

No. 18
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
90th Legislature
REGULAR SESSION OF 1999

House Chamber, Lansing, Wednesday, March 3, 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	Gielegthem—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—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		

Rep. Deborah Cherry, from the 50th District, offered the following invocation:

“Dear Heavenly Father, bless us this day as we come together to do the will of the people of this state. Guide us in our decisions and grant us Your wisdom and guidance as we conduct business on behalf of Michigan’s citizens. Watch over and protect us. In Your name we pray. Amen.”

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

Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:
House Resolution No. 29.

A resolution offered as a memorial for Charles H. Varnum, former member of the House of Representatives.

Whereas, The members of this legislative body were saddened to learn of the passing of Charles H. Varnum, who served the people of his community, state, and nation throughout his life. The many people in the Capitol who worked with him during his sixteen years as a legislator extend their personal condolences to his family. His gifts of talent and dedication will long be remembered; and

Whereas, The unselfishness of Charlie Varnum took many forms throughout his productive life in public service. He was a veteran of the Marine Corps from 1951 to 1954, a teacher in the Manistique Schools, a member of the Schoolcraft County Board of Supervisors, and a member and mayor pro tempore with the Manistique City Council before his election to the Michigan House of Representatives in 1966. In Lansing, his understanding of education and local government issues made him a respected voice in policy debates. His eight terms as a lawmaker encompassed an era of great change in Michigan, and Representative Varnum’s insights were highly valued on both sides of the political aisle; and

Whereas, Mr. Varnum did not end his commitment to public service with his retirement from the House of Representatives in 1982. He served with great distinction as the Manistique city manager, where his characteristic effectiveness at helping solve problems continued. Clearly, Charlie Varnum leaves behind an impressive legacy of dedication to others; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of respect to honor the memory of Charles H. Varnum, a member of this legislative body from 1967 to 1982; and be it further

Resolved, That copies of this resolution be transmitted to the Varnum family as evidence of our sincerest sympathies.

The question being on the adoption of the resolution,

The resolution was adopted by a unanimous standing vote.

Second Reading of Bills

House Bill No. 4011, entitled

A bill to amend 1905 PA 157, entitled “An act to provide for the acquisition, maintenance, management, and control of township parks, resorts, bathing beaches, and places of recreation; to provide for the creation of a township park commission; to provide for a board of commissioners to provide for the issuance of bonds and the levy of taxes; to provide for the transfer of certain real property for parks; to authorize cities and villages to appropriate money for park purposes; to provide for the acquisition, construction, and use of wharves, piers, docks, and landing places in townships; and to provide the powers and duties of certain local units of government and certain officials,” by amending section 6 (MCL 41.426), as added by 1989 PA 79.

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

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

Rep. Shulman 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. 4011, entitled

A bill to amend 1905 PA 157, entitled “An act to provide for the acquisition, maintenance, management, and control of township parks, resorts, bathing beaches, and places of recreation; to provide for the creation of a township park commission; to provide for a board of commissioners to provide for the issuance of bonds and the levy of taxes; to provide for the transfer of certain real property for parks; to authorize cities and villages to appropriate money for park purposes; to provide for the acquisition, construction, and use of wharves, piers, docks, and landing places in townships; and to provide the powers and duties of certain local units of government and certain officials,” by amending section 6 (MCL 41.426), as added by 1989 PA 79.

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

Roll Call No. 61

Yeas—100

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

Nays—7

Cherry	Daniels	Rison	Vaughn
Clark	Hardman	Scott	

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.

Reps. Allen, Basham, Birkholz, Bisbee, Bovin, Brewer, Cameron Brown, Byl, Callahan, Cassis, Clark, Clarke, DeHart, Dennis, DeRossett, DeVuyst, Ehardt, Faunce, Garcia, Garza, Gilbert, Gosselin, Hager, Hansen, Hardman, Howell, Jamnick, Jansen, Jelinek, Rick Johnson, Julian, Koetje, Kowall, Kuipers, Kukuk, LaSata, Law, Lockwood, Mead, Middaugh, Minore, Neumann, Pappageorge, Patterson, Pumford, Raczkowski, Reeves, Sanborn, Sheltroun, Switalski, Toy, Van Woerkom, Vander Roest, Vear, Voorhees, Wojno and Woodward were named co-sponsors of the bill.

Second Reading of Bills

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.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Criminal Law and Corrections (for amendments, see House Journal No. 14, p. 215),

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

Rep. Jacobs moved to amend the bill as follows:

1. Amend page 2, following line 20, subsection (2), after "(2)" by striking out the balance of the subsection and inserting "WAIVER OF COUNSEL AT THE TRIAL, PLEA-TAKING, OR PRIOR SENTENCING HEARING IS NOT A WAIVER OF COUNSEL FOR PURPOSES OF A HEARING UNDER THIS SECTION."

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

Rep. Stamas moved that the bill be placed on the order of Third Reading of Bills.

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

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. 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.

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

Roll Call No. 62

Yeas—106

Allen	Faunce	Kuipers	Rivet
Baird	Frank	Kukuk	Rocca
Basham	Garcia	LaForge	Sanborn
Birkholz	Geiger	LaSata	Schauer
Bisbee	Gielegghem	Lockwood	Schermesser
Bishop	Gilbert	Mans	Scott
Bogardus	Godchaux	Martinez	Scranton
Bovin	Gosselin	Mead	Shackleton
Bradstreet	Green	Middaugh	Sheltroun
Brater	Hager	Minore	Shulman
Brewer	Hale	Mortimer	Spade
Brown, B.	Hanley	Neumann	Stallworth
Brown, C.	Hansen	O'Neil	Stamas
Byl	Hardman	Pappageorge	Switalski
Callahan	Hart	Patterson	Tabor
Cassis	Howell	Perricone	Tesanovich
Caul	Jacobs	Pestka	Thomas

Cherry	Jamnick	Price	Toy
Clark	Jansen	Prusi	Van Woerkom
Clarke	Jelinek	Pumford	Vander Roest
Daniels	Johnson, Rick	Quarles	Vaughn
DeHart	Johnson, Ruth	Raczkowski	Vear
Dennis	Julian	Reeves	Voorhees
DeRossett	Kelly	Richardville	Wojno
DeVuyst	Kilpatrick	Richner	Woodward
DeWeese	Koetje	Rison	Woronchak
Ehardt	Kowall		

Nays—1

Garza

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.

Second Reading of Bills

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).

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Criminal Law and Corrections (for amendment, see House Journal No. 14, p. 215),

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

Rep. Stamas moved that the bill be placed on the order of Third Reading of Bills.

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

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. 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).

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

Roll Call No. 63**Yeas—109**

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

Nays—0

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.

House Bill No. 4059, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 1603 (MCL 324.1603), as added by 1995 PA 60.

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

Roll Call No. 64**Yeas—108**

Allen	Faunce	Kowall	Richner
Baird	Frank	Kuipers	Rivet
Basham	Garcia	Kukuk	Rocca
Birkholz	Garza	LaForge	Sanborn
Bisbee	Geiger	LaSata	Schauer
Bishop	Gielegthem	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	Jamnick	Perricone	Toy
Clarke	Jansen	Pestka	Van Woerkom
Daniels	Jelinek	Price	Vander Roest
DeHart	Johnson, Rick	Prusi	Vaughn
Dennis	Johnson, Ruth	Pumford	Vear
DeRossett	Julian	Quarles	Voorhees
DeVuyst	Kelly	Raczkowski	Wojno
DeWeese	Kilpatrick	Reeves	Woodward
Ehardt	Koetje	Richardville	Woronchak

Nays—0

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.

Reps. Bisbee, Cameron Brown, Byl, Cassis, Clarke, DeHart, Dennis, Ehardt, Faunce, Gilbert, Gosselin, Hager, Hansen, Rick Johnson, Julian, Kowall, Kuipers, Kukuk, LaSata, Minore, O'Neil, Patterson, Richner, Rocca, Scott, Scranton, Shackleton, Shulman, Tabor, Toy, Van Woerkom, Vander Roest, Vaughn, Voorhees, Wojno and Woodward were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 4247, entitled**

A bill to designate the part of highway M-5 located in the area lying between the interchange of highways I-96, I-696, and I-275 and 8 Mile road in the city of Farmington Hills and the city of Farmington as the "Keith Deacon Memorial highway"; and to prescribe the duties of the state transportation department.

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

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

Rep. Raczkowski moved that the bill be placed on the order of Third Reading of Bills.

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

House Bill No. 4013, entitled

A bill to amend 1931 PA 285, entitled "An act to provide for city, village and municipal planning; the creation, organization, powers and duties of planning commissions; the regulation and subdivision of land; and to provide penalties for violation of the provisions of this act," by amending section 8 (MCL 125.38).

The bill was read a second time.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Vear, Ehardt, Woronchak, Faunce, Toy, LaSata, Bradstreet, Mortimer, Allen, Kuipers, Rocca, Koetje, Pumford, DeHart, Bovin, DeRossett, Byl, Vander Roest, Wojno, DeVuyst, Baird, Woodward, Cassis, Rick Johnson, Kelly, Vaughn, Cherry, Hale, Jansen, Kilpatrick and Raczkowski offered the following resolution:

House Resolution No. 28.

A resolution to memorialize the Congress of the United States to limit interest rates on credit cards.

Whereas, In recent years, credit card use has increased throughout the country. Most consumers are flooded with applications to obtain credit cards. In addition to solicitations from traditional credit and lending institutions, like banks and credit unions, many organizations, from school alumni groups to other groups with shared interests, promote the accumulation and use of credit cards; and

Whereas, With all of the credit cards in use, it is likely that fewer and fewer people understand the conditions and terms of their cards, particularly how the interest rates are determined. Another result of the proliferation of credit cards is the increased opportunity for a company to follow unscrupulous practices. While most lenders strive to compete by offering interest rates and terms comparable to one another, some observers are concerned about abuses in setting rates; and

Whereas, Setting a cap for interest rates allowable on credit cards can be a reasonable and effective response to concerns of abuse in rate setting if the level set for a limit does not harm the marketplace. Placing a cap at not more than ten percentage points over the treasury discount rate can provide protection while allowing the market to determine interest rates for credit cards; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to limit interest rates on credit cards to a level not to exceed ten percentage points higher than the treasury discount rate; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Insurance and Financial Services.

Reps. Vear, Garcia, Julian, Green, DeWeese, DeRossett, Bradstreet, Jelinek, Sheltroun, Gilbert, Kukuk, Bisbee, Bishop, Gosselin, Hager, Shulman, Hart, Caul, Mortimer, Shackleton, Ehardt, Tabor, LaSata, Switalski, Toy, Patterson, Kuipers, Rocca, Bovin, DeHart, Raczkowski, Scranton, Byl, Kowall, Vander Roest, Pappageorge, DeVuyst, Middaugh, Koetje, Cassis, Van Woerkom, Faunce, Rick Johnson, Woronchak and Voorhees offered the following concurrent resolution:

House Concurrent Resolution No. 12.

A concurrent resolution to memorialize the Congress of the United States to prohibit the federal government from suing gun manufacturers.

Whereas, In the wake of a recent jury decision awarding damages against gun manufacturers in a federal district court, increasing attention is focusing on lawsuits against gunmakers. In addition to those actions in Brooklyn, several cities and local units of government in other parts of the country have initiated legal actions, and some states are apparently considering lawsuits; and

Whereas, The law-abiding gun industry in this country already follows an extensive network of federal and state laws and regulations. Few enterprises are more closely watched or restricted, and many gun manufacturers are leaders in promoting public safety through a variety of programs; and

Whereas, The process of manufacturing a lawful product honestly and according to acceptable standards and being able to do so without threat of harassment suits is very important to our country. It is wrong to project concerns for some of society's problems onto businesses making legitimate products properly. If lawsuits like those seeking to blame gun manufacturers for crime damage are allowed to proliferate, there is no telling what harm will occur in any number of key American industries; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to prohibit the federal government from suing gun manufacturers; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The concurrent resolution was referred to the Committee on House Oversight and Operations.

Reports of Standing Committees

The Committee on Insurance and Financial Services, by Rep. Sanborn, Chair, reported

House Bill No. 4318, entitled

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales," by amending section 1 (MCL 445.111), as amended by 1998 PA 126.

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 2, line 11, after "sale" by inserting "OR SOLICITATION".

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

Favorable Roll Call

HB 4318 To Report Out:

Yeas: Reps. Sanborn, Bisbee, Bishop, DeVuyst, Ehardt, Hager, Julian, Law, Richner, Van Woerkom, Wojno, Basham, Bob Brown, Clark, Daniels, O'Neil, Scott,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Sanborn, Chair of the Committee on Insurance and Financial Services, was received and read:

Meeting held on: Wednesday, March 3, 1999, at 9:00 a.m.,

Present: Reps. Sanborn, Bisbee, Bishop, DeVuyst, Ehardt, Hager, Julian, Law, Richner, Van Woerkom, Wojno, Basham, Bob Brown, Clark, Daniels, O'Neil, Scott,

Absent: Reps. Rick Johnson, Shackleton, Hale, Thomas,

Excused: Reps. Rick Johnson, Shackleton, Hale, Thomas.

The Committee on Gaming and Casino Oversight, by Rep. Koetje, Chair, reported

House Bill No. 4259, entitled

A bill to amend 1975 PA 169, entitled "Charitable organizations and solicitations act," by amending the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 20, 21, and 23 (MCL 400.272, 400.273, 400.274, 400.275, 400.276, 400.277, 400.278, 400.279, 400.280, 400.281, 400.282, 400.283, 400.286, 400.287, 400.288, 400.290, 400.291, and 400.293), section 13 as amended by 1992 PA 299, and by adding sections 3a, 19, 19a, 19b, 19c, 19d, 22a, 23a, 23b, and 23c; and to repeal acts and parts of acts.

The committee recommended that the bill be referred to the Committee on Regulatory Reform.

Favorable Roll Call

HB 4259 To Report Out:

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

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Regulatory Reform.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 3, 1999, at 10:30 a.m.,

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 3, 1999, at 10:30 a.m.,

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

Absent: Rep. Woodward,

Excused: Rep. Woodward.

Announcement by the Clerk of Printing and Enrollment

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

Senate Bill Nos.	337	338	339	341	342	343	344	345	346	347	348	349	350	351
	352	353	354	355	356	357	358	359	360	361	363	364	365	366
	367	368	369	370	371	372	374	375	376	378	379	380	381	382
	383	384	385	386	387	388	389	391	392	393	394			

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, March 3:

House Bill Nos.	4350	4351	4352	4353	4354	4355	4356	4357	4358	4359	4360	4361	4362
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The Clerk announced that the following Senate bill had been received on Wednesday, March 3:

Senate Bill No. 201

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 201, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 803 (MCL 168.803), as amended by 1997 PA 137.

The Senate has passed the bill.

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

Notices

Public Hearing

Committee on Agriculture and Resource Management

Date: Tuesday, March 16, 1999

Time: 9:00 a.m.

Place: Michigan State University, Meat Laboratory, Anthony Hall, Room 1320, East Lansing, Michigan

Rep. Green,

Chair

Agenda: Touring the Meat and Veterinary Medicine Laboratories at Michigan State University and any/or all business properly before this committee.

Messages from the Governor

The following message from the Governor was received and read:

March 2, 1999

Pursuant to Article V, Section 14 of the Michigan Constitution of 1963, I hereby transmit the following list of commutations and pardons granted during 1998:

Herman Cortez - Sentenced to Life for the crime of Drug Law over 650 Grams. Commuted on December 7, 1998. The commutation was based upon the affirmative recommendation of the Michigan Parole Board.

Guy Michael Smith - Sentenced to Life for the crime of Drug Law over 650 Grams. Commuted on December 7, 1998. The commutation was based upon the affirmative recommendation of the Michigan Parole Board.

Sincerely,
John Engler
Governor

The message was referred to the Clerk.

Communications from State Officers

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

February 22, 1999

Pursuant to the provisions of the Campaign Finance Act, 1976 PA 388, as amended, MCL 169.1 *et seq.* (the "Act"), the various dollar figures specified in section 46 have been reviewed in light of the changes in the Consumer Price Index compiled by the United States Department of Labor and the number of registered voters in the state. By this letter I am transmitting the results of that review in accordance with the provisions of section 46. These figures are not recommendations for legislative changes.

Sincerely,
Candice S. Miller
Secretary of State

The communication was referred to the Clerk.

Introduction of Bills

Reps. Stallworth, Thomas, Schauer, Daniels, Vaughn, Garza and Scott introduced

House Bill No. 4363, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 2907, 2909, and 2911.

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

Reps. Stallworth, Thomas, Schauer, Daniels, Garza and Scott introduced

House Bill No. 4364, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 29.

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

Reps. Stallworth, Thomas, Schauer, Daniels, Vaughn, Garza and Scott introduced

House Bill No. 4365, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 2913, 2915, and 2917.

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

Reps. Stallworth, Thomas, Schauer, Daniels, Vaughn, Garza and Scott introduced

House Bill No. 4366, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 2919, 2921, 2923, 2925, and 2927.

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

Reps. Stallworth, Thomas, Schauer, Daniels, Vaughn, Garza and Scott introduced

House Bill No. 4367, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 7 (MCL 24.207), as amended by 1996 PA 489.

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

Reps. Scranton, Brater, Martinez, Schauer, LaForge, Baird, Bogardus, Jacobs, Clarke, Jellema, Rocca, Cassis, Voorhees, Kowall, Gosselin, Birkholz, Sanborn, Tabor, Spade and Hale introduced

House Bill No. 4368, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17752 (MCL 333.17752).

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

Reps. Brater, Scranton, Martinez, Stallworth, Schauer, LaForge, Bogardus, Baird, Jacobs, Dennis, Quarles, Clarke, Daniels, Scott, Minore, Jellema, Rocca, Cassis, Voorhees, Gosselin, Birkholz, Sanborn, Spade, Tabor and Hale introduced

House Bill No. 4369, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17753.

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

Reps. Brater, Stallworth, DeHart, LaForge, Baird, Jacobs, Dennis, Quarles, Clarke, Scott, Minore, Jellema, Hale and Daniels introduced

House Bill No. 4370, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 13 (MCL 15.243), as amended by 1996 PA 553.

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

Reps. Brater, Martinez, Stallworth, Schauer, LaForge, Cherry, Baird, Bogardus, Dennis, Quarles, Daniels, Clarke, Scott, Minore, Jellema, Hale and Thomas introduced

House Bill No. 4371, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 6.

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

Reps. Tabor, Julian, DeRossett, Van Woerkom, Sanborn, Pappageorge, Kukuk, Raczkowski, Bradstreet, Howell, Hager, Birkholz, Byl, Kowall, Vear, Garcia, Ehardt, O'Neil, Patterson and Toy introduced

House Bill No. 4372, entitled

A bill to amend 1971 PA 140, entitled "State revenue sharing act of 1971," by amending section 17 (MCL 141.917), as amended by 1987 PA 283.

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

Reps. Cassis, Woronchak, Koetje, Patterson, Allen, Gosselin, Kukuk, Vear, Law and DeVuyst introduced

House Bill No. 4373, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 2, 8, 14, and 34c (MCL 211.2, 211.8, 211.14, and 211.34c), section 2 as amended by 1993 PA 313, section 8 as amended by 1983 PA 254, and section 34c as amended by 1996 PA 476.

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

Reps. Baird, Brater, Dennis, Schauer, Schermesser, Martinez, LaForge and Jacobs introduced

House Bill No. 4374, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100a and 160 (MCL 330.1100a and 330.1160), section 100a as added by 1995 PA 290 and section 160 as added by 1983 PA 249.

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

Reps. Bogardus, Schauer, Jamnick, Gielegheem, LaForge, Bovin, Garza, Dennis, Clarke, Hansen, Callahan, Woodward, Hale, Hardman, Frank, Pestka, Rison, Basham, Minore, Kelly, Daniels, Schermesser, DeHart, Scott, Prusi, Brater, Martinez, Cherry, Price, Clark, Switalski, Quarles and O'Neil introduced

House Bill No. 4375, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending sections 19, 27, 29, and 50 (MCL 421.19, 421.27, 421.29, and 421.50), section 19 as amended by 1996 PA 535, section 27 as amended by 1995 PA 181, and sections 29 and 50 as amended by 1995 PA 25.

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

Reps. Richner, Law, Koetje, Patterson, O'Neil, Toy, Mortimer, Bishop, Vear and Cassis introduced

House Joint Resolution F, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 1, 11, 12, 13, 18, 19, 22, 23, 24, 27, and 30 of article VI; adding section 31 to article VI; and repealing sections 15 and 16 of article VI, to provide for the reorganization of the judicial branch.

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

Rep. Spade moved that the House adjourn.

The motion prevailed, the time being 3:25 p.m.

The Speaker declared the House adjourned until Thursday, March 4, at 12:00 Noon.

GARY L. RANDALL

Clerk of the House of Representatives.

