

No. 20
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
90th Legislature
REGULAR SESSION OF 1999

House Chamber, Lansing, Tuesday, March 9, 1999.

2:00 p.m.

The House was called to order by Associate Speaker Pro Tempore Scranton.

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

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

Reverend Dan Stewart, from the Griswold Street Baptist Church in Port Huron, offered the following invocation:

“My Father, it is an honor to be able to approach Your throne. And Lord, I thank You for Your son Jesus, You gave so sacrificially not only for the forgiveness of sin but also for the ability to access Your throne. And Lord, as we do that this day, I do pray Lord for wisdom that is from above for these ladies and gentlemen that serve as leaders of our country. I pray You give them wisdom, not just from experience, but also wisdom that is described as being from God. A God that is full of mercy, of love, of honesty, of justice. And I pray Lord that You would grant this room with an awareness of Your presence, an awareness of Your desire to be involved in the interactions of today. And Father, I pray that as we seek that awareness that we will respond to it, and will act with the attributes that You manifest to us. We thank You for the ability to call on You as our God, and I pray that You will grant this state with leaders that seek to lead with a fear of You. Bless this day, I pray in Christ’s name. Amen.”

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

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

Second Reading of Bills

House Bill No. 4242, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 558 (MCL 168.558), as amended by 1997 PA 137.

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

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. 4242, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 558 (MCL 168.558), as amended by 1997 PA 137.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 4231, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by repealing section 49 (MCL 169.249).

The bill was read a second time.

Rep. Bishop 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. 4060, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 80152 (MCL 324.80152), as added by 1995 PA 58.

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.

House Bill No. 4086, entitled

A bill to repeal 1947 LA 9, entitled "The act to prevent hunting, on Sunday, for game animals and game birds in the county of Macomb."

The bill was read a second time.

Rep. Rocca 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. 4086, entitled

A bill to repeal 1947 LA 9, entitled "The act to prevent hunting, on Sunday, for game animals and game birds in the county of Macomb."

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

Senate Bill No. 102, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as added by 1998 PA 328.

(The bill was read a second time, Committee amendments adopted, amendment offered and bill postponed for the day on March 4, see House Journal No. 19, p. 270.)

The question being on the adoption of the amendment offered previously by Rep. Vander Roest,

Rep. Vander Roest withdrew the amendment.

Rep. Vander Roest moved to amend the bill as follows:

1. Amend page 1, line 6, after "resolution." by inserting "THE CLERK OF THE ELIGIBLE LOCAL ASSESSING DISTRICT SHALL NOTIFY IN WRITING THE ASSESSOR OF THE LOCAL TAX COLLECTING UNIT IN WHICH THE ELIGIBLE DISTRICT IS LOCATED AND THE LEGISLATIVE BODY OF EACH TAXING UNIT THAT LEVIES AD VALOREM PROPERTY TAXES IN THE ELIGIBLE LOCAL ASSESSING DISTRICT IN WHICH THE ELIGIBLE DISTRICT IS LOCATED. BEFORE ACTING ON THE RESOLUTION, THE GOVERNING BODY OF THE ELIGIBLE LOCAL ASSESSING DISTRICT SHALL AFFORD THE ASSESSOR AND A REPRESENTATIVE OF THE AFFECTED TAXING UNITS AN OPPORTUNITY FOR A HEARING."

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

Rep. Switalski moved to amend the bill as follows:

1. Amend page 1, line 6, after "resolution." by inserting "IN A RESOLUTION ADOPTED UNDER THIS SECTION, THE GOVERNING BODY OF AN ELIGIBLE LOCAL ASSESSING DISTRICT SHALL SET FORTH A FINDING AND DETERMINATION THAT EXEMPTING ALL NEW PERSONAL PROPERTY OWNED OR LEASED BY AN ELIGIBLE BUSINESS LOCATED IN THE ELIGIBLE DISTRICT OR DISTRICTS DESIGNATED IN THE RESOLUTION, CONSIDERED TOGETHER WITH THE AGGREGATE AMOUNT OF TAXES EXEMPTED IN ANY ELIGIBLE DISTRICTS PREVIOUSLY APPROVED AND CURRENTLY IN EFFECT, SHALL NOT HAVE THE EFFECT OF SUBSTANTIALLY IMPEDING THE OPERATION OF THE ELIGIBLE LOCAL ASSESSING DISTRICT OR IMPAIRING THE FINANCIAL SOUNDNESS OF A TAXING UNIT THAT LEVIES AN AD VALOREM PROPERTY TAX ON PERSONAL PROPERTY IN THE ELIGIBLE DISTRICT OR DISTRICTS."

2. Amend page 2, line 14, after "state." by inserting "IF THE TAXABLE VALUE OF NEW PERSONAL PROPERTY PROPOSED TO BE EXEMPT UNDER A RESOLUTION ADOPTED UNDER THIS SECTION, CONSIDERED TOGETHER WITH THE TAXABLE VALUE OF PROPERTY EXEMPT IN ANY ELIGIBLE DISTRICTS PREVIOUSLY APPROVED AND CURRENTLY IN EFFECT, EXCEEDS 5% OF THE TAXABLE

VALUE OF THE ELIGIBLE LOCAL ASSESSING DISTRICT, THE STATE TAX COMMISSION, WITH THE APPROVAL OF THE STATE TREASURER, SHALL MAKE A SEPARATE FINDING AND SHALL INCLUDE A STATEMENT IN THE ORDER APPROVING THE RESOLUTION THAT EXCEEDING THAT AMOUNT SHALL NOT HAVE THE EFFECT OF SUBSTANTIALLY IMPEDING THE OPERATION OF THE LOCAL GOVERNMENTAL UNIT OR IMPAIRING THE FINANCIAL SOUNDNESS OF AN AFFECTED TAXING UNIT.”.

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

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

1. Amend page 1, line 6, after “resolution.” by inserting “NOTICE OF THE MEETING AT WHICH THE GOVERNING BODY OF THE ELIGIBLE LOCAL ASSESSING DISTRICT WILL CONSIDER A RESOLUTION TO EXEMPT ALL NEW PERSONAL PROPERTY IN AN ELIGIBLE DISTRICT OR DISTRICTS DESIGNATED IN THE RESOLUTION SHALL BE PROVIDED PURSUANT TO THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.”.

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. 68

Yeas—50

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

Nays—56

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

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

“Mr. Speaker and members of the House:

The amendment purports to be a Freedom of Information/Open Meetings Act addition to SB 102. This is currently the law and is in statute. Due to this, the amendment is a waste of taxpayer monies.”

Rep. Switalski moved to reconsider the vote by which the House did not adopt the amendments offered previously by Rep. Switalski.

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

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

Rep. Switalski demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 69

Yeas—37

Baird	Dennis	Lockwood	Sheltrown
Basham	Gielegthem	Minore	Spade
Bogardus	Hale	O’Neil	Stallworth
Bovin	Hanley	Prusi	Switalski
Brater	Hansen	Reeves	Tesanovich
Brewer	Hardman	Rivet	Thomas
Brown, B.	Jamnick	Schauer	Vaughn
Callahan	Kelly	Schermesser	Wojno
Daniels	Kilpatrick	Scott	Woodward
DeHart			

Nays—68

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

In The Chair: Scranton

Rep. LaForge moved to amend the bill as follows:

1. Amend page 4, following line 2, by inserting:

“(S) A BUSINESS THAT RECEIVES A TAX BREAK UNDER SUBSECTION (1) SHALL REQUIRE ITS CHIEF EXECUTIVE OFFICER AND BOARD OF DIRECTORS TO UNDERGO DRUG TESTING.”.

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

Rep. Raczkowski moved that the bill be placed on the order of Third Reading of Bills.
 The motion prevailed, a majority of the members voting therefor.
 Rep. Raczkowski moved that the bill be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

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

Senate Bill No. 102, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as added by 1998 PA 328.

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

Roll Call No. 70

Yeas—93

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

Nays—15

Daniels	Jamnick	Scott	Wojno
DeHart	Kelly	Spade	Woodward
Hale	LaForge	Switalski	Woronchak
Hansen	Schauer	Vaughn	

In The Chair: Scranton

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

"An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes thereon, and for the collection of taxes levied; making such taxes a lien on the property taxed,

establishing and continuing the lien, providing for the sale and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection therewith; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal certain acts and parts of acts in anywise contravening any of the provisions of this act.”.

The House agreed to the full title.

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

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

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

“Mr. Speaker and members of the House:

I voted no on SB 102 because there are so many losers. There were several attempts to ‘fix’ the legislation to make it more palatable. However, each of these amendments were voted down even when it would have no impact on the bill except to ensure that one community could not raid another community’s business tax roles. My communities are in jeopardy of losing businesses to a neighboring community who fits the criteria of being a distressed area.

In ten years maybe, because of all the raiding, my district will be in a distressed area. This is not a fair practice for all the state. It is only another form of corporate welfare.”

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

“Mr. Speaker and members of the House:

I recognize this bill’s passage is incredibly important to the Lansing area and potentially other distressed areas. However, I will be voting against Senate Bill 102 because there is no provision for repayment to the taxing units (which would include the State of Michigan) should at some point a corporate decision be made to move the plant to another community, state or country.

I totally respect the efforts of my fellow legislators to enhance opportunities for their districts and their residents, but I have experienced a plant loss in the community I represent and the economic havoc and heartbreak that it caused.

It is most unfortunate that discussions to bring this project to reality didn’t look further into the future while learning from previous heartbreaking experiences. Those experiences resulted in legislation to amend the Industrial Facilities Exemption Act to allow the creation of repayment contracts to protect local taxpayers.”

The House returned to the consideration of

House Bill No. 4086, entitled

A bill to repeal 1947 LA 9, entitled “The act to prevent hunting, on Sunday, for game animals and game birds in the county of Macomb.”.

(The bill was considered earlier today, see today’s Journal, p. 281.)

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 71

Yeas—100

Allen	Faunce	Koetje	Richner
Baird	Frank	Kowall	Rison
Basham	Garcia	Kukuk	Rivet
Birkholz	Garza	LaForge	Rocca
Bisbee	Geiger	LaSata	Sanborn
Bishop	Gielegghem	Law	Schauer
Bogardus	Gilbert	Lemmons	Schermesser
Bovin	Gosselin	Martinez	Scranton

Brater	Green	Mead	Shackleton
Brewer	Hager	Middaugh	Sheltrown
Brown, B.	Hale	Minore	Shulman
Brown, C.	Hanley	Mortimer	Stallworth
Byl	Hansen	Neumann	Stamas
Callahan	Hardman	O'Neil	Switalski
Cassis	Hart	Pappageorge	Tabor
Caul	Howell	Patterson	Tesanovich
Cherry	Jacobs	Perricone	Thomas
Clark	Jamnick	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	Kilpatrick	Richardville	Woronchak

Nays—8

Bradstreet	Jellema	Lockwood	Spade
Godchaux	Kuipers	Scott	Vaughn

In The Chair: Scranton

The House agreed to the title of the bill.

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

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

The House returned to the consideration of

House Bill No. 4242, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 558 (MCL 168.558), as amended by 1997 PA 137.

(The bill was considered earlier today, see today's Journal, p. 280.)

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 72**Yeas—108**

Allen	Frank	Kowall	Rison
Baird	Garcia	Kuipers	Rivet
Basham	Garza	Kukuk	Rocca
Birkholz	Geiger	LaForge	Sanborn
Bisbee	Gielegthem	LaSata	Schauer
Bishop	Gilbert	Law	Schermesser
Bogardus	Godchaux	Lemmons	Scott
Bovin	Gosselin	Lockwood	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	Jamnack	Perricone	Thomas
Clark	Jansen	Pestka	Toy
Clarke	Jelinek	Price	Van Woerkom
Daniels	Jellema	Prusi	Vander Roest
DeHart	Johnson, Rick	Pumford	Vaughn
Dennis	Johnson, Ruth	Quarles	Vear
DeRossett	Julian	Raczkowski	Voorhees
DeVuyst	Kelly	Reeves	Wojno
DeWeese	Kilpatrick	Richardville	Woodward
Faunce	Koetje	Richner	Woronchak

Nays—0

In The Chair: Scranton

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Gosselin offered the following resolution:

House Resolution No. 32.

A resolution honoring Shannon Grace Clark, Miss Michigan USA 1999.

Whereas, It is with great pride that we congratulate Shannon Grace Clark, crowned Miss Michigan USA for 1999. This high honor is to due to her exceptional abilities in many areas, including intelligence, beauty and outgoing personality; and

Whereas, Shannon's parents, Reverend Kent and Pam Clark, are well known in Oakland County as the operators of the Pontiac Rescue Mission, a homeless rehabilitation center, and, with her parents serving as a guide, Shannon has learned and practiced compassion for those less fortunate; and

Whereas, From a young age she has volunteered her time to the Mission, serving meals, cooking and reading to children. Shannon says, "Give your own time to help others in need," and with her title of Miss Michigan, has raised nearly \$40,000 for the Pontiac Rescue Mission in a "Pennies for Kids" campaign; and

Whereas, Shannon's accomplishments are many, being first crowned Miss Troy in 1989, and since that first pageant, having been crowned Miss Michigan World 1991 and Miss Grand Prix 1997; and

Whereas, Shannon has performed as a narrator at the International Auto Show of Detroit, served as a product specialist for Daimler Chrysler and was chosen to represent the automaker at the first international auto show in China; and

Whereas, Standing 5 feet, 11 inches tall by the time she was 12 years old, Shannon was a natural athlete, becoming the first female at Troy Athens High School to participate in two sports at one time. She starred as a starting center on the basketball team and was offered a scholarship to attend Lake Superior State University; and

Whereas, A 1990 graduate of Troy Athens High School, Shannon now attends Oakland University and lives with her family in Troy when she is not traveling throughout the state on official pageant business; now, therefore, be it

Resolved by the House of Representatives, That we congratulate Shannon Grace Clark upon receipt of the title, "1999 Miss Michigan USA." We wish her God's richest blessings in all her future pursuits; and be it further

Resolved, That a copy of this resolution be transmitted to Shannon Grace Clark as evidence of our highest esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reports of Standing Committees

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

House Bill No. 4020, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 39 (MCL 211.39).

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 4020 To Report Out:

Yeas: Reps. Cassis, Woronchak, Allen, Faunce, Gilbert, Gosselin, Patterson, Vander Roest, Vear, Quarles, Garza, Jamnick, Minore, Switalski,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

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

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

Absent: Rep. Koetje,

Excused: Rep. Koetje.

The Committee on Constitutional Law and Ethics, by Rep. Bishop, Chair, reported

House Bill No. 4026, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 16 (MCL 169.216), as amended by 1992 PA 188.

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 4026 To Report Out:

Yeas: Reps. Bishop, Patterson, Bradstreet, Green, Rocca, Brater, Garza, Lemmons,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bishop, Chair of the Committee on Constitutional Law and Ethics, was received and read:

Meeting held on: Tuesday, March 9, 1999, at 12:00 Noon,

Present: Reps. Bishop, Patterson, Bradstreet, Green, Rocca, Brater, Garza, Lemmons,

Absent: Rep. Vaughn,

Excused: Rep. Vaughn.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Garcia, Chair of the Committee on Economic Development, was received and read:

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

Present: Reps. Garcia, Kowall, Bisbee, Richardville, Van Woerkom, Bob Brown, Lockwood,

Absent: Reps. Mans, Vaughn,

Excused: Reps. Mans, Vaughn.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 9, 1999, at 10:30 a.m.,

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

Absent: Rep. Shulman,

Excused: Rep. Shulman.

Announcement by the Clerk of Printing and Enrollment

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

Senate Bill Nos. 395 396 397 400

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Monday, March 8:

House Bill Nos. 4363 4364 4365 4366 4367 4368 4369 4370 4371 4372 4373 4374 4375 4376
4377 4378 4379 4380 4381

House Joint Resolution F

The Clerk announced that the following Senate bill had been received on Tuesday, March 9:

Senate Bill No. 379

By unanimous consent the House returned to the order of

Messages from the Senate**Senate Bill No. 379, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18f of chapter XIIA (MCL 712A.18f), as amended by 1998 PA 480.

The Senate has passed the bill.

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

Communications from State Officers

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

Notices of Filing
Administrative Rules

February 22, 1999

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:19 A.M. this date, administrative rule (99-02-3) for the Michigan Jobs Commission, entitled "*Vocational Rehabilitation*", effective 15 days hereafter.

February 22, 1999

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:24 A.M. this date, administrative rule (99-02-4) for the Michigan Jobs Commission, entitled "*State Research Fund*", effective 15 days hereafter.

February 22, 1999

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:26 A.M. this date,

administrative rule (99-02-5) for the Michigan Jobs Commission, Michigan Travel Commission, entitled “*Grant Awards*”, effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Helen Kruger, Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

The following communication from the Department of Environmental Quality was received and read:

February 24, 1999
Required Annual Report of the Department of Environmental Quality to the Legislature on FY 97/98 Permit Application Fee Fund and Processing Times.

Richard A. Powers, Chief
Land and Water Management Division

The communication was referred to the Clerk.

The following communication from the Senate Fiscal Agency was received and read:

March 9, 1999

Monthly Revenue Report for January 1999.

Sincerely,
Jay Wortley,
Senior Economist

The communication was referred to the Clerk.

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

March 9, 1999

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

Performance Audit of the
Geological Survey Division
Department of Environmental Quality

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

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

Introduction of Bills

Reps. Martinez, Brater, Schauer, Dennis, Baird, Bogardus, Jacobs and Minore introduced

House Bill No. 4382, entitled

A bill to amend 1956 PA 62, entitled “An act to authorize the director of the department of state police to promulgate a uniform traffic code; to authorize a city, township, or village to adopt the uniform traffic code by reference without publication in full; and to prescribe criminal penalties and civil sanctions for violation of the code,” by amending section 1 (MCL 257.951), as amended by 1998 PA 69.

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

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

House Bill No. 4383, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 10102 and 10104 (MCL 333.10102 and 333.10104).

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

Reps. Martinez, Brater, Schauer, LaForge, Dennis, Baird, Bogardus, Jacobs and Minore introduced
House Bill No. 4384, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1106, 5506, 5507, and 5510 (MCL 700.1106, 700.5506, 700.5507, and 700.5510).

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

Reps. Sanborn, Hale, Julian, Voorhees, Patterson, Gilbert, DeRossett, Jelinek, Bishop, Kowall, Wojno, Gosselin, Bisbee, Faunce, Vear, Howell, Caul, Woronchak, DeHart, Kuipers, Bovin, Koetje, Bradstreet, Scott, Hart, Richner, Birkholz, Garcia, Hager, Toy, Jansen, Reeves, DeWeese, Thomas, LaSata, LaForge, Ehardt, Scranton and Raczkowski introduced

House Bill No. 4385, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending section 505 (MCL 484.2505), as added by 1998 PA 260.

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

Reps. Rivet and Kilpatrick introduced

House Bill No. 4386, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," by amending section 601 (MCL 4.1601), as amended by 1993 PA 24.

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

Reps. Jelinek, DeRossett, DeHart, LaSata, Schauer, Ehardt, Julian, Mortimer and Scranton introduced

House Bill No. 4387, entitled

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

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

Reps. Jelinek, LaSata, Kuipers, Ehardt, Richner and Scranton introduced

House Bill No. 4388, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 1606 (MCL 324.1606), as added by 1995 PA 60.

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

Rep. LaSata introduced

House Bill No. 4389, entitled

A bill to amend 1986 PA 255, entitled "Prepaid funeral contract funding act," by amending sections 4, 5, 6, 8, 11, 20, and 22 (MCL 328.214, 328.215, 328.216, 328.218, 328.221, 328.230, and 328.232).

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

Rep. LaSata introduced

House Bill No. 4390, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 1804, 1809, and 1812 (MCL 339.1804, 339.1809, and 339.1812).

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

Reps. Bob Brown, LaForge, Clark, Hale, Scott, Daniels, Toy and Thomas introduced

House Bill No. 4391, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by adding section 22.

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

Reps. Cherry, Garza, Minore, Hale, Wojno, Hansen, Sanborn, Kelly, Schermesser and Brater introduced

House Bill No. 4392, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 682b.

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

Reps. DeVuyst, Patterson, DeHart, Wojno, Woronchak, Howell, Mead, Law, Kowall, Rocca, Kuipers, Toy, Mortimer, Voorhees, Basham, Richner, Pappageorge, Bovin, Bradstreet, Jelinek, Gosselin, Garcia, Hager and Bob Brown introduced **House Bill No. 4393, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 319 and 320 (MCL 257.319 and 257.320), section 319 as amended by 1998 PA 347 and section 320 as amended by 1982 PA 310.

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

Reps. DeVuyst, Patterson, DeHart, Wojno, Woronchak, Howell, Mead, Law, Kowall, Rocca, Kuipers, Toy, Mortimer, Voorhees, Basham, Richner, Pappageorge, Bovin, Bradstreet, Jelinek, Gosselin, Garcia, Hager and Bob Brown introduced **House Bill No. 4394, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 80186a, 81140a, and 82147a.

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

Reps. Scott, DeHart, Martinez, Woodward, Prusi, Bogardus, Brater, Vaughn, Switalski, Daniels, Hardman, Lemmons, Quarles, Rison, Hale, Reeves, Clark, Garza, Price, Stallworth and Thomas introduced

House Bill No. 4395, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406n.

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

Reps. Scott, Switalski, Hardman, Lemmons, Quarles, Rison, Hale, Reeves, Clark, Garza, Stallworth and Price introduced

House Bill No. 4396, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 223a.

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

Reps. Switalski, DeHart, Martinez, Baird, Lemmons, Jacobs, Schauer, Dennis, Woodward, Rivet, Bogardus, Pappageorge, Cherry, Wojno, Spade, Vaughn, Scott, Callahan, Gielegghem, Minore, Jamnick, Koetje, Hardman, Daniels, Woronchak, Reeves, Hale, Bob Brown, Vear, Sanborn, Richner, Tabor, Hart, Rocca, Brater, Stallworth, DeWeese, Byl, Bishop, O'Neil, Bovin, Thomas, LaForge, Cassis, Mortimer, Toy, Julian, Garcia, Kilpatrick, Hanley and Patterson introduced

House Bill No. 4397, entitled

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

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

Reps. Basham, Schermesser, Hale, Scott, Gielegghem, Bogardus and Stallworth introduced

House Bill No. 4398, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 1998 PA 384.

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

Reps. Basham, Schermesser, Hale, Scott, Gielegghem and Bogardus introduced

House Bill No. 4399, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 405 (MCL 418.405), as amended by 1980 PA 457.

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

Reps. Richardville, Garcia and Vear introduced

House Bill No. 4400, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 2, 3, 4, 5, 8, 13, 15, 16, and 19 (MCL 125.2652, 125.2653, 125.2654, 125.2655, 125.2658, 125.2663, 125.2665, 125.2666, and 125.2669).

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

Reps. Richardville, Garcia and Vear introduced

House Bill No. 4401, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38d (MCL 208.38d), as added by 1996 PA 382.

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

Reps. Richardville, Garcia and Vear introduced

House Bill No. 4402, entitled

A bill to amend 1978 PA 566, entitled "An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies," by amending section 3 (MCL 15.183), as amended by 1994 PA 317.

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

Reps. Kowall, Shulman, Julian, Hager, Bishop, Mortimer, Garcia, Voorhees, DeRossett, Tabor, Patterson, Pappageorge, Toy, Woronchak, Gosselin, Scranton, LaSata, Stamas, Richner, Pumford, Bisbee, Kuipers, Rick Johnson, Law, Koetje, Faunce, Gilbert, Allen, DeVuyst and Cassis introduced

House Bill No. 4403, entitled

A bill to amend 1981 PA 7, entitled "An act to prohibit without authorization the bringing into jails and other specified areas any alcoholic liquor, controlled substances, weapons, and certain other items; the selling or furnishing to prisoners, and the improper disposal of any alcoholic liquor, controlled substances, weapons, and certain other items; the possession or control by prisoners of any alcoholic liquor, controlled substances, weapons, and certain other items; to prescribe a penalty; and to repeal certain acts and parts of acts," by amending section 5 (MCL 801.265).

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

Reps. Law and Richner introduced

House Bill No. 4404, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 1999 PA 6.

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

Rep. Faunce introduced

House Bill No. 4405, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 306, 308, 310e, and 320a (MCL 257.306, 257.308, 257.310e, and 257.320a), sections 306 and 308 as amended and section 310e as added by 1996 PA 387 and section 320a as amended by 1998 PA 350.

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

Rep. Sheltroun moved that the House adjourn.

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

Associate Speaker Pro Tempore Scranton declared the House adjourned until Wednesday, March 10, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.

