted no on upholding the ruling of the Chair because the ruling prevents this House from taking up an income tax cut far better for the families in my district.

Today the debate is not on whether the income tax should be cut. The debate today should be on how the income tax should be cut.

Under the Democrat's plan the most people in my district get the most relief. Under the Republican tax plan the smaller your salary the smaller your tax cut - the bigger your salary the bigger your tax cut. The Republican plan is for the wealthy. Both plans cut the income tax by the same amount, so the debate should be over who gets the most relief. In my district, the Democratic plan provides more relief for all families.

The Chair's decision prevents the House from even debating this issue, so I voted against it."

Rep. Jamnick, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no on upholding the ruling of the Chair because the ruling continues this House from taking up an income tax cut bigger and better for the families in my district.

Debate today is not whether the income tax should be cut, but how much! Under the Democrat’s plan, the bigger your family, the bigger your tax cut. Under the Republican tax plan, the bigger your salary, the bigger your tax cut. Both plans cut the income tax by the same amount, so the debate should be over who gets the most relief. In my district, the Democratic plan provides more relief for working families.

The decision continues the absolute disregard for opinions of others which began in our Tax Policy Committee last week.”

Rep. Minore, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no on upholding the decision of the Chair because:

(a) the Chair’s decision effectively precluded meaningful debate on an issue critical to the people of the State; and

(b) precluded debate on a tax cut that would provide significant relief to the people at the State of Michigan and the people of the 49th District in particular.”

Rep. Woodward moved to amend the bill as follows:

1. Amend page 1, line 6, by striking out all enacting section 1 and inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 90th Legislature are enacted into law:

(a) House Bill No. 4035.

(b) House Bill No. 4153.”.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

After debate,

Rep. Byl demanded the previous question.

The demand was supported.

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

The previous question was ordered.

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

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

**Roll Call No. 7**

**Yeas—52**

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	Jamnick	Prusi	Thomas
Clarke	Kelly	Quarles	Vaughn
Daniels	Kilpatrick	Reeves	Wojno
DeHart	LaForge	Rison	Woodward

**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	Raczkowski	Voorhees
Faunce	Koetje	Richardville	Woronchak
Garcia			

In The Chair: Perricone

Rep. Schauer moved to amend the bill as follows:

1. Amend page 1, line 5, after "OF" by striking out "4.31" and inserting "4.39".
2. Amend page 1, line 6, after "1." by striking out the balance of the enacting section and inserting "Section 30d of the income tax act of 1967, 1967 PA 281, MCL 206.30d, is repealed.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 4153 of the 90th Legislature is enacted into law."

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

The demand was supported.

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

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

### Roll Call No. 8

### Yeas—52

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	Jamnick	Prusi	Thomas
Clarke	Kelly	Quarles	Vaughn
Daniels	Kilpatrick	Reeves	Wojno
DeHart	LaForge	Rison	Woodward

### 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: Perricone

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

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

“Enacting section 1. This amendatory act takes effect until submitted at the same time that House Bill No. 4153 of the 90th Legislature is submitted, in the same manner as provided by law for proposed amendments to the state Constitution of 1963, to the qualified electors of the state at the general election to be held in November 2000. Only the House Bill, either House Bill No. 4034 or House Bill No. 4153, that receives the most votes at that election shall continue in effect after the date of the election.” and renumbering the remaining enacting section.

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. 9

#### Yeas—49

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

#### Nays—59

Allen	Garcia	Kowall	Rocca
Birkholz	Geiger	Kuipers	Sanborn
Bisbee	Gilbert	Kukuk	Scranton
Bishop	Godchaux	LaSata	Shackleton
Bradstreet	Gosselin	Law	Shulman
Brown, C.	Green	Mead	Stamas
Byl	Hager	Middaugh	Tabor
Cassis	Hart	Mortimer	Tesanovich
Caul	Howell	Pappageorge	Toy
Cherry	Jansen	Patterson	Van Woerkom

DeRossett	Jelinek	Perricone	Vander Roest
DeVuyst	Johnson, Rick	Pumford	Vear
DeWeese	Johnson, Ruth	Raczkowski	Voorhees
Ehardt	Julian	Richardville	Woronchak
Faunce	Koetje	Richner	

In The Chair: Perricone

Rep. Richardville 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. 4034, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51b.  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 10

#### Yeas—97

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

#### Nays—12

Baird	Hanley	LaForge	Rivet
Brater	Jacobs	Martinez	Scott
Clark	Kilpatrick	Minore	Vaughn

In The Chair: Perricone

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



Rep. Jacobs, 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 cannot in good conscience vote in favor of this tax cut because I am concerned that this tax cut will be balanced on the backs of our children who need to be assured of full and continued funding for education. This bill does not ‘hold harmless’ the school aid fund.”

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:

House Bill 4034 does not represent the tax fairness the residents of Michigan deserve. Hastily advanced, without meaningful debate or analysis, the passage of this bill and its companions represents a sacrifice of policy for politics. In fact, efforts to amend this package of bills to benefit the working people of Michigan were ruled not germane. Tax relief should be considered, but far more broadly and in a manner that is not reliant on a strong economy or does not jeopardize important programs for our children, retirees and working families.”

**Second Reading of Bills**

**House Bill No. 4033, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 51c.  
 The bill was read a second time.

Rep. Julian 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. 4033, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 51c.  
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 11**

**Yeas—96**

Allen	Ehardt	Kowall	Richner
Basham	Faunce	Kuipers	Rocca
Birkholz	Frank	Kukuk	Sanborn
Bisbee	Garcia	LaSata	Schauer
Bishop	Garza	Law	Schermesser
Bogardus	Geiger	Lemmons	Scranton
Bovin	Gielegem	Lockwood	Shackleton
Bradstreet	Gilbert	Mans	Sheltrown
Brewer	Godchaux	Mead	Shulman
Brown, B.	Gosselin	Middaugh	Spade

Brown, C.	Green	Mortimer	Stallworth
Byl	Hager	Neumann	Stamas
Callahan	Hale	O'Neil	Switalski
Cassis	Hansen	Pappageorge	Tabor
Caul	Hardman	Patterson	Tesanovich
Cherry	Hart	Perricone	Thomas
Clark	Howell	Pestka	Toy
Clarke	Jansen	Price	Van Woerkom
Daniels	Jelinek	Prusi	Vander Roest
DeHart	Johnson, Rick	Pumford	Vear
Dennis	Johnson, Ruth	Quarles	Voorhees
DeRossett	Julian	Raczkowski	Wojno
DeVuyst	Kelly	Reeves	Woodward
DeWeese	Koetje	Richardville	Woronchak

### Nays—12

Baird	Jacobs	LaForge	Rivet
Brater	Jamnick	Martinez	Scott
Hanley	Kilpatrick	Minore	Vaughn

In The Chair: Perricone

The House agreed to the title of the bill.

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

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

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Rep. Jacobs, having reserved the right to explain her protest against passage of the bill, made the following statement:  
 “Mr. Speaker and members of the House:

I cannot in good conscience vote in favor of this tax cut because I am concerned that this tax cut will be balanced on the backs of our children who need to be assured of full funding for education. This bill does not ‘hold harmless’ the school aid fund.”

Rep. Jamnick, having reserved the right to explain her protest against passage of the bill, made the following statement:  
 “Mr. Speaker and members of the House:

I voted no on this bill and the remaining bills in the income tax reduction. Financial information had been requested from the state treasurer after the Tax Policy committee met last week on the financial impact testimony of the reductions he made.

I was told it would be provided and at this time this information has not been made available for my review.”

---

Rep. Schauer moved that Rep. Rison be excused temporarily from today’s session.  
 The motion prevailed.

### Second Reading of Bills

#### House Bill No. 4036, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 51d.

The bill was read a second time.

Rep. Howell 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. 4036, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51d.  
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 12**

**Yeas—97**

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

**Nays—12**

Baird	Jacobs	LaForge	Rivet
Brater	Jamnick	Martinez	Scott
Hanley	Kilpatrick	Minore	Vaughn

In The Chair: Perricone

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

Rep. Jacobs, 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 cannot in good conscience vote in favor of this tax cut because I am concerned that this tax cut will be balanced on the backs of our children who will need to be assured of full funding for their education. This bill does not 'hold harmless' the school aid fund."

### Second Reading of Bills

#### House Bill No. 4037, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51e. The bill was read a second time.

Rep. Woronchak 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. 4037, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 51e.

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

#### Roll Call No. 13

#### Yeas—97

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

#### Nays—12

Baird	Jacobs	LaForge	Rivet
Brater	Jamnick	Martinez	Scott
Hanley	Kilpatrick	Minore	Vaughn

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

Rep. Jacobs, 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 cannot in good conscience vote in favor of this tax cut because I am concerned that this tax cut will be balanced on the backs of our children who will need to be assured of full funding for their education. This bill does not ‘hold harmless’ the school aid fund.”

### Second Reading of Bills

#### House Bill No. 4038, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 51f.  
 The bill was read a second time.

Rep. Cassis 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. 4038, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 51f.

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

### Roll Call No. 14

### Yeas—97

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

Dennis  
DeRossett  
DeVuyst  
DeWeese  
Ehardt

Julian  
Kelly  
Koetje  
Kowall

Raczkowski  
Reeves  
Richardville  
Richner

Voorhees  
Wojno  
Woodward  
Woronchak

### Nays—12

Baird  
Brater  
Hanley

Jacobs  
Jamnick  
Kilpatrick

LaForge  
Martinez  
Minore

Rivet  
Scott  
Vaughn

In The Chair: Perricone

The House agreed to the title of the bill.

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

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

Rep. Jacobs, 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 cannot in good conscience vote in favor of this tax cut because I am concerned that this tax cut will be balanced on the backs of our children who will need to be assured of full funding for their education. This bill does not ‘hold harmless’ the school aid fund.”

### Second Reading of Bills

#### House Bill No. 4035, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 51 (MCL 206.51), as amended by 1995 PA 194.

The bill was read a second time.

Rep. Quarles moved to amend the bill as follows:

1. Amend page 3, following line 19, by inserting:

“(8) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE AMOUNT DEPOSITED IN THE SCHOOL AID FUND CREATED IN SECTION 11 OF ARTICLE IX OF THE STATE CONSTITUTION OF 1963 EACH YEAR PURSUANT TO SUBSECTION (2) SHALL NOT BE LESS THAN THE AMOUNT DEPOSITED IN THAT FUND IN THE IMMEDIATELY PRECEDING YEAR. THE DEPARTMENT SHALL ANNUALIZE THE AMOUNTS AS NECESSARY TO DETERMINE COMPLIANCE WITH THIS SUBSECTION.” and renumbering the remaining subsection.

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. 15

### Yeas—52

Baird  
Basham

Dennis  
Frank

Lemmons  
Lockwood

Rivet  
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	Jamnick	Prusi	Thomas
Clarke	Kelly	Quarles	Vaughn
Daniels	Kilpatrick	Reeves	Wojno
DeHart	LaForge	Rison	Woodward

**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	Raczkowski	Voorhees
Faunce	Koetje	Richardville	Woronchak
Garcia			

In The Chair: Perricone

Rep. Van Woerkom 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. 4035, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 1995 PA 194.

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

**Roll Call No. 16****Yeas—104**

Allen	Faunce	Koetje	Richardville
Baird	Frank	Kowall	Richner
Basham	Garcia	Kuipers	Rison
Birkholz	Garza	Kukuk	Rivet
Bisbee	Geiger	LaSata	Rocca



## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 2, 1999, at 10:30 a.m.,

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

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 2, 1999, at 12:30 p.m.,

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

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 2, 1999, at 1:00 p.m.,

Present: Reps. Geiger, Cameron Brown, Byl, Caul, Godchaux, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Stamas, Toy, Price, Cherry, Clarke, Kelly, Pestka, Prusi, Tesanovich,

Absent: Reps. Jellema, Jansen, Scranton, Frank, Martinez, Stallworth,

Excused: Reps. Jellema, Jansen, Scranton, Frank, Martinez, Stallworth.

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bills and joint resolutions had been printed and placed upon the files of the members, Friday, January 29:

**House Bill Nos.** 4013 4014 4015 4016 4017 4018 4019 4020 4021 4022 4023 4024 4025 4026  
4027 4028 4029 4030 4031 4032

**House Joint Resolutions** A B

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Monday, February 1:

**House Bill Nos.** 4039 4040 4041 4042 4043 4044 4045 4046 4047 4048 4049 4050 4051 4052  
4053 4054 4055 4056 4057

**House Joint Resolution** C

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Tuesday, February 2:

**House Bill Nos.** 4058 4059 4060 4061 4062 4063 4064 4065 4066 4067 4068 4069 4070 4071  
4072 4073 4074 4075 4076 4077 4078 4079 4080 4081 4082 4083 4084 4085  
4086 4087 4088 4089 4090 4091 4092 4093 4094 4095 4096 4097 4098 4099  
4100 4101 4102 4103 4104 4105 4106 4107 4108 4109 4110 4111

**House Joint Resolution** D

The Clerk announced that the following Senate bill had been received on Tuesday, February 2:

**Senate Bill No.** 60

By unanimous consent the House returned to the order of

**Messages from the Senate****Senate Bill No. 60, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 402b (MCL 550.1402b), as added by 1996 PA 516.

The Senate has passed the bill.

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

### Notices

February 1, 1999

Gary Randall, Clerk  
Michigan House of Representatives  
State Capitol Building  
Lansing, Michigan 48913  
Dear Mr. Clerk

As Speaker of the House, I have appointed the following members to the subcommittees of the Standing Committee on Appropriations for the 90th Legislature:

#### **AGRICULTURE**

Reps. Pumford (C), Jelinek (VC), Jansen, Mead, Tesanovich (Min. VC), Stallworth.

#### **COMMUNITY COLLEGES**

Reps. Stamas (C), Godchaux (VC), Byl, Jelinek, Pestka (Min. VC), Kelly.

#### **COMMUNITY HEALTH**

Reps. Geiger (C), Scranton (VC), Caul, Jansen, Kukuk, Martinez (Min. VC), Cherry, Stallworth.

#### **CONSUMER AND INDUSTRY SERVICES/MICHIGAN JOBS COMMISSION**

Reps. Godchaux (C), Kukuk (VC), Jellema, Scranton, Prusi (Min. VC), Cherry.

#### **CORRECTIONS**

Reps. LaSata (C), Mortimer (VC), Cameron Brown, Geiger, Pumford, Prusi (Min. VC), Cherry, Stallworth.

#### **FAMILY INDEPENDENCE AGENCY**

Reps. Jansen (C), Toy (VC), Godchaux, Kukuk, Mortimer, Price (Min. VC), Clarke, Martinez.

#### **FISCAL OVERSIGHT, AUDIT AND LITIGATION**

Reps. Geiger (C), LaSata (VC), Clarke.

#### **GENERAL GOVERNMENT**

Reps. Pappageorge (C), Kukuk (VC), Byl, Stamas, Martinez (Min. VC), Frank.

#### **HIGHER EDUCATION**

Reps. Caul (C), Mead (VC), Godchaux, Jellema, LaSata, Price (Min. VC), Frank, Prusi.

#### **JOINT CAPITAL OUTLAY**

Reps. Jellema (C), Toy (VC), Mortimer, Pappageorge, Pumford, Tesanovich (Min. VC), Clarke, Price.

#### **JUDICIARY**

Reps. Mortimer (C), Cameron Brown (VC), Pappageorge, Toy, Pestka (Min. VC), Frank.

#### **NATURAL RESOURCES AND ENVIRONMENTAL QUALITY**

Reps. Byl (C), Mead (VC), Cameron Brown, Caul, Tesanovich (Min. VC), Cherry.

#### **RETIREMENT**

Reps. Jansen (C), Caul (VC), LaSata, Toy, Kelly (Min. VC), Tesanovich.

#### **SCHOOL AID AND DEPARTMENT OF EDUCATION**

Reps. Jelinek (C), Stamas (VC), Geiger, Godchaux, Pumford, Kelly (Min. VC), Clarke, Martinez.

#### **STATE POLICE/MILITARY AND VETERANS AFFAIRS**

Reps. Cameron Brown (C), Pappageorge (VC), Scranton, Stamas, Frank (Min. VC), Prusi.

**SUPPLEMENTALS**

Reps. Geiger (C), Jellema, Price.

**TRANSPORTATION**

Reps. Scranton (C), Jellema (VC), Byl, Jelinek, Mead, Stallworth (Min. VC), Kelly, Pestka.

Sincerely,  
Charles R. Perricone, Speaker  
Michigan House of Representatives

**Communications from State Officers**

The following communication from the Department of Consumer and Industry Services was received and read:

January 15, 1999

Attached is a copy of the preliminary report on the state of competition in the workers' compensation insurance market. This report and certification were prepared in accordance with the requirements of Section 2409 of the Insurance Code, MCLA 500.2409.

Sincerely,  
Frank M. Fitzgerald  
Commissioner of Insurance

The communication was referred to the Clerk.

The following communication from the Department of State Police was received and read:

January 29, 1999

As chair of the Board of Directors of the Michigan Automobile Theft Prevention Authority (ATPA), I am pleased to submit our 1998 Annual Report to the House. This report is in accordance with provisions of Act 174 of 1992.

Sincerely,  
Michael D. Robinson  
Director

The communication was referred to the Clerk.

**Introduction of Bills**

Reps. Stamas, Jelinek, Kukuk, Jansen, DeHart, Van Woerkom and Sanborn introduced

**House Bill No. 4112, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4o (MCL 205.54o), as added by 1994 PA 156.

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

Reps. Stamas, Kukuk, Jansen, Sanborn and DeHart introduced

**House Bill No. 4113, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 267 (MCL 18.1267).

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

Reps. Birkholz, Schermesser, Jansen, Sanborn, Voorhees, Gosselin, Mortimer, Kuipers, Jelinek, Tabor, Garcia, Ruth Johnson, Richner, Godchaux, Stamas, DeVuyst, Toy, Hart, Koetje, Woronchak, Shulman, Kowall, Shackleton, Kukuk, Van Woerkom, Faunce, LaSata, Pumford, Vander Roest and Scott introduced

**House Bill No. 4114, entitled**

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 111.

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

Reps. Schermesser, DeHart, O'Neil, Minore and Mans introduced

**House Bill No. 4115, entitled**

A bill to regulate the disclosure of certain personal information about an individual under certain circumstances; and to provide for a civil remedy.

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

Reps. Schermesser, DeHart, Schauer, Martinez, Wojno, O'Neil, Hale, Minore, Bovin, Mans, Prusi and Tesanovich introduced

**House Bill No. 4116, entitled**

A bill to amend 1911 PA 235, entitled "An act to provide for the payment and reimbursement by counties, in certain cases upon application therefor, of expenses incurred in the burial of the bodies of honorably discharged members of the armed forces of the United States, or their spouses, and to repeal certain acts or parts of acts," by amending section 1 (MCL 35.801).

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

Reps. Schermesser, DeHart, Martinez, Hale, Minore and Mans introduced

**House Bill No. 4117, entitled**

A bill to amend 1993 PA 92, entitled "Seller disclosure act," by amending the title and section 10 (MCL 565.960).

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

Reps. Allen, Rick Johnson, Pappageorge, Patterson, Bishop, Tabor, Middaugh, Mead, Bradstreet, Ruth Johnson, Law, Stamas, Kuipers, DeVuyst, Gilbert, Birkholz, Mortimer, Hart, Koetje, Woronchak, DeWeese and Vear introduced

**House Bill No. 4118, 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 sections 5, 7, and 7a (MCL 124.5, 124.7, and 124.7a), sections 5 and 7 as amended and section 7a as added by 1988 PA 36.

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

Reps. Vander Roest, Birkholz, Gosselin, Garcia, Mortimer, Bradstreet, Woronchak, Vear, Raczkowski and Cassis introduced

**House Bill No. 4119, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2 (MCL 205.92), as amended by 1998 PA 366, and by adding sections 8 and 8a.

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

Reps. Woronchak, Vander Roest, Birkholz, Gosselin, Garcia, Mortimer, Bradstreet, Vear, Cassis and Raczkowski introduced

**House Bill No. 4120, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 1, 7, and 7a (MCL 205.51, 205.57, and 205.57a), section 1 as amended by 1998 PA 451 and sections 7 and 7a as added by 1984 PA 32.

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

Reps. Vear, Cameron Brown, Kuipers, Mortimer, Ehardt, Bisbee and Raczkowski introduced

**House Bill No. 4121, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 9 (MCL 208.9), as amended by 1996 PA 347.

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

Reps. Vear, Toy, Mortimer, Caul, Kuipers, Ehardt, Bisbee and Raczkowski introduced  
**House Bill No. 4122, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86; 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. Kukuk, Garcia, Sheltroun, Jelinek, Mortimer, Kowall, DeHart, Julian, Green, Voorhees and Rocca introduced  
**House Bill No. 4123, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 227g. The bill was read a first time by its title and referred to the Committee on Conservation and Outdoor Recreation.

Reps. Kukuk, Garcia, Sheltroun, Gilbert, Jelinek, Mortimer, Kowall, DeHart, Julian, Green, Voorhees and Rocca introduced

**House Bill No. 4124, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license; to provide for the forfeiture of firearms possessed in violation of this act; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 12 (MCL 28.432) and by adding section 5.

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

Reps. Kukuk, Garcia, Sheltroun, Jelinek, Mortimer, Kowall, DeHart, Julian, Green, Voorhees and Rocca introduced  
**House Bill No. 4125, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license; to provide for the forfeiture of firearms possessed in violation of this act; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 12 (MCL 28.432).

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

Rep. Faunce introduced

**House Bill No. 4126, entitled**

A bill to regulate benefits provided to certain public employee retirement system participants in this state; and to prescribe powers and duties of certain retirement systems, state departments, public officials, and public employees.

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

Reps. Baird, Martinez, Jacobs, Cherry, Schauer, Bob Brown, Vaughn, Brater, Jamnick, LaForge, Hanley, Bovin, Hansen, Gielegem, Switalski, Pestka, Bogardus, Minore, Dennis, Garza, Sheltroun, Rison, Kelly, Daniels, O'Neil, Clarke, Schermesser, Tesanovich, Price, Neumann, Wojno, Kilpatrick, Callahan, Spade, Quarles, Scott, Lockwood, Hardman, Clark, Woodward, Hale, Frank, Rivet, Prusi, Mans, Lemmons, DeHart, Basham and Reeves introduced

**House Bill No. 4127, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 21035a, 21051a, and 21051b.

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

Rep. Scranton introduced

**House Bill No. 4128, entitled**

A bill to provide for standards for contracts involving certain residential and care services; and to provide for remedies.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Rep. Scranton introduced

**House Bill No. 4129, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2851 (MCL 333.2851), as added by 1996 PA 284.

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

Rep. Scranton introduced

**House Bill No. 4130, entitled**

A bill to establish an elderly support subsidy program; and to prescribe certain powers and duties to certain state departments, agencies, and officers.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Rep. Scranton introduced

**House Bill No. 4131, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86; and to repeal acts and parts of acts.

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

Rep. Scranton introduced

**House Bill No. 4132, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 115o.

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

Rep. Reeves introduced

**House Bill No. 4133, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 65 (MCL 211.65) and by adding section 70d.

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

Reps. Jansen, Mans and Scranton introduced

**House Bill No. 4134, entitled**

A bill to amend 1846 RS 12, entitled "Of certain state officers," by amending section 33 (MCL 14.33), as amended by 1996 PA 563.

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

Reps. Jansen, Kuipers and Mans introduced

**House Bill No. 4135, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 443a.

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

Reps. Jansen, Kukuk, Mans and Scranton introduced

**House Bill No. 4136, entitled**

A bill to amend 1971 PA 140, entitled "State revenue sharing act of 1971," by amending section 14a (MCL 141.914a).

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

Reps. Jansen, Garcia, Mans and Scranton introduced

**House Bill No. 4137, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39c.

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

Rep. Voorhees moved that the House adjourn.  
The motion prevailed, the time being 5:45 p.m.

The Speaker declared the House adjourned until Wednesday, February 3, at 2:00 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives.

