

No. 26
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House Chamber, Lansing, Tuesday, March 21, 2000.

12:00 Noon.

The House was called to order by the Speaker Pro Tempore.

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

Allen—present	Frank—present	Kuipers—present	Rison—excused
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	Gielegghem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—excused
Bogardus—present	Godchaux—present	Lockwood—present	Scott—present
Bovin—present	Gosselin—present	Mans—e/d/s	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—e/d/s	Neumann—present	Stamas—present
Callahan—present	Hart—present	O’Neil—present	Switalski—present
Cassis—present	Howell—present	Pappageorge—present	Tabor—present
Caul—present	Jacobs—present	Patterson—present	Tesanovich—present
Cherry—present	Jamnick—present	Perricone—present	Thomas—present
Clark—present	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—present	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—present	Quarles—present	Vear—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—present	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

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

“Dear Lord, as we begin session today, let us pause to thank You for today and for bringing us all together. Guide us as we begin our deliberations and fill us with Your love and understanding. Let us remember that we are here to fulfill Your purpose and help us to put the welfare of the people of Michigan—especially our children—foremost in our hearts and minds.

As we get close to finishing our work before we go on Spring break, help us to act with patience and respect for our colleagues. And, Lord, if possible, let us make our decisions during the day, fully alert and under the public eye. In other words, Lord, guide the leaders of this chamber to remember that to make good decisions we will need some sleep! Thank You, Lord, and bless us on this beautiful Spring day. Amen.”

Rep. Scott moved that Reps. Rison and Schermesser be excused from today’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 5124, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 303a (MCL 339.303a), as amended by 1995 PA 183, and by adding article 17A.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Constitutional Law and Ethics,

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

Rep. Brater moved to amend the bill as follows:

1. Amend page 1, following “THE PEOPLE OF THE STATE OF MICHIGAN ENACT:” by inserting:

“SEC. 106. THE DEPARTMENT SHALL INCREASE THE NUMBER OF FULL-TIME INSPECTORS OF DAY CARE CENTERS, AS THAT TERM IS DEFINED IN SECTION 1 OF 1973 PA 116, MCL 722.1, BY 10 IN EACH OF THE NEXT 3 FISCAL YEARS BEGINNING ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION.”.

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

Point of Order

Rep. Raczkowski requested a ruling from the Chair regarding the germaneness of the amendment offered by Rep. Brater.

The Chair ruled that the amendment is not germane pursuant to House Rule 64. The amendment introduces a new proposition which is not germane to the subject matter of the bill as it was originally 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. 145

Yeas—58

Allen
Birkholz

Geiger
Gilbert

Kowall
Kuipers

Richner
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	Jellema	Perricone	Vander Roest
DeWeese	Johnson, Rick	Pumford	Vear
Ehardt	Johnson, Ruth	Rackowski	Voorhees
Faunce	Julian	Richardville	Woronchak
Garcia	Koetje		

Nays—46

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

In The Chair: Birkholz

Rep. Mans entered the House Chambers.

Rep. Scott moved that Rep. Prusi be excused temporarily from today's session.
The motion prevailed.

Rep. Brater moved to amend the bill as follows:

1. Amend page 1, following "THE PEOPLE OF THE STATE OF MICHIGAN ENACT:" by inserting:

"SEC. 108. THE DEPARTMENT SHALL INCREASE THE NUMBER OF FULL-TIME EMPLOYEES CONDUCTING INSPECTIONS, AS THAT TERM IS DEFINED IN SECTION 5 OF THE MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT, 1986 PA 147, MCL 408.1005, BY 10 IN EACH OF THE NEXT 3 FISCAL YEARS."

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

Point of Order

Rep. Rackowski requested a ruling from the Chair regarding the germaneness of the amendment offered by Rep. Brater.

The Chair ruled that the amendment is not germane pursuant to House Rule 64. The amendment introduces a new proposition which is not germane to the subject matter of the bill as it was originally 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. 146

Yeas—58

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	Jellema	Perricone	Vander Roest
DeWeese	Johnson, Rick	Pumford	Vear
Ehardt	Johnson, Ruth	Raczkowski	Voorhees
Faunce	Julian	Richardville	Woronchak
Garcia	Koetje		

Nays—48

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

In The Chair: Birkholz

Rep. Lemmons moved to amend the bill as follows:

1. Amend page 2, line 14, after "FOLLOWING" by inserting "BUT DOES NOT INCLUDE AN ESTABLISHMENT LICENSED TO SELL ALCOHOLIC LIQUOR FOR CONSUMPTION ON THE PREMISES UNDER THE LIQUOR CONTROL CODE OF 1998, 1998 PA 58, MCL 436.1101 TO 436.2303".

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

Rep. Lemmons demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 147**Yeas—35**

Baird	DeHart	Kilpatrick	Quarles
Bogardus	Dennis	LaForge	Rivet
Bovin	Garza	Lemmons	Scott
Brater	Hale	Lockwood	Stallworth
Brewer	Hanley	Mans	Switalski
Cherry	Hansen	Martinez	Tesanovich
Clark, I.	Jacobs	Minore	Thomas
Clarke, H.	Jamnack	Price	Vaughn
Daniels	Kelly	Prusi	

Nays—70

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

In The Chair: Birkholz

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.

Rep. Rackowski moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5124, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 303a (MCL 339.303a), as amended by 1995 PA 183, and by adding article 17A.

The bill was read a third time.

The question being on the passage of the bill,

After debate,

Rep. Frank 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 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. 148**Yeas—92**

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

Nays—13

Baird	Jacobs	Martinez	Scott
Brater	Kilpatrick	Minore	Tesanovich
Brewer	Lemmons	Prusi	Vaughn
Daniels			

In The Chair: Birkholz

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

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

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

The motion prevailed.

The House agreed to the title as amended.

Reps. Allen, Basham, Birkholz, Bradstreet, Cameron Brown, Callahan, Cassis, Caul, DeHart, DeRossett, DeVuyst, DeWeese, Ehardt, Gosselin, Green, Howell, Jansen, Jelinek, Rick Johnson, Ruth Johnson, Koetje, Kuipers, Kukuk, Law, Mans, Mead, Mortimer, O'Neil, Pappageorge, Patterson, Pumford, Sanborn, Scranton, Shackleton, Sheltrown, Shulman, Tabor, Van Woerkom, Vander Roest, Vear, Voorhees and Wojno were named co-sponsors of the bill.

Rep. Stallworth, under Rule 32(b), made the following statement:

"Mr. Speaker and members of the House:

According to House Rule No. 32(b) I am required to abstain from this vote as creditor of affected businesses."

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

“Mr. Speaker and members of the House:

This bill (and the package of which it is a part) represents the extreme in hypocrisy.

In an era of downsizing government, these bills dramatically increase government regulation.

In an era of letting the free market move, these bills imposes a whole new set of business regulations. While professing to offer a narrow set of rules, these bills open the possibility that any business with any adult film or magazine; any theater showing any “R” rated film would be subject to complaints and investigation of the ‘10% rule.’

In an era of devolution and taking government to its most local level, these bills impose state-wide licensure (and local governments can regulate such businesses!)

I stress that I am not a consumer of adult entertainment; and I suspect that the entertainment offered is both tacky and tasteless - as well as degrading to women.

I oppose this package of bills because of fiduciary responsibility and fiscal conservatism.

These bills will require either many additional inspectors; or that the current inspectors ignore current responsibilities in inspecting critical services such as child care, group homes and nursing homes. Important services now regulated and inspected would be ignored in favor of the political considerations inherent in this package of bills.”

Rep. Baird, 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:

The bill is unconstitutional and will embroil the State of Michigan in protracted and costly litigation.

It asks state employees to enter adult entertainment establishments to inspect them while at the same time, that same state agency has insufficient personnel to inspect child care centers, work sites, nursing homes and homes for persons with developmental disabilities.”

Rep. Martinez, 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 against this bill because I believe certain sections violate the constitutional protections of free speech. This bill goes too far in licensing and regulating bookstores and movie theaters.”

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

“Mr. Speaker and members of the House:

I voted no on House Bill 5124 for a number of reasons. First and foremost because there are many other industries such as day care and nursing homes that aren’t properly regulated to begin with. When various state agencies have been unable to enforce laws already on the books for these other industries, how we can expect to the state to properly regulate another industry. There has yet to be any fiscal analysis on how much HB 5124 will cost and whether or not state employees currently regulating other industries will be transferred.

The bill also has several constitutional questions and may not survive first amendment challenges which will surely be brought.

It is for these reasons that I voted no on House Bill 5124.”

Rep. Lemmons, 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:

At a time when the State of Michigan does not provide adequate inspections and oversight of nursing homes which house our senior citizens and daycare centers and occupational safety. How in good conscience can we spend money to regulate an industry that is already over regulate? It is wasteful spending and duplication of efforts.”

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

“Mr. Speaker and members of the House:

I’m voting no on HB5124 because this bill and all the bills in the adult entertainment package is plain and simple a ‘witch hunt.’ This is the same kind of witch hunt we saw in Salem, MA., lynching of mainly African-American men across America, and the latest witch hunt: finding persons to jail (mainly minorities) so the Prison-Industrial Complex remains healthy.

I believe adult entertainment should be tightly regulated and we have laws on the books to do just that, but they are not being enforced. Now this body wishes to add more bureaucratic regulators that we all know will not be enforced.

We can't talk about more regulators here when there is a shortage of childcare workers, mental health workers and facilities, adult care workers, and just about every other humane function this state engages in. This bill and all the bills in this package have a strange birth origin. Strange people are promoting this bill and this entire adult entertainment package. While there are some aspects of this bill that muster constitutional challenge I believe the overall bill will not. For this and other reasons I am voting no."

Second Reading of Bills

House Bill No. 5126, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

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

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

Rep. Bradstreet moved to amend the bill as follows:

1. Amend page 3, following line 13, by inserting:

"(D) PURSUANT TO SUBSECTION (4).

(4) AN APPLICANT OR LICENSEE MAY EXECUTE AND DELIVER A CONSENT, IN A FORM ACCEPTABLE TO THE DEPARTMENT AND THE LIQUOR CONTROL COMMISSION, TO 1 OR BOTH OF THE FOLLOWING DISCLOSURES:

(A) THE DISCLOSURE TO THE DEPARTMENT OF ANY RECORDS OR INFORMATION OBTAINED BY OR DISCLOSED TO THE LIQUOR CONTROL COMMISSION IN CONNECTION WITH ANY PAST OR PENDING APPLICATION OF THE APPLICANT OR LICENSEE FOR A CLASS C LICENSE, A TOPLESS ACTIVITY PERMIT, OR A TOPLESS ACTIVITY-ENTERTAINMENT PERMIT UNDER THE LIQUOR CONTROL CODE OF 1998, 1998 PA 58, MCL 436.1101 TO 436.2303. THE DEPARTMENT SHALL CONSIDER ANY INFORMATION OR RECORDS PROVIDED PURSUANT TO THIS SUBDIVISION AS INFORMATION OR RECORDS PROVIDED BY THE APPLICANT OR LICENSEE FOR PURPOSES OF ANY PENDING OR FUTURE APPLICATION FOR LICENSE OR LICENSE RENEWAL UNDER THIS ARTICLE.

(B) THE DISCLOSURE TO THE LIQUOR CONTROL COMMISSION OF ANY RECORDS OR INFORMATION OBTAINED BY OR DISCLOSED TO THE DEPARTMENT IN CONNECTION WITH ANY PAST OR PRESENT APPLICATION FOR LICENSE OR LICENSE RENEWAL UNDER THIS ARTICLE. THE LIQUOR CONTROL COMMISSION SHALL CONSIDER ANY INFORMATION OR RECORDS PROVIDED PURSUANT TO THIS SUBDIVISION AS INFORMATION OR RECORDS PROVIDED BY THE APPLICANT OR LICENSEE FOR PURPOSES OF ANY PENDING OR FUTURE APPLICATION FOR A CLASS C LICENSE OR A TOPLESS ACTIVITY OR TOPLESS ACTIVITY-ENTERTAINMENT PERMIT UNDER THE LIQUOR CONTROL CODE OF 1998, 1998 PA 58, MCL 436.1101 TO 436.2303."

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

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

1. Amend page 4, line 21, after "WITHIN" by striking out "1,500 FEET OF" and inserting "3,000 FEET OF AN AREA ZONED AS RESIDENTIAL BY AN APPLICABLE ZONING ORDINANCE,".

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

Roll Call No. 149

Yeas—106

Allen	Faunce	Kowall	Richardville
Baird	Frank	Kuipers	Richner
Basham	Garcia	Kukuk	Rivet
Birkholz	Garza	LaForge	Rocca
Bisbee	Geiger	LaSata	Sanborn
Bishop	Gielegheem	Law	Schauer

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	Stamas
Byl	Hansen	Mortimer	Switalski
Callahan	Hart	Neumann	Tabor
Cassis	Howell	O'Neil	Tesanovich
Caul	Jacobs	Pappageorge	Thomas
Cherry	Jamnick	Patterson	Toy
Clark, I.	Jansen	Perricone	Van Woerkom
Clarke, H.	Jelinek	Pestka	Vander Roest
Daniels	Jellema	Price	Vaughn
DeHart	Johnson, Rick	Prusi	Vear
Dennis	Johnson, Ruth	Pumford	Voorhees
DeRossett	Julian	Quarles	Wojno
DeVuyst	Kelly	Raczkowski	Woodward
DeWeese	Kilpatrick	Reeves	Woronchak
Ehardt	Koetje		

Nays—0

In The Chair: Birkholz

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

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

Rep. Raczkowski moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5126, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

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

Roll Call No. 150**Yeas—103**

Allen	Faunce	Kowall	Richner
Baird	Frank	Kuipers	Rivet
Basham	Garcia	Kukuk	Rocca
Birkholz	Garza	LaForge	Sanborn
Bisbee	Geiger	LaSata	Schauer
Bishop	Gielegghem	Law	Scott
Bogardus	Gilbert	Lemmons	Scranton
Bovin	Godchaux	Lockwood	Shackleton
Bradstreet	Gosselin	Mans	Sheltrown
Brewer	Green	Martinez	Shulman
Brown, B.	Hager	Mead	Spade
Brown, C.	Hale	Middaugh	Stamas
Byl	Hanley	Mortimer	Switalski

Callahan	Hansen	Neumann	Tabor
Cassis	Hart	O'Neil	Tesanovich
Caul	Howell	Pappageorge	Thomas
Cherry	Jacobs	Patterson	Toy
Clark, I.	Jansen	Perricone	Van Woerkom
Clarke, H.	Jelinek	Pestka	Vander Roest
Daniels	Jellema	Price	Vaughn
DeHart	Johnson, Rick	Prusi	Vear
Dennis	Johnson, Ruth	Pumford	Voorhees
DeRossett	Julian	Quarles	Wojno
DeVuyst	Kelly	Raczkowski	Woodward
DeWeese	Kilpatrick	Reeves	Woronchak
Ehardt	Koetje	Richardville	

Nays—1

Brater

In The Chair: Birkholz

The House agreed to the title of the bill.

Reps. Allen, Basham, Birkholz, Bishop, Bradstreet, Brewer, Cameron Brown, Callahan, Cassis, Caul, DeHart, DeWeese, Ehardt, Gosselin, Green, Howell, Jansen, Jelinek, Ruth Johnson, Koetje, Kuipers, LaSata, Law, Mans, Mead, O'Neil, Patterson, Pumford, Sanborn, Shackleton, Sheltroun, Shulman, Tabor, Toy, Van Woerkom, Vander Roest, Vear, Voorhees and Wojno were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5131, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.
The bill was read a second time.

Rep. LaSata moved to amend the bill as follows:

1. Amend page 2, line 12, after "OF" by striking out "A MASSAGE" and inserting "AN ADULT ENTERTAINMENT".
The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. LaSata 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. 5131, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 151

Yeas—103

Allen	Faunce	Koetje	Reeves
Baird	Frank	Kowall	Richardville

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

Nays—3

Brater Scott Vaughn

In The Chair: Birkholz

The House agreed to the title of the bill.

Reps. Allen, Basham, Birkholz, Bishop, Bradstreet, Cameron Brown, Callahan, Cassis, Caul, DeHart, DeVuyst, Green, Hager, Howell, Jansen, Jelinek, Ruth Johnson, Koetje, Kuipers, Kukuk, Law, Mans, Mead, O'Neil, Patterson, Pumford, Sanborn, Shackleton, Sheltrown, Shulman, Tabor, Toy, Van Woerkom, Vander Roest, Vear, Voorhees and Wojno were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4327, entitled

A bill to amend 1978 PA 33, entitled "An act to prohibit the dissemination, exhibiting, or displaying of certain sexually explicit matter to minors; to prohibit certain misrepresentations facilitating the dissemination of sexually explicit matter to minors; to provide penalties; to provide for declaratory judgments and injunctive relief in certain instances; to impose certain duties upon prosecuting attorneys and the circuit court; to preempt local units of government from proscribing certain conduct; and to repeal certain acts and parts of acts," by amending sections 1, 5, and 7 (MCL 722.671, 722.675, and 722.677).

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Constitutional Law and Ethics,

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

Rep. Reeves 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. 4327, entitled

A bill to amend 1978 PA 33, entitled “An act to prohibit the dissemination, exhibiting, or displaying of certain sexually explicit matter to minors; to prohibit certain misrepresentations facilitating the dissemination of sexually explicit matter to minors; to provide penalties; to provide for declaratory judgments and injunctive relief in certain instances; to impose certain duties upon prosecuting attorneys and the circuit court; to preempt local units of government from proscribing certain conduct; and to repeal certain acts and parts of acts,” by amending sections 1, 5, and 7 (MCL 722.671, 722.675, and 722.677).

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

Roll Call No. 152

Yeas—105

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

Nays—0

In The Chair: Birkholz

The question being on agreeing to the title of the bill,
 Rep. Rackowski moved to amend the title to read as follows:

A bill to amend 1978 PA 33, entitled “An act to prohibit the dissemination, exhibiting, or displaying of certain sexually explicit matter to minors; to prohibit certain misrepresentations facilitating the dissemination of sexually explicit matter to minors; to provide penalties; to provide for declaratory judgments and injunctive relief in certain instances; to impose certain duties upon prosecuting attorneys and the circuit court; to preempt local units of government from proscribing certain conduct; and to repeal certain acts and parts of acts,” by amending sections 1, 6, and 7 (MCL 722.671, 722.676, and 722.677), sections 6 and 7 as amended by 1999 PA 33.

The motion prevailed.

The House agreed to the title as amended.

Reps. Allen, Basham, Birkholz, Bishop, Bogardus, Bovin, Bradstreet, Cameron Brown, Callahan, Cassis, Clark, Clarke, DeHart, Dennis, DeRossett, DeVuyst, Ehardt, Garcia, Garza, Green, Howell, Jelinek, Rick Johnson, Ruth Johnson, Julian, Kelly, Koetje, Kowall, Kuipers, Kukuk, LaForge, LaSata, Law, Lockwood, Mans, Mead, Middaugh, Pappageorge, Patterson, Prusi, Pumford, Richardville, Rivet, Rocca, Scott, Shackleton, Sheltrown, Shulman, Tabor, Tesanovich, Van Woerkom, Vander Roest, Vaughn, Vear and Wojno were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5127, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

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

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

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

1. Amend page 4, following line 3, by inserting:

"SEC. 1758A. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), THE LOCAL LEGISLATIVE BODY IN WHICH THE APPLICANT'S PLACE OF BUSINESS IS LOCATED MUST APPROVE THE APPLICATION FOR A LICENSE UNDER THIS ARTICLE BEFORE THE LICENSE IS GRANTED BY THE DEPARTMENT. THE LOCAL LEGISLATIVE BODY SHALL NOT APPROVE THE APPLICATION IF THE APPLICANT OR THE APPLICANT'S PREMISES ARE IN VIOLATION OF THE LOCAL LEGISLATIVE BODY'S ZONING ORDINANCE, IF ANY.

(2) IF THE APPLICATION IS AN APPLICATION FOR RENEWAL OF AN EXISTING LICENSE, THE APPROVAL OF THE LOCAL LEGISLATIVE BODY UNDER SUBSECTION (1) IS NOT REQUIRED UNLESS THE LOCAL LEGISLATIVE BODY HAS FILED AN OBJECTION TO THE RENEWAL AT LEAST 30 DAYS BEFORE THE DATE OF EXPIRATION OF THE LICENSE.

(3) UPON REQUEST OF A LOCAL LEGISLATIVE BODY IN WHICH AN ADULT ENTERTAINMENT ESTABLISHMENT LICENSED UNDER THIS ARTICLE IS LOCATED, AFTER DUE NOTICE TO A LICENSEE AND PROPER HEARING BY THE LOCAL LEGISLATIVE BODY AND THE DEPARTMENT, THE DEPARTMENT SHALL REVOKE THE LICENSE OF THE ADULT ENTERTAINMENT ESTABLISHMENT."

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. 153

Yeas—44

Baird	DeHart	Kilpatrick	Prusi
Basham	Dennis	LaForge	Reeves
Bogardus	Frank	Lemmons	Rivet
Bovin	Garza	Lockwood	Scott
Brater	Gielegthem	Mans	Sheltrown
Brewer	Hale	Martinez	Spade
Brown, B.	Hanley	Minore	Tesanovich
Callahan	Hansen	Neumann	Thomas
Cherry	Jacobs	O'Neil	Vaughn
Clarke, H.	Jamnack	Pestka	Wojno
Daniels	Kelly	Price	Woodward

Nays—58

Allen	Geiger	Kowall	Sanborn
Birkholz	Gilbert	Kuipers	Schauer

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

In The Chair: Birkholz

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

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

Rep. Rackowski moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5127, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

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

Roll Call No. 154

Yeas—105

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

DeVuyst
DeWeese
Ehardt

Kelly
Kilpatrick

Raczkowski
Reeves

Woodward
Woronchak

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

Reps. Allen, Basham, Birkholz, Bishop, Bovin, Bradstreet, Cameron Brown, Callahan, Cassis, Caul, DeRossett, DeVuyst, Ehardt, Gosselin, Green, Hager, Howell, Jansen, Jelinek, Ruth Johnson, Julian, Kelly, Koetje, Kuipers, Kukuk, LaSata, Law, Mead, O'Neil, Pappageorge, Patterson, Pumford, Sanborn, Shackleton, Sheltroun, Shulman, Tabor, Toy, Van Woerkom, Vander Roest, Vear, Voorhees and Wojno were named co-sponsors of the bill.

Rep. Garcia asked and obtained a temporary excuse from today's session.

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

Second Reading of Bills

House Bill No. 5274, entitled

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

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

Rep. Cherry moved to amend the bill as follows:

1. Amend page 16, line 14, after "2000." by inserting "The department and the family independence agency shall complete these guidelines on or before January 15, 2001".

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

Rep. Cherry demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 155

Yeas—48

Baird
Basham
Bogardus

Dennis
Frank
Garza

LaForge
Lemmons
Lockwood

Reeves
Rivet
Schauer

Bovin	Gielegthem	Mans	Scott
Brater	Hale	Martinez	Sheltrown
Brewer	Hanley	Minore	Spade
Brown, B.	Hansen	Neumann	Switalski
Callahan	Jacobs	O'Neil	Tesanovich
Cherry	Jamnick	Pestka	Thomas
Clark, I.	Kelly	Price	Vaughn
Daniels	Kilpatrick	Prusi	Wojno
DeHart	Kowall	Quarles	Woodward

Nays—56

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

In The Chair: Birkholz

Rep. Rocca moved that Rep. Ruth Johnson be excused temporarily from today's session.
The motion prevailed.

Rep. Hardman entered the House Chambers.

Rep. Cherry moved to amend the bill as follows:

1. Amend page 16, line 17, after "to" by striking out "12" and inserting "24".
2. Amend page 17, line 6, after "exceed" by striking out "6" and inserting "12".

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

Rep. Cherry demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 156**Yeas—50**

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

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

Nays—55

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

In The Chair: Birkholz

Rep. Allen moved that Rep. Rick Johnson be excused temporarily from today's session.
The motion prevailed.

Rep. Prusi moved to amend the bill as follows:

1. Amend page 5, line 14, by striking out "412,000" and inserting "462,000" and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Prusi demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 157**Yeas—55**

Baird	Frank	LaForge	Rivet
Basham	Garza	Lemmons	Schauer
Bogardus	Gielegem	Lockwood	Scott
Bovin	Hager	Mans	Shackleton
Brater	Hale	Martinez	Sheltrown
Brewer	Hanley	Minore	Spade

Brown, B.	Hansen	Neumann	Stallworth
Callahan	Hardman	O'Neil	Switalski
Cherry	Jacobs	Pestka	Tesanovich
Clark, I.	Jamnick	Price	Thomas
Clarke, H.	Julian	Prusi	Vaughn
Daniels	Kelly	Quarles	Wojno
DeHart	Kilpatrick	Reeves	Woodward
Dennis	Kowall	Richardville	

Nays—48

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

In The Chair: Birkholz

Rep. Schauer moved to amend the bill as follows:

1. Amend page 28, following line 9, by inserting:

“Sec. 330. Of the amount appropriated in part 1 for job training programs subgrantees, no less than \$500,000.00 shall be distributed to the Barry/Branch/Calhoun workforce development board to assist workers displaced by the recent closing of a Kellogg Corporation Facility.”.

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

Rep. Schauer demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 158**Yeas—51**

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

Nays—55

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

In The Chair: Birkholz

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

1. Amend page 5, line 9, by striking out “6,000,000” and inserting “20,000,000”.
2. Amend page 6, line 23, by striking out “6,000,000” and inserting “20,000,000” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 27, line 14, by striking out all of section 327 and inserting:

“Sec. 327. Of the funds appropriated in part 1 for the council of Michigan Foundations, \$10,000,000.00 shall be distributed to the council to support local community efforts to address youth and senior health needs. The remaining \$10,000,000.00 shall support community youth tobacco prevention and smoking cessation programs. The council may distribute the funds according to a formula determined by the council or may invest these funds. Any investment earnings from this appropriation shall be used for the same purpose as the original appropriation.”.

The question being on the adoption of the amendments offered by Reps. Schauer and DeWeese,

Rep. Schauer demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Schauer and DeWeese,

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

Roll Call No. 159**Yeas—56**

Baird	DeWeese	Kilpatrick	Reeves
Basham	Faunce	LaForge	Rivet
Bogardus	Frank	Lemmons	Rocca
Bovin	Garza	Lockwood	Schauer
Brater	Gielegghem	Mans	Scott
Brewer	Hager	Minore	Shackleton
Brown, B.	Hale	Neumann	Sheltrown
Callahan	Hanley	O’Neil	Spade
Cherry	Hansen	Patterson	Stallworth
Clark, I.	Hardman	Pestka	Switalski
Clarke, H.	Howell	Price	Thomas
Daniels	Jacobs	Prusi	Vaughn
DeHart	Julian	Quarles	Wojno
Dennis	Kelly	Rackowski	Woodward

Nays—47

Allen	Garcia	Koetje	Richner
Birkholz	Geiger	Kowall	Sanborn

Bisbee	Gilbert	Kuipers	Scranton
Bishop	Godchaux	Kukuk	Shulman
Bradstreet	Gosselin	LaSata	Stamas
Brown, C.	Green	Law	Tabor
Byl	Hart	Mead	Toy
Cassis	Jansen	Mortimer	Van Woerkom
Caul	Jelinek	Pappageorge	Vander Roest
DeRossett	Jellema	Perricone	Vear
DeVuyst	Johnson, Rick	Pumford	Voorhees
Ehardt	Johnson, Ruth	Richardville	

In The Chair: Birkholz

Rep. Geiger moved to reconsider the vote by which the House adopted the amendments.

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

The question being on the adoption of the amendments offered previously by Reps. Schauer and DeWeese,

Rep. Kilpatrick demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered previously by Reps. Schauer and DeWeese,

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

Roll Call No. 160

Yeas—65

Baird	Frank	Lockwood	Schauer
Basham	Garza	Mans	Scott
Birkholz	Gielegem	Martinez	Shackleton
Bogardus	Gilbert	Middaugh	Sheltrown
Bovin	Hager	Minore	Shulman
Brater	Hale	Neumann	Spade
Brewer	Hanley	O'Neil	Stallworth
Brown, B.	Hansen	Patterson	Switalski
Callahan	Hardman	Pestka	Tesanovich
Cherry	Howell	Price	Thomas
Clark, I.	Jacobs	Prusi	Van Woerkom
Clarke, H.	Julian	Quarles	Vander Roest
Daniels	Kelly	Rackowski	Vaughn
DeHart	Kilpatrick	Reeves	Wojno
Dennis	LaForge	Rivet	Woodward
DeWeese	Lemmons	Rocca	Woronchak
Faunce			

Nays—42

Allen	Garcia	Koetje	Pumford
Bisbee	Geiger	Kowall	Richardville
Bishop	Godchaux	Kuipers	Richner
Bradstreet	Gosselin	Kukuk	Sanborn
Brown, C.	Green	LaSata	Scranton
Byl	Hart	Law	Stamas
Cassis	Jansen	Mead	Tabor
Caul	Jelinek	Mortimer	Toy
DeRossett	Jellema	Pappageorge	Vear
DeVuyst	Johnson, Rick	Perricone	Voorhees
Ehardt	Johnson, Ruth		

In The Chair: Birkholz

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 28, following line 9, by inserting:

“Sec. 330. The department may provide support services to the family independence agency in development and workforce development board monitoring of the summer youth employment initiative upon request.”.

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

Rep. Stallworth demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 161

Yeas—104

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

Nays—0

In The Chair: Birkholz

Rep. Prusi moved to amend the bill as follows:

1. Amend page 5, line 20, by striking out “2,865,700” and inserting “4,065,700” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 19, line 27, after “than” by striking out “\$1,788,000.00” and inserting “\$2,988,000.00”.

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

Rep. Prusi demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 162**Yeas—78**

Allen	Garza	Lockwood	Scott
Baird	Gielegthem	Mans	Shackleton
Basham	Green	Martinez	Sheltrown
Birkholz	Hager	Mead	Shulman
Bogardus	Hale	Middaugh	Spade
Bovin	Hanley	Minore	Stallworth
Brater	Hansen	Neumann	Stamas
Brewer	Hardman	O'Neil	Switalski
Brown, B.	Howell	Patterson	Tabor
Callahan	Jacobs	Pestka	Tesanovich
Cherry	Jamnack	Price	Thomas
Clark, I.	Jelinek	Prusi	Toy
Clarke, H.	Johnson, Ruth	Quarles	Van Woerkom
Daniels	Julian	Reeves	Vander Roest
DeHart	Kelly	Richardville	Vaughn
Dennis	Kilpatrick	Richner	Vear
DeVuyst	Kowall	Rivet	Wojno
Ehardt	LaForge	Rocca	Woodward
Faunce	Law	Schauer	Woronchak
Frank	Lemmons		

Nays—30

Bisbee	DeWeese	Jellema	Pappageorge
Bishop	Garcia	Johnson, Rick	Perricone
Bradstreet	Geiger	Koetje	Pumford
Brown, C.	Gilbert	Kuipers	Rackowski
Byl	Godchaux	Kukuk	Sanborn
Cassis	Gosselin	LaSata	Scranton
Caul	Hart	Mortimer	Voorhees
DeRossett	Jansen		

In The Chair: Birkholz

Rep. Quarles moved to amend the bill as follows:

1. Amend page 26, following line 19, by inserting:

“Sec. 323a. From the funds appropriated in part 1 for postsecondary education, the department shall compile data from each university that receives funding for the future faculty program within the King-Chavez-Parks initiative on employment outcomes for program participants. The report shall be distributed to the house and senate appropriations committees by February 1 of each year. The report shall include data from each participating university covering the most recently completed fiscal year. The data shall include all of the following:

- (a) The number of participants receiving support under the program.
- (b) The number of participants obtaining full-time employment.
- (c) The number of participants obtaining full-time employment in college faculty positions.
- (d) The number of participants obtaining full-time employment in college faculty positions within the university through which they received future faculty program support for graduate studies.”.

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

Roll Call No. 163**Yeas—104**

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

Nays—2

Gosselin Koetje

In The Chair: Birkholz

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

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

Rep. Raczkowski moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5274, entitled**

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Roll Call No. 164**Yeas—106**

Allen	Faunce	Kowall	Richner
Baird	Frank	Kuipers	Rivet

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

Nays—1

Gosselin

In The Chair: Birkholz

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

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

A bill to make appropriations for the department of career development and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

The motion prevailed.

The House agreed to the title as amended.

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

“Mr. Speaker and members of the House:

Like many of you, I have had several careers in my adult life. The ones that worked out are not necessarily ones I ever considered when in high school. This is not unusual. So it's a good thing that a large sum of taxpayer dollars were not spent when I was in high school to 'prepare' me for a career, or worse, to 'choose' a career for me. The money would have been wasted, just as much of the \$31 million state taxpayer dollars we are spending in this budget will be wasted. What is even worse, we are growing this area of government more than twice as fast as the rate of inflation. I was elected on a promise to shrink government, not grow it. My future 'career development' depends on keeping that promise, which is why I vote 'no' on this budget.”

Second Reading of Bills

House Bill No. 5275, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

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

Rep. Cherry moved to amend the bill as follows:

1. Amend page 13, line 22, by striking out "239.0" and inserting "254.0".
2. Amend page 13, line 22, by striking out "22,063,200" and inserting "23,113,200".
3. Amend page 14, line 3, by striking out "5,488,700" and inserting "5,838,200" and by adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 40, following line 13, by inserting:

"Sec. 332. From the appropriations in part 1 for occupational safety and health, the department shall provide funding for 5 general industry safety inspectors, 5 construction industry safety inspectors, and 5 industrial hygienists. These positions shall be in addition to any existing positions already filled by the department in each of these areas as of the effective date of this act."

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

Rep. Cherry demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 165

Yeas—56

Baird	Garza	Lemmons	Rocca
Bogardus	Gielegghem	Lockwood	Schauer
Brater	Hale	Mans	Scott
Brewer	Hanley	Martinez	Shackleton
Brown, B.	Hansen	Minore	Sheltrown
Callahan	Hardman	Neumann	Spade
Cherry	Howell	O'Neil	Stallworth
Clark, I.	Jacobs	Pestka	Switalski
Clarke, H.	Jamnick	Price	Tabor
Daniels	Julian	Prusi	Tesanovich
DeHart	Kelly	Quarles	Thomas
Dennis	Kilpatrick	Reeves	Vaughn
Faunce	LaForge	Richardville	Wojno
Frank	Law	Rivet	Woodward

Nays—47

Allen	Geiger	Koetje	Richner
Birkholz	Gilbert	Kuipers	Sanborn
Bisbee	Godchaux	Kukuk	Scranton
Bishop	Gosselin	LaSata	Shulman
Bradstreet	Green	Mead	Stamas
Brown, C.	Hager	Middaugh	Toy
Byl	Hart	Mortimer	Van Woerkom

Cassis	Jansen	Pappageorge	Vander Roest
Caul	Jelinek	Patterson	Vear
DeRossett	Jellema	Perricone	Voorhees
DeVuyst	Johnson, Rick	Pumford	Woronchak
Garcia	Johnson, Ruth	Rackowski	

In The Chair: Birkholz

Reps. Thomas and Martinez moved to amend the bill as follows:

1. Amend page 2, line 26, by striking out "550,000" and inserting "850,000".

2. Amend page 4, line 10, by striking out "550,000" and inserting "850,000" and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Reps. Thomas and Martinez,

Rep. Thomas demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Thomas and Martinez,

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

Roll Call No. 166

Yeas—49

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

Nays—54

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

In The Chair: Birkholz

Rep. Prusi moved to amend the bill as follows:

1. Amend page 40, following line 13, following section 332, by inserting:

“Sec. 333. Of the funds appropriated in part 1 for nursing home quality incentive grants, no funds shall be distributed to a nursing home under the program unless that nursing home posts the executive summary of the nursing home’s last annual inspection in a conspicuous place within the nursing home for public review.”.

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

Rep. Prusi moved to amend the bill as follows:

1. Amend page 40, following line 13, following section 333, by inserting:

“Sec. 334. From the funds appropriated in part 1 for health systems administration, the department shall conduct a resident satisfaction survey that will measure the satisfaction of residents and their families with the care in nursing homes. This survey shall be completed by September 30, 2001.”.

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

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

Rep. Kukuk moved that Rep. LaSata be excused temporarily from today’s session.

The motion prevailed.

Rep. Quarles moved that Rep. Basham be excused from the balance of today’s session.

The motion prevailed.

Rep. Gielegghem moved to amend the bill as follows:

1. Amend page 11, line 6, by striking out “181.0” and inserting “195.0”.

2. Amend page 11, line 6, by striking out “16,768,400” and inserting “17,888,400” and by adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 40, following line 13, following section 333, by inserting:

“Sec. 334. The appropriations in part 1 for health systems administration provide the department with 14 additional FTE positions above the level appropriated for the fiscal year ending September 30, 2000. The department shall fill all of these FTE positions by January 1, 2001. The department shall provide the appropriate appropriations subcommittees and the fiscal agencies with a report by January 31, 2001 that provides documentation showing that these positions were filled.”.

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

Rep. Gielegghem demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 167

Yeas—51

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

Nays—55

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

In The Chair: Scranton

Rep. Baird moved to amend the bill as follows:

1. Amend page 10, line 24, by striking out “8,175,000” and inserting “16,000,000”.

2. Amend page 11, line 2, by striking out “8,175,000” and inserting “16,000,000” and by adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Baird demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 168**Yeas—55**

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

Nays—51

Allen	Garcia	Koetje	Richner
Birkholz	Geiger	Kowall	Rocca
Bisbee	Gilbert	Kuipers	Sanborn

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

In The Chair: Scranton

Rep. Switalski moved that Rep. Lemmons be excused temporarily from today's session.
The motion prevailed.

Rep. Cherry moved to amend the bill as follows:

1. Amend page 37, line 12, by striking out all of section 322 and inserting:

"Sec. 322. The department shall report by January 25, 2001 to the house and senate appropriations committees, the house and senate standing committees with jurisdiction over workplace safety issues, and the house and senate fiscal agencies on the total number of work-related deaths and catastrophic injuries in Michigan for the years 1999 and 2000".

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

Rep. Baird moved to amend the bill as follows:

1. Amend page 10, line 24, by striking out "8,175,000" and inserting "10,325,000".

2. Amend page 11, line 2, by striking out "8,175,000" and inserting "10,325,000" and by adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Baird demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 169

Yeas—53

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

Nays—51

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

In The Chair: Scranton

Rep. Cherry moved to amend the bill as follows:

1. Amend page 13, line 21, by striking out “1,026,900” and inserting “1,126,900”.
2. Amend page 14, line 3, by striking out “5,838,200” and inserting “5,938,200” and by adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Cherry demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 170**Yeas—54**

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

Nays—50

Allen	Garcia	Johnson, Ruth	Rackowski
Birkholz	Geiger	Koetje	Richner
Bisbee	Gilbert	Kuipers	Sanborn
Bishop	Godchaux	Kukuk	Scranton

Bradstreet	Gosselin	Law	Shulman
Brown, C.	Green	Mead	Stamas
Byl	Hager	Middaugh	Tabor
Cassis	Hart	Mortimer	Toy
Caul	Howell	Pappageorge	Van Woerkom
DeRossett	Jansen	Patterson	Vander Roest
DeVuyst	Jelinek	Perricone	Vear
DeWeese	Jellema	Pumford	Voorhees
Ehardt	Johnson, Rick		

In The Chair: Scranton

Rep. Godchaux 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. 5275, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

Roll Call No. 171

Yeas—100

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

Nays—5

Bogardus
Gosselin

Hale

LaForge

Prusi

In The Chair: Scranton

The House agreed to the title of the bill.

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

“Mr. Speaker and members of the House:

The U.S. CPI, is just 2.2 percent. That means the rate of growth of this area of government is more than 700 percent greater than inflation. I was elected on a promise to shrink government, not grow it, which is why I vote ‘no’ on this budget.”

Second Reading of Bills**House Bill No. 5510, entitled**

A bill to make appropriations for the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

The bill was read a second time.

Rep. Jellema moved to amend the bill as follows:

1. Amend page 17, line 25, after “funds” by inserting “and has the authority to make minor adjustments to the category funding percentage based upon the demands within categories and the quality of the applications received”.

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

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

Rep. Jelinek moved that Rep. Kuipers be excused temporarily from today’s session.
The motion prevailed.

Rep. Sheltroun moved to amend the bill as follows:

1. Amend page 15, line 5, after “Michigan.” by inserting “from the funds appropriated in part 1 for the Michigan promotion program, \$100,000.00 shall be used by the agency to conduct a study of the impact of bovine tuberculosis on tourism in affected regions of the state.”.

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

Rep. Sheltroun demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 172**Yeas—46**

Bogardus	Frank	Lemmons	Schauer
Bovin	Garza	Lockwood	Scott
Bradstreet	Gielegthem	Mans	Shackleton
Brewer	Hale	Minore	Sheltrown
Brown, B.	Hanley	Neumann	Stallworth
Callahan	Hansen	O'Neil	Switalski
Cherry	Hardman	Pestka	Tesanovich
Clark, I.	Jacobs	Price	Thomas
Clarke, H.	Jamnick	Prusi	Vaughn
Daniels	Kilpatrick	Reeves	Wojno
DeHart	Kowall	Rivet	Woodward
Dennis	LaForge		

Nays—54

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

In The Chair: Scranton

Rep. Neumann moved to amend the bill as follows:

1. Amend page 15, line 5, after "Michigan." by inserting "of the funds appropriated in part 1 for the Michigan promotion program, \$200,000.00 shall be used to promote tourism activities in the northeast region of the state and is conditioned upon travel Michigan working cooperatively with the sunrise side in determining how this funding shall be allocated."

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

Rep. Neumann demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 173**Yeas—47**

Baird	Dennis	LaForge	Schauer
Bogardus	Frank	Lemmons	Scott
Bovin	Garza	Lockwood	Shackleton
Brater	Gielegthem	Mans	Sheltrown

Brewer	Hale	Martinez	Stallworth
Brown, B.	Hanley	Minore	Switalski
Callahan	Hansen	Neumann	Tesanovich
Cherry	Hardman	O'Neil	Thomas
Clark, I.	Jacobs	Price	Vaughn
Clarke, H.	Jamnick	Prusi	Wojno
Daniels	Kelly	Reeves	Woodward
DeHart	Kilpatrick	Rivet	

Nays—56

Allen	Garcia	Koetje	Richner
Birkholz	Gilbert	Kowall	Rocca
Bisbee	Godchaux	Kuipers	Sanborn
Bishop	Gosselin	Kukuk	Scranton
Bradstreet	Green	Law	Shulman
Brown, C.	Hager	Mead	Spade
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
Ehardt	Johnson, Ruth	Rackowski	Voorhees
Faunce	Julian	Richardville	Woronchak

In The Chair: Scranton

Rep. Hale moved to amend the bill as follows:

1. Amend page 18, line 14, after the first "to" by striking out "\$1,000,000.00" and inserting "\$2,000,000.00".

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

Rep. Hale demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 174**Yeas—49**

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

Nays—56

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

In The Chair: Scranton

Rep. Hale moved to amend the bill as follows:

1. Amend page 18, line 16, after “State.” by inserting “The funds appropriated in part 1 for Michigan small businesses shall be utilized to finance the start-up of a statewide program to provide technical and financial assistance to small businesses with less than 20 employees and with annual gross sales of less than \$2,000,000.00. Assistance shall be provided in the areas of marketing, grants and loans, international trade, taxes, real estate acquisition, and insurance planning.”.

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

Rep. Kilpatrick demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 175**Yeas—48**

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

Nays—53

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

Bishop	Green	Law	Scranton
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
Ehardt	Johnson, Ruth	Raczkowski	Voorhees
Faunce	Julian	Richardville	Woronchak
Garcia			

In The Chair: Scranton

Rep. Prusi moved to amend the bill as follows:

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

“Sec. 314. As a condition for receiving funds from the appropriations in part 1, the Michigan economic development corporation shall report to the appropriate house and senate appropriations subcommittees by November 1 of each year on the annual salary and bonus received by each of its non-civil service employees during the most recently completed fiscal year.”.

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

Rep. Prusi demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 176

Yeas—50

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

Nays—54

Allen	Garcia	Julian	Richner
Birkholz	Geiger	Koetje	Rocca
Bisbee	Gilbert	Kowall	Sanborn
Bishop	Godchaux	Kuipers	Scranton
Bradstreet	Gosselin	Kukuk	Shulman
Brown, C.	Green	Law	Stamas
Byl	Hager	Mead	Tabor
Cassis	Hart	Pappageorge	Toy
Caul	Howell	Patterson	Van Woerkom
DeRossett	Jansen	Perricone	Vander Roest

DeVuyst
DeWeese
Ehardt
Faunce

Jelinek
Jellema
Johnson, Rick
Johnson, Ruth

Pumford
Raczkowski
Richardville

Vear
Voorhees
Woronchak

In The Chair: Scranton

Rep. Rivet moved to amend the bill as follows:

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

“Sec. 314. As a condition for receiving the general fund/general purpose appropriations in part 1, the Michigan economic development corporation shall limit the combined annual salary and bonus paid to the corporation’s chief executive officer to a level that is no greater than the annual salary and bonus paid to the governor of the state of Michigan.”.

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

Rep. Rivet demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 177

Yeas—43

Bogardus
Bovin
Brater
Brewer
Brown, B.
Callahan
Cherry
Clark, I.
Clarke, H.
Daniels
DeHart

Dennis
Frank
Gielegthem
Hale
Hanley
Hansen
Hardman
Jacobs
Jamnick
Kelly
Kilpatrick

LaForge
Lemmons
Mans
Martinez
Minore
Neumann
Pestka
Price
Prusi
Reeves
Rivet

Schauer
Scott
Shackleton
Sheltrown
Spade
Switalski
Tesanovich
Vaughn
Wojno
Woodward

Nays—59

Allen
Birkholz
Bisbee
Bishop
Bradstreet
Brown, C.
Byl
Cassis
Caul
DeRossett
DeVuyst
DeWeese
Ehardt
Faunce
Garcia

Geiger
Gilbert
Godchaux
Gosselin
Green
Hager
Hart
Howell
Jansen
Jelinek
Jellema
Johnson, Rick
Johnson, Ruth
Julian
Koetje

Kowall
Kuipers
Kukuk
Law
Lockwood
Mead
Middaugh
Mortimer
O’Neil
Pappageorge
Patterson
Perricone
Pumford
Raczkowski
Richardville

Richner
Rocca
Sanborn
Scranton
Shulman
Stamas
Tabor
Thomas
Toy
Van Woerkom
Vander Roest
Vear
Voorhees
Woronchak

In The Chair: Scranton

Rep. Hager moved to amend the bill as follows:

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

“Sec. 314. The money appropriated in part 1 to the fund is subject to the condition that none is spent for premiums or advertising material involving personal effects or apparel including, but not limited to, t-shirts, hats, coffee mugs, or other promotional items, except Travel Michigan”.

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

Rep. Frank moved to amend the bill as follows:

1. Amend page 15, line 5, after “Michigan.” by inserting “In addition, at least \$200,000.00 shall be used to promote tourism activities in the eastern region of the state.”.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 178

Yeas—47

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

Nays—57

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

In The Chair: Scranton

Rep. Rivet moved to amend the bill as follows:

1. Amend page 2, line 16, by striking out “5,483,300” and inserting “3,483,300”.
2. Amend page 2, line 17, by striking out “24,557,000” and inserting “14,557,000”.

3. Amend page 2, line 19, by striking out “31,000,000” and inserting “8,000,000”.

4. Amend page 2, following line 20, by inserting:

“Community college/vocational training scholarships 35,000,000”

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

5. Amend page 18, following line 19, following section 314, by inserting:

“Sec. 315. The appropriation in part 1 for community college/vocational training scholarships shall be utilized to provide scholarships to Michigan high school graduates that will allow graduates to attend community colleges or vocational schools for 2 years without tuition cost.”.

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

Rep. Rivet demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 179

Yeas—32

Bogardus	Frank	LaForge	Schauer
Bovin	Gielegghem	Lemmons	Scott
Brewer	Hale	Mans	Sheltrown
Callahan	Hanley	Neumann	Stallworth
Clarke, H.	Hansen	O’Neil	Switalski
Daniels	Hardman	Quarles	Vaughn
DeHart	Jacobs	Reeves	Wojno
Dennis	Kelly	Rivet	Woodward

Nays—70

Allen	Garcia	Kuipers	Richner
Baird	Garza	Kukuk	Rocca
Birkholz	Gilbert	Law	Sanborn
Bisbee	Godchaux	Lockwood	Scranton
Bishop	Gosselin	Martinez	Shackleton
Bradstreet	Green	Mead	Shulman
Brown, B.	Hager	Middaugh	Spade
Brown, C.	Hart	Mortimer	Stamas
Byl	Howell	Pappageorge	Tabor
Cassis	Jamnick	Patterson	Tesanovich
Caul	Jansen	Perricone	Thomas
Cherry	Jelinek	Pestka	Toy
Clark, I.	Jellema	Price	Van Woerkom
DeRossett	Johnson, Rick	Prusi	Vander Roest
DeVuyst	Johnson, Ruth	Pumford	Vear
DeWeese	Julian	Rackowski	Voorhees
Ehardt	Koetje	Richardville	Woronchak
Faunce	Kowall		

In The Chair: Scranton

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

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

Rep. Rackowski moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5510, entitled

A bill to make appropriations for the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Roll Call No. 180

Yeas—97

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

Nays—9

Hale	LaForge	Prusi	Rivet
Hanley	Neumann	Quarles	Vaughn
Kelly			

In The Chair: Scranton

The House agreed to the title of the bill.

Second Reading of Bills

House Bill No. 5281, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe

certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

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

Rep. Patterson moved to amend the bill as follows:

1. Amend page 15, following line 20, by inserting:

“Renovation grants 20,000”.

2. Amend page 16, line 13, by striking out “0” and inserting “20,000” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 34, following line 19, by inserting:

“Sec. 1203. The appropriation in part 1 for renovation grants shall be awarded as a grant to Sumpter Township in Wayne County to renovate the Polish national alliance building.”.

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

Rep. Patterson moved to amend the bill as follows:

1. Amend page 8, line 24, by striking out “16,264,000” and inserting “16,274,000”.

2. Amend page 9, line 10, by striking out “9,303,100” and inserting “9,313,100” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 28, following line 19, by inserting:

“Sec. 605. The appropriation in part 1 for wildlife management includes \$10,000.00 to establish and manage turkeys and pheasants in Crosswinds Marsh in Sumpter Township in Wayne County.”.

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

Rep. Cherry moved that Reps. LaForge and Daniels be excused temporarily from today’s session.

The motion prevailed.

Rep. Frank moved to amend the bill as follows:

1. Amend page 30, line 22, after “appropriation.” and inserting “The department shall not raise fees if the consensus revenue estimating conference estimates a general fund balance at the end of the current fiscal year.”.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 181

Yeas—50

Baird	Frank	Lockwood	Schauer
Bogardus	Garza	Mans	Scott
Bovin	Gielegthem	Martinez	Shackleton
Brater	Hale	Minore	Sheltrown
Brewer	Hanley	Neumann	Spade
Brown, B.	Hansen	O’Neil	Stallworth
Callahan	Hardman	Pestka	Switalski
Cherry	Howell	Price	Tesanovich
Clark, I.	Jacobs	Prusi	Thomas
Clarke, H.	Jamnick	Quarles	Vaughn
DeHart	Kelly	Reeves	Wojno

Dennis
Faunce

Kilpatrick
Lemmons

Rivet

Woodward

Nays—54

Allen
Birkholz
Bisbee
Bishop
Bradstreet
Brown, C.
Byl
Cassis
Caul
DeRossett
DeVuyst
DeWeese
Ehardt
Garcia

Geiger
Gilbert
Godchaux
Gosselin
Green
Hager
Hart
Jansen
Jelinek
Jellema
Johnson, Rick
Johnson, Ruth
Julian
Koetje

Kowall
Kuipers
Kukuk
Law
Mead
Middaugh
Mortimer
Pappageorge
Patterson
Perricone
Pumford
Rackowski
Richardville

Richner
Rocca
Sanborn
Scranton
Shulman
Stamas
Tabor
Toy
Van Woerkom
Vander Roest
Vear
Voorhees
Woronchak

In The Chair: Scranton

Rep. Hale moved to amend the bill as follows:

1. Amend page 30, following line 14, by inserting:

“Sec. 804. Of the funds appropriated in section 107, \$15,000.00 shall be used for the mosquito abatement program along the Rouge River.”.

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

Rep. Hale demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 182

Yeas—37

Baird
Bogardus
Brater
Brewer
Brown, B.
Cherry
Clark, I.
Clarke, H.
Daniels
DeHart

Dennis
Garza
Hale
Hanley
Hardman
Jacobs
Jamnick
Kelly
Kilpatrick

LaForge
Lemmons
Mans
Minore
O’Neil
Price
Prusi
Quarles
Rackowski

Reeves
Rivet
Scott
Stallworth
Switalski
Tesanovich
Thomas
Vaughn
Woronchak

Nays—64

Allen
Basham
Birkholz
Bisbee

Garcia
Geiger
Gielegghem
Gilbert

Julian
Koetje
Kowall
Kuipers

Richner
Rocca
Sanborn
Scranton

Bishop	Godchaux	Kukuk	Shackleton
Bovin	Gosselin	Law	Sheltrown
Bradstreet	Green	Lockwood	Shulman
Brown, C.	Hager	Mead	Spade
Byl	Hansen	Middaugh	Stamas
Cassis	Hart	Mortimer	Tabor
Caul	Howell	Pappageorge	Van Woerkom
DeRossett	Jansen	Patterson	Vander Roest
DeVuyst	Jelinek	Perricone	Vear
DeWeese	Jellema	Pestka	Voorhees
Ehardt	Johnson, Rick	Pumford	Wojno
Faunce	Johnson, Ruth	Richardville	Woodward

In The Chair: Scranton

Rep. Byl moved to amend the bill as follows:

1. Amend page 30, line 23, by striking out all of section 902, and inserting:

“Sec. 902. Of the funds appropriated in section 109, the department shall not allow the amount of timber marked and offered for sale to decrease below 855,000 cords or 69,000 acres, at the current average rate of 12.5 to 13 cords per acre. In addition, the department shall continue its silvicultural analysis and report annually to the legislature on plans and efforts to address factors limiting management. The department shall take into consideration the impact of timber harvesting on wildlife habitat and recreational use.”.

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

Rep. Byl moved to amend the bill as follows:

1. Amend page 32, line 9, by striking out all of section 907, and inserting:

“Sec. 907. The appropriation in part 1 for trails includes \$70,000.00 to be given as a grant to Michigan rails-to-trails conservancy to establish and support a greenway specialist position. This person shall coordinate trails development in southeast Michigan and be available to work with local officials and trail organizations to implement the southeast Michigan greenways project, and to educate and provide outreach support for the purpose of building public-private partnerships in the development of a 7-county trail network”.

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

Rep. Vear moved to amend the bill as follows:

1. Amend page 32, following line 15, by inserting:

“Sec. 908. The funds appropriated in section 109 for the urban tree planting component of the cooperative resources program initiative, will be used for activities consistent with, or complementary to, the proposed “MI Trees for the twenty-first century” program.”.

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

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

The motion prevailed.

Senate Bill No. 1006, entitled

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

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Health Policy (for amendment, see House Journal No. 25, p. 441),

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

Reps. Law and Brater moved to amend the bill as follows:

1. Amend page 1, line 3, after “DEGREE” by striking out “AND” and inserting a comma.

2. Amend page 1, line 4, after “SCHOOL,” by inserting “AND HAS ITS MAIN FACILITY IN A CITY HAVING A POPULATION OF 100,000 OR MORE,”.

3. Amend page 1, line 9, by striking out all of subsection (2).

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1006, entitled

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

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

Roll Call No. 183

Yeas—106

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

Nays—0

In The Chair: Scranton

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

“An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disabilities; to establish guardianship

procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts.”.

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 1045, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 1103, 1105, 1106, 1107, 1213, 1214, 1303, 1402, 2114, 2202, 2203, 2205, 2504, 2519, 2702, 2718, 2807, 3102, 3204, 3301, 3401, 3412, 3414, 3505, 3806, 3807, 3901, 3902, 3917, 3921, 3956, 5101, 5204, 5213, 5219, 5308, 5406, 6302, 6306, 7206, 7303, 7409, 7501, and 7507 (MCL 700.1103, 700.1105, 700.1106, 700.1107, 700.1213, 700.1214, 700.1303, 700.1402, 700.2114, 700.2202, 700.2203, 700.2205, 700.2504, 700.2519, 700.2702, 700.2718, 700.2807, 700.3102, 700.3204, 700.3301, 700.3401, 700.3412, 700.3414, 700.3505, 700.3806, 700.3807, 700.3901, 700.3902, 700.3917, 700.3921, 700.3956, 700.5101, 700.5204, 700.5213, 700.5219, 700.5308, 700.5406, 700.6302, 700.6306, 700.7206, 700.7303, 700.7409, 700.7501, and 700.7507); and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Family and Civil Law (for amendments, see House Journal No. 25, p. 443),

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

Rep. Switalski moved to amend the bill as follows:

1. Amend page 27, following line 19, by inserting:

“Sec. 2513. Whether or not the provisions relating to a holographic will apply, a will may refer to a written statement or list to dispose of items of tangible personal property not otherwise specifically disposed of by the will, other than money. To be admissible under this section as evidence of the intended disposition, the writing must be EITHER IN THE TESTATOR’S HANDWRITING OR signed by the testator AT THE END, and must describe the items and the devisees with reasonable certainty. The writing may be referred to as one to be in existence at the time of the testator’s death; it may be prepared before or after the execution of the will; it may be altered by the testator after its preparation; and it may be a writing that has no significance apart from its effect on the dispositions made by the will.”.

2. Amend page 31, line 14, by striking out “signed by me” and inserting a comma and “either in my handwriting or signed by me at the end,”.

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

Reps. Richner and Baird moved to amend the bill as follows:

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

“Sec. 1104. As used in this act:

(a) “Environmental law” means a federal, state, or local law, rule, regulation, or ordinance that relates to the protection of the environment or human health.

(b) “Estate” includes the property of the decedent, trust, or other person whose affairs are subject to this act as the property is originally constituted and as it exists throughout administration. Except when used in the term “probate estate”, estate includes the right of an estate described in section 7502 to proceed against a recipient of a nonprobate transfer on death and against a trust subject to a power of revocation as necessary to enable the estate to discharge claims and family allowances.

(c) “Exempt property” means property of a decedent’s estate that is described in section 2404.

(d) “Family allowance” is the allowance prescribed in section 2403.

(e) “Fiduciary” includes, but is not limited to, a personal representative, guardian, conservator, trustee, plenary or partial guardian appointed as provided in chapter 6 of the mental health code, 1974 PA 258, MCL 330.1600 to 330.1644, and successor fiduciary.

(f) “Financial institution” means an organization authorized to do business under state or federal laws relating to a financial institution and includes, but is not limited to, a bank, trust company, savings bank, building and loan association, savings and loan company or association, and credit union.

(g) “Foreign personal representative” means a personal representative appointed by another jurisdiction.

(h) “Formal proceedings” means proceedings conducted before a judge with notice to interested persons.

(i) “General personal representative” means a personal representative other than a special personal representative.

(j) “Governing instrument” means a deed; will; trust; insurance or annuity policy; account with POD designation; security registered in beneficiary form (TOD); pension, profit-sharing, retirement, or similar benefit plan; instrument creating or exercising a power of appointment or a power of attorney; or dispositive, appointive, or nominative instrument of any similar type.

(k) “Guardian” means a person who has qualified as a guardian of a minor or A LEGALLY incapacitated individual under a parental or spousal nomination or a court appointment and includes a limited guardian as described in sections 5205, 5206, and 5306. Guardian does not include a guardian ad litem.

(l) “Hazardous substance” means a substance defined as hazardous or toxic or otherwise regulated by an environmental law.

(m) “Heir” means, except as controlled by section 2720, a person, including the surviving spouse or the state, that is entitled under the statutes of intestate succession to a decedent’s property.

(n) “Homestead allowance” means the allowance prescribed in section 2402.”.

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

Rep. Richner moved to amend the bill as follows:

1. Amend page 8, following line 6, by inserting:

“(v) A PHYSICIAN’S ASSISTANT LICENSED TO PRACTICE IN THIS STATE UNDER ARTICLE 15 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.16101 TO 333.18838.”.

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

Rep. Richner moved to amend the bill as follows:

1. Amend page 7, following line 11, subdivision (i), after “MEANS AN INDIVIDUAL” by inserting a comma and “OTHER THAN A MINOR,”.

2. Amend page 7, following line 11, subdivision (i), after “OR AND INDIVIDUAL” by inserting a comma and “OTHER THAN A MINOR,”.

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

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

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

Rep. Raczkowski moved that the bill be placed on its immediate passage.

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1045, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 1103, 1105, 1106, 1107, 1213, 1214, 1303, 1402, 2114, 2202, 2203, 2205, 2504, 2519, 2702, 2718, 2807, 3102, 3204, 3301, 3401, 3412, 3414, 3505, 3806, 3807, 3901, 3902, 3917, 3921, 3956, 5101, 5204, 5213, 5219, 5308, 5406, 6302, 6306, 7206, 7303, 7409, 7501, and 7507 (MCL 700.1103, 700.1105, 700.1106, 700.1107, 700.1213, 700.1214, 700.1303, 700.1402, 700.2114, 700.2202, 700.2203, 700.2205, 700.2504, 700.2519, 700.2702, 700.2718, 700.2807, 700.3102, 700.3204, 700.3301, 700.3401, 700.3412, 700.3414, 700.3505, 700.3806, 700.3807, 700.3901, 700.3902, 700.3917, 700.3921, 700.3956, 700.5101, 700.5204, 700.5213, 700.5219, 700.5308, 700.5406, 700.6302, 700.6306, 700.7206, 700.7303, 700.7409, 700.7501, and 700.7507); and to repeal acts and parts of acts.

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

Roll Call No. 184

Yeas—105

Allen
Baird
Birkholz
Bisbee
Bishop

Frank
Garcia
Garza
Geiger
Gielegghem

Koetje
Kowall
Kuipers
Kukuk
LaForge

Richner
Rivet
Rocca
Sanborn
Schauer

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

Nays—0

In The Chair: Scranton

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

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

A bill to amend 1998 PA 386, entitled “An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts,” by amending sections 1103, 1104, 1105, 1106, 1107, 1213, 1214, 1303, 1402, 2114, 2202, 2203, 2205, 2504, 2513, 2519, 2702, 2718, 2807, 3102, 3204, 3301, 3401, 3412, 3414, 3505, 3806, 3807, 3901, 3902, 3917, 3921, 3924, 3956, 5101, 5103, 5202, 5204, 5213, 5219, 5301, 5308, 5310, 5312, 5313, 5314, 5316, 5406, 6302, 6306, 7206, 7303, 7409, 7501, and 7507 (MCL 700.1103, 700.1104, 700.1105, 700.1106, 700.1107, 700.1213, 700.1214, 700.1303, 700.1402, 700.2114, 700.2202, 700.2203, 700.2205, 700.2504, 700.2513, 700.2519, 700.2702, 700.2718, 700.2807, 700.3102, 700.3204, 700.3301, 700.3401, 700.3412, 700.3414, 700.3505, 700.3806, 700.3807, 700.3901, 700.3902, 700.3917, 700.3921, 700.3924, 700.3956, 700.5101, 700.5103, 700.5202, 700.5204, 700.5213, 700.5219, 700.5301, 700.5308, 700.5310, 700.5312, 700.5313, 700.5314, 700.5316, 700.5406, 700.6302, 700.6306, 700.7206, 700.7303, 700.7409, 700.7501, and 700.7507); and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

The House returned to the consideration of

House Bill No. 5281, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

(The bill was considered earlier today, see today's journal, p. 492.)

The question being on the adoption of the amendment offered previously by Rep. Vear, Rep. Vear withdrew the amendment.

Rep. Byl 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. 5281, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

Roll Call No. 185

Yeas—105

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

Nays—1

Gosselin

In The Chair: Scranton

The House agreed to the title of the bill.

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

“Mr. Speaker and members of the House:

200 percent. That is how much faster the rate of growth in this area of government is compared to the rate of inflation. And that is the more generous Detroit region Consumer Price Index (CPI). The U.S. CPI, which applies to those parts of the state which contain most of the natural resources, is just 2.2 percent. That means the rate of growth of this area of government is more than 250 percent greater than inflation. I was elected on a promise to shrink government, not grow it, which is why I vote ‘no’ on this budget.”

Second Reading of Bills

House Bill No. 5125, entitled

A bill to amend 1979 PA 152, entitled “State license fee act,” (MCL 338.2201 to 338.2277) by adding section 26.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Constitutional Law and Ethics,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

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

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

Rep. Raczkowski moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5125, entitled

A bill to amend 1979 PA 152, entitled “State license fee act,” (MCL 338.2201 to 338.2277) by adding section 26.

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

Roll Call No. 186

Yeas—104

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

Ehardt
Faunce

Kelly
Kilpatrick

Raczkowski
Reeves

Woodward
Woronchak

Nays—1

Bisbee

In The Chair: Scranton

The House agreed to the title of the bill.

Reps. Birkholz, Bishop, Bradstreet, Cameron Brown, Caul, DeHart, DeRossett, DeVuyst, DeWeese, Ehardt, Gosselin, Green, Jansen, Jelinek, Rick Johnson, Ruth Johnson, Koetje, Kuipers, Kukuk, Mans, Mead, O'Neil, Pappageorge, Patterson, Pumford, Sanborn, Shulman, Toy, Van Woerkom, Vander Roest, Vear and Wojno were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5128, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Constitutional Law and Ethics,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Bradstreet moved to amend the bill as follows:

1. Amend page 2, line 14, after "WITHIN" by striking out "60" and inserting "120".

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

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

1. Amend page 2, line 24, after "DICTION" by striking out the balance of the line through "FELONY" on line 7, page 3 and inserting a comma and "WAS EVER CONVICTED OF A CRIME" and relettering the remaining subdivisions.

2. Amend page 3, line 26, after "(B)," by striking out "(C), OR (D)" and inserting "OR (C)".

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

Rep. Bradstreet 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. 5128, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

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

Roll Call No. 187

Yeas—104

Allen
Baird
Birkholz
Bisbee
Bishop

Faunce
Frank
Garcia
Garza
Geiger

Kilpatrick
Koetje
Kowall
Kuipers
Kukuk

Richardville
Richner
Rivet
Rocca
Sanborn

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

Nays—0

In The Chair: Scranton

The House agreed to the title of the bill.

Reps. Birkholz, Bishop, Cameron Brown, Callahan, Cassis, DeHart, DeRossett, DeVuyst, Gosselin, Green, Jansen, Jelinek, Rick Johnson, Koetje, Kuipers, Mead, Mortimer, Pappageorge, Patterson, Sheltrown, Van Woerkom, Vander Roest, Vear and Voorhees were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5130, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

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

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

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

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

Rep. Raczkowski moved that the bill be placed on its immediate passage.

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

Rep. Price moved that Reps. Tesanovich and Prusi be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5130, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

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

Roll Call No. 188**Yeas—101**

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

Nays—0

In The Chair: Scranton

The House agreed to the title of the bill.

Rep. Hale moved that Rep. Thomas be excused from the balance of today's session.
The motion prevailed.

Second Reading of Bills**House Bill No. 5469, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding section 523.
The bill was read a second time.

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

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

Rep. Rackowski moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5469, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding section 523.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 5134, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3805 (MCL 600.3805).

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. Schermesser 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. 5134, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3805 (MCL 600.3805).

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

Roll Call No. 189

Yeas—101

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

Nays—1

Bisbee

In The Chair: Scranton

The House agreed to the title of the bill

The House returned to the consideration of

House Bill No. 5469, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” (MCL 339.101 to 339.2721) by adding section 523. (The bill was considered earlier today, see today’s journal, p. 504.)

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. 190**Yeas—100**

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

Nays—0

In The Chair: Scranton

The House agreed to the title of the bill.

Reps. Birkholz, Cameron Brown, Callahan, Cassis, DeRossett, DeVuyst, Gosselin, Jansen, Kuipers, Kukuk, Mans, Mead, Mortimer, Neumann, Patterson, Rivet, Toy, Van Woerkom, Vander Roest, Vear and Voorhees were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5132, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Constitutional Law and Ethics,

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

Rep. Brater moved to amend the bill as follows:

1. Amend page 1, following "THE PEOPLE OF THE STATE OF MICHIGAN ENACT:" by inserting:

"TITLE

An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; TO ESTABLISH CERTAIN EMPLOYMENT RELATIONSHIPS UNDER CERTAIN CIRCUMSTANCES; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts."

2. Amend page 2, following line 18, by inserting:

"SEC. 2413. (1) WHETHER A PERSON IS AN EMPLOYEE OF A LICENSEE UNDER THIS ARTICLE OR OF ANY OTHER PERSON ENGAGED IN CONSTRUCTION, ALTERATION, OR MAINTENANCE OF ANY STRUCTURE OR OF ANY INFRASTRUCTURE NOT LICENSED UNDER THIS ARTICLE IS DETERMINED ON THE BASIS OF THE FOLLOWING FACTORS:

(A) IF THE RELATIONSHIP IS TERMINABLE AT WILL, THE EXTENT OF LIABILITY, IF ANY, THE EMPLOYER INCURS UPON TERMINATION.

(B) WHETHER THE WORK BEING PERFORMED IS AN INTEGRAL PART OF THE EMPLOYER'S BUSINESS THAT CONTRIBUTES TO THE ACCOMPLISHMENT OF A COMMON OBJECTIVE.

(C) THE WORK IS OF SUCH A NATURE THAT THE WORKER PRIMARILY DEPENDS UPON THE COMPENSATION FOR PAYMENT OF HIS OR HER LIVING EXPENSES.

(D) WHETHER THE WORKER FURNISHED HIS OR HER OWN EQUIPMENT AND MATERIALS.

(E) THE EXTENT THAT THE WORKER HOLDS HIMSELF OR HERSELF OUT TO THE PUBLIC AS SOMEONE READY AND ABLE TO PERFORM TASKS OF THE EMPLOYER.

(F) WHETHER THE WORK IS CUSTOMARILY PERFORMED BY AN INDEPENDENT CONTRACTOR.

(G) WHETHER THE EMPLOYER HAS THE ABILITY TO CONTROL THE WORKER'S ACTIVITIES, PAYS WAGES, MAINTAINS DISCIPLINE, OR ENGAGES OR DISCHARGES THE WORKER.

(2) A LICENSEE, BUSINESS ENTITY, CONTRACTOR, SUBCONTRACTOR, OR ANY OTHER PERSON SHALL NOT CONSIDER A CONSTRUCTION MECHANIC OR OTHER PERSON THAT IS AN EMPLOYEE AS DETERMINED UNDER SUBSECTION (1) TO BE AN INDEPENDENT CONTRACTOR. AN EMPLOYEE HAS A CAUSE OF ACTION AGAINST A LICENSEE, BUSINESS ENTITY, CONTRACTOR, SUBCONTRACTOR, OR ANY OTHER PERSON THAT IS DETERMINED BY THE DEPARTMENT OR A COURT OF COMPETENT JURISDICTION TO BE IN VIOLATION OF THIS SUBSECTION AND MAY RECOVER BACK WAGES, BENEFITS, AND ACTUAL ATTORNEY FEES.

(3) THE DEPARTMENT OR A COURT, IN ISSUING ANY ORDER OR JUDGMENT PURSUANT TO SUBSECTION (2), SHALL REQUIRE THE PERSON AGAINST WHOM THE ORDER OR JUDGMENT IS ISSUED TO REPORT THE ENTRY OF THE ORDER OR JUDGMENT TO THE MICHIGAN BUREAU OF WORKERS' DISABILITY COMPENSATION, MICHIGAN UNEMPLOYMENT AGENCY, THE MICHIGAN DEPARTMENT OF TREASURY, AND THE INTERNAL REVENUE SERVICE OF THE UNITED STATES.

(4) AS USED IN THIS SECTION, "CONSTRUCTION MECHANIC" MEANS A SKILLED OR UNSKILLED MECHANIC, LABORER, WORKER, HELPER, ASSISTANT, OR APPRENTICE WORKING ON OR ENGAGED IN CONSTRUCTION, ALTERATION, OR MAINTENANCE OF ANY STRUCTURE OR OF ANY INFRASTRUCTURE."

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

Point of Order

Rep. Raczkowski requested a ruling from the Chair regarding the germaneness of the amendments offered by Rep. Brater.

The Chair ruled that the amendments are not germane pursuant to House Rule 64. The amendments introduce a new proposition which is not germane to the subject matter of the bill as it was originally 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. 191**Yeas—55**

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

Nays—47

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

In The Chair: Scranton

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

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

Rep. Rackowski moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5132, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

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

Roll Call No. 192**Yeas—103**

Allen	Frank	Koetje	Richner
Baird	Garcia	Kowall	Rivet

Birkholz	Garza	Kuipers	Rocca
Bisbee	Geiger	Kukuk	Sanborn
Bishop	Gielegthem	LaForge	Schauer
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	Toy
Clark, I.	Jamnack	Perricone	Van Woerkom
Daniels	Jansen	Pestka	Vander Roest
DeHart	Jelinek	Price	Vaughn
Dennis	Jellema	Prusi	Vear
DeRossett	Johnson, Rick	Pumford	Voorhees
DeVuyst	Johnson, Ruth	Quarles	Wojno
DeWeese	Julian	Rackowski	Woodward
Ehardt	Kelly	Reeves	Woronchak
Faunce	Kilpatrick	Richardville	

Nays—0

In The Chair: Scranton

The House agreed to the title of the bill.

Reps. Allen, Birkholz, Bishop, Cameron Brown, Callahan, Cassis, DeHart, DeRossett, DeVuyst, DeWeese, Ehardt, Gosselin, Howell, Jansen, Jelinek, Julian, Kuipers, Kukuk, Mans, Mead, O'Neil, Pappageorge, Patterson, Pumford, Sheltrown, Tabor, Toy, Vander Roest, Van Woerkom, Vear, Voorhees and Wojno were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5129, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

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

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

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

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

Rep. Rackowski moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5129, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

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

Roll Call No. 193

Yeas—102

Allen	Frank	Koetje	Richardville
Baird	Garcia	Kowall	Richner

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

Nays—0

In The Chair: Scranton

The House agreed to the title of the bill.

Reps. Allen, Birkholz, Bishop, Bradstreet, Callahan, Caul, DeHart, DeVuyst, DeWeese, Gosselin, Green, Howell, Jansen, Jelinek, Rick Johnson, Ruth Johnson, Julian, Koetje, Kuipers, Kukuk, Mans, Mead, Pappageorge, Patterson, Pumford, Tabor, Toy, Van Woerkom, Vander Roest, Vear, Voorhees and Wojno were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5133, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5208.

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. Brater moved to amend the bill as follows:

1. Amend page 7, following line 12, by inserting:

"SEC. 20155A. THE DEPARTMENT SHALL INCREASE THE NUMBER OF FULL-TIME EMPLOYEES CONDUCTING VISITS TO HOMES FOR THE AGED UNDER SECTION 20155 BY 10 IN EACH OF THE NEXT 3 FISCAL YEARS FOLLOWING THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION."

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

Point of Order

Rep. Rackowski requested a ruling from the Chair regarding the germaneness of the amendment offered by Rep. Brater.

The Chair ruled that the amendment is not germane pursuant to House Rule 64. The amendment introduces a new proposition which is not germane to the subject matter of the bill as it was originally introduced and as it is currently before the House.

Rep. Toy 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. 5133, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5208.

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

Roll Call No. 194

Yeas—88

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

Nays—11

Brater	Jacobs	Lemmons	Scott
Daniels	Jamnick	Martinez	Vaughn
Hardman	Kilpatrick	Minore	

In The Chair: Scranton

The House agreed to the title of the bill.

Reps. Birkholz, Bishop, Bradstreet, Cameron Brown, Callahan, Cassis, Caul, DeHart, DeRossett, DeVuyst, Ehardt, Gosselin, Green, Howell, Jansen, Jelinek, Rick Johnson, Julian, Koetje, Kuipers, Kukuk, Lockwood, Mead, Mortimer, O'Neil, Pappageorge, Patterson, Pumford, Sanborn, Sheltrown, Shulman, Tabor, Van Woerkom, Vander Roest, Vear and Voorhees were named co-sponsors of the bill.

Rep. Raczkowski moved that when the House adjourns today it stand adjourned until Wednesday, March 22, at 12:00 Noon.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Scranton, DeHart, Kelly, Faunce, Jansen, LaForge, Hanley, Lemmons, Julian, Garcia, Ehardt, Vander Roest, Baird, Kowall, Shulman, Birkholz, Richner, Howell, Rick Johnson, DeRossett, Voorhees, Toy, Koetje, Cassis, Cherry, Raczkowski, Mead, Pappageorge, Hale, Allen, Scott, Jamnick and Hager offered the following resolution:

House Resolution No. 303.

A resolution honoring Becky Young.

Whereas, It is a pleasure to offer congratulations to Becky Young upon her selection as the Middle School Science Teacher of the Year. With the record that this talented and energetic teacher has compiled over the years, this is a most fitting symbol of excellence in an endeavor of great importance to every citizen, business, and institution in this state—the education of our young people; and

Whereas, Michigan has a long tradition of belief in the value of education. Our state was the first to provide in its constitution for an officer with statewide duties in public education. In the settlements in all parts of the state, hiring a schoolteacher and finding a place to hold classes were always among the first tasks marking a sense of community for the pioneers; and

Whereas, In receiving the Middle School Science Teacher of the Year, Becky Young is being singled out for her efforts in several areas. In addition to specific innovations in the classroom, study units, and programs, she is being honored for success in the most fundamental component of learning. She is exceptionally talented in motivating middle school students in the sciences. We applaud the dedication she has consistently displayed and offer our thanks for the manner in which both students and other educators benefit from all of this hard work; now, therefore, be it

Resolved by the House of Representatives, That the members of the this legislative body join in honoring Becky Young upon her selection for Michigan Middle School Science Teacher of the Year honors; and be it further

Resolved, That a copy of this resolution be transmitted to Becky Young as a token of our respect for her fine work. Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Raczkowski and Kilpatrick offered the following resolution:

House Concurrent Resolution No. 89.

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives adjourns on Thursday, March 23, 2000, it stand adjourned until Tuesday, April 11, 2000, at 10:00 a.m.

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.

Reports of Standing Committees

The Committee on Appropriations, by Rep. Geiger, Chair, reported

House Bill No. 5276, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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 5276 To Report Out:

Yeas: Reps. Jellema, Cameron Brown, Byl, Caul, Jelinek, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Clarke, Frank, Martinez, Pestka, Prusi, Stallworth, Tesanovich,

Nays: None.

The Committee on Appropriations, by Rep. Geiger, Chair, reported

House Bill No. 5277, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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 5277 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Caul, Jansen, Jelinek, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Clarke, Frank, Martinez, Pestka, Prusi, Stallworth, Tesanovich,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Geiger, Chair of the Committee on Appropriations, was received and read:
Meeting held on: Friday, March 17, 2000, at 11:00 a.m.,

Present: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Jansen, Jelinek, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Clarke, Frank, Martinez, Pestka, Prusi, Stallworth, Tesanovich,

Absent: Reps. Godchaux, Kukuk, LaSata, Kelly,

Excused: Reps. Godchaux, Kukuk, LaSata, Kelly.

The Committee on Education, by Rep. Ruth Johnson, Vice-Chair, reported

Senate Bill No. 588, 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.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 588 To Report Out:

Yeas: Reps. Allen, Ruth Johnson, DeWeese, Hager, Hart, Rick Johnson, Kuipers, Van Woerkom, Bogardus, Clark, Daniels, Gielegghem, Hansen, Scott, Spade,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 21, 2000, at 10:00 a.m.,

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

The Committee on Family and Civil Law, by Rep. Richner, Chair, reported

Senate Bill No. 1051, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8151 and 8152 (MCL 600.8151 and 600.8152), section 8152 as amended by 1990 PA 54.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 1051 To Report Out:

Yeas: Reps. Richner, Shulman, Hart, Sanborn, Voorhees, Baird, Switalski,

Nays: Rep. Minore.

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, March 21, 2000, at 9:00 a.m.,

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

Absent: Reps. Koetje, Law, Schermesser,

Excused: Reps. Koetje, Law, Schermesser.

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

House Bill No. 4784, 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 62b (MCL 791.262b), as amended by 1988 PA 492.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4784 To Report Out:

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

Nays: None.

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

Senate Bill No. 378, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 174a.

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

SB 378 To Report Out:

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

Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported
Senate Bill No. 597, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as added by 1998 PA 317.

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

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

Favorable Roll Call

SB 597 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 21, 2000, at 10:30 a.m.,

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

Absent: Rep. Callahan,

Excused: Rep. Callahan.

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 21, 2000, at 9:00 a.m.,

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

Absent: Rep. Mans,

Excused: Rep. Mans.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members, Wednesday, March 15:

Senate Bill No. 1166

The Clerk announced the enrollment printing and presentation to the Governor on Friday, March 17, for his approval of the following bill:

Enrolled House Bill No. 5144 at 11:22 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, March 17:

House Bill Nos. 5512 5513 5514 5515 5516 5517 5518 5519

The Clerk announced the enrollment printing and presentation to the Governor on Monday, March 20, for his approval of the following bills:

Enrolled House Bill No. 4026 at 10:33 a.m.

Enrolled House Bill No. 4305 at 10:35 a.m.

Enrolled House Bill No. 5143 at 10:37 a.m.

Enrolled House Bill No. 5341 at 10:39 a.m.

The Clerk announced that the following Senate bills had been received on Tuesday, March 21:

Senate Bill Nos. 801 892

By unanimous consent the House returned to the order of
Messages from the Senate

Senate Bill No. 801, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7o (MCL 211.7o), as amended by 1998 PA 536.

The Senate has passed the bill.

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

Senate Bill No. 892, entitled

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 28 (MCL 205.28), as amended by 1998 PA 221.

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 35.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Thursday, April 13, 2000, it stands adjourned until Tuesday, May 2, 2000, at 10:00 a.m.

The Senate has adopted the concurrent resolution.

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.

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **House Bill No. 4740**.

Rep. Jacobs

Messages from the Governor

Date: March 15, 2000

Time: 2:45 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4620 (Public Act No. 35, I.E.), being

An act to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized

under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending section 1224 (MCL 500.1224), as amended by 1981 PA 1.

(Filed with the Secretary of State March 17, 2000, at 10:50 a.m.)

Date: March 15, 2000

Time: 2:50 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4969 (Public Act No. 36, I.E.), being

An act to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 226 (MCL 257.226), as amended by 1992 PA 297, and by adding section 801i.

(Filed with the Secretary of State March 17, 2000, at 10:52 a.m.)

Date: March 15, 2000

Time: 2:55 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4742 (Public Act No. 37, I.E.), being

An act to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for

the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 5205 (MCL 333.5205), as amended by 1997 PA 57.

(Filed with the Secretary of State March 17, 2000, at 10:54 a.m.)

Communications from State Officers

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

Notices of Filing Administrative Rules

March 8, 2000

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 2:20 P.M. this date, administrative rule (00-03-13) for the Department of Environmental Quality, Surface Water Quality Division and Waste Management Division, entitled “*Wastewater Discharge Permits*”, effective 15 days hereafter.

March 8, 2000

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 2:22 P.M. this date, administrative rule (00-03-14) for the Department of Environmental Quality, Environmental Assistance Division, entitled “*Clean Corporate Citizen Program*”, effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
James Fackler, Acting Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

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

March 17, 2000

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the
Legal Incapacitation, Involuntary Hospitalization
or Treatment, and Not-Guilty-by-Reason-of-Insanity
Court Order Information Within the Law
Enforcement Information Network
March 2000

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. Kowall, Van Woerkom, Pappageorge, DeVuyst, Richner, Rick Johnson, Gilbert and Birkholz introduced **House Bill No. 5520, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 80113 (MCL 324.80113), as added by 1995 PA 58.

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

Reps. Kowall, Van Woerkom, Pappageorge, DeVuyst, Richner, Rick Johnson, Gilbert and Birkholz introduced
House Bill No. 5521, entitled

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending section 7 (MCL 24.207), as amended by 1999 PA 262.

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

Reps. Kowall, Bovin, Hager, Tabor, Mortimer, Pappageorge, Koetje, Vear, Richner, Rick Johnson, Lockwood, Godchaux, Gielegghem, Allen, Daniels, Minore and Birkholz introduced

House Bill No. 5522, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding part 94a.

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

Reps. Kowall, Julian, Shackleton, Gilbert, DeRossett, Gosselin, Bisbee, Allen, Birkholz, Richardville, Shulman, Richner, Faunce, Van Woerkom, Bovin, Mortimer, Pappageorge, Bishop, Law, Sanborn, Gielegghem, Tabor, Koetje, Vear, Rick Johnson, DeVuyst, Lockwood and Daniels introduced

House Bill No. 5523, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 5204 and 5205 (MCL 333.5204 and 333.5205), section 5204 as added and section 5205 as amended by 1997 PA 57.

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

Reps. Spade, Raczkowski, Neumann, Schermesser, Jellema, Bovin, DeRossett, Lockwood, Basham, Bradstreet, Hager, Woodward, Bogardus, LaSata, Mans, Rivet, Schauer, Wojno, Richardville, Pappageorge, Jamnick, Jacobs, Brater, Baird, Garza, Rison, Kilpatrick, Callahan, Dennis, Tesanovich, O’Neil, Sheltroun, Vander Roest, Vear, Hansen, Daniels, Pestka, LaForge, Kowall, Frank, Allen, Green, Cherry, Switalski, Clark, Kelly, Thomas, Martinez, Price, Prusi, Rocca, Tabor, Scott, Reeves, Gielegghem, Mead, Pumford, Jelinek, Hale, Bob Brown, Minore, Garcia, Toy and Lemmons introduced

House Bill No. 5524, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 707e (MCL 257.707e).

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

Reps. Garza, Hale, Garcia, DeWeese, Jamnick, Hansen, Bogardus, Gielegghem, LaForge, Schauer, Kilpatrick, DeHart, Dennis, Clark, Hardman, Reeves, Sheltroun, Basham, Ehardt, Scott, Jacobs, Clarke, Martinez, Price, Hanley, LaSata, Howell, Byl, Kuipers, Hager, Kowall, Voorhees, Jellema, Minore, Quarles, Thomas, Cherry, Birkholz, Richardville and Lemmons introduced

House Bill No. 5525, entitled

A bill to designate March 31 of each year as Cesar Chavez day in the state of Michigan.

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

Reps. Middaugh, Ruth Johnson, Toy, Pappageorge, Van Woerkom, Mortimer, Birkholz, Scranton, Tabor and Callahan introduced

House Bill No. 5526, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 802; and to repeal acts and parts of acts.

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

Reps. Koetje, Jelinek, Toy, Birkholz, Bishop, Vear, Law, Pappageorge and Patterson introduced

House Bill No. 5527, entitled

A bill to amend 1962 PA 174, entitled “Uniform commercial code,” by amending section 2201 (MCL 440.2201).

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

Reps. Bob Brown, Schermesser, Woodward, Switalski, Spade, Jamnick, Jacobs, Thomas, Scott and Hale introduced

House Bill No. 5528, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 6234.

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

Reps. Bob Brown, Schermesser, Sheltroun, Basham, Woodward, Switalski, Spade, Jamnick and Hale introduced
House Bill No. 5529, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 2 (MCL 211.2), as amended by 1993 PA 313.

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

Reps. Bob Brown, Schermesser, Sheltroun, Bovin, Basham, Toy, Woodward, Schauer, Switalski, Bogardus, Spade, Jamnick, Jacobs, Thomas, Scott and Hale introduced

House Bill No. 5530, entitled

A bill to require certain consumer reporting agencies to provide a toll-free telephone number for consumers; to require certain consumer reporting agencies to maintain and disclose to third parties certain information relating to certain consumers under certain circumstances; and to prescribe remedies and penalties.

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

Reps. Bob Brown, Schermesser, Sheltroun, Bovin, Basham, Bogardus, Richardville, Switalski, Spade, Jacobs, Thomas, Scott and Hale introduced

House Bill No. 5531, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 4 (MCL 380.4) and by adding sections 1295, 1531d, and 1705.

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

Reps. Bob Brown, Schermesser, Bovin, Woodward, Switalski, Spade, Jamnick, Thomas, Scott and Hale introduced

House Bill No. 5532, entitled

A bill to amend 1968 PA 2, entitled "Uniform budgeting and accounting act," by amending section 4 (MCL 141.424), as amended by 1996 PA 439.

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

Reps. Bob Brown, Schermesser, Sheltroun, Bovin, Basham, Woodward, Bogardus, Schauer, Cherry, Switalski, Spade, Jamnick, Jacobs, Thomas, Scott, Hale and Sanborn introduced

House Bill No. 5533, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 5 (MCL 722.115), as amended by 1998 PA 519, and by adding sections 5c, 5d, and 5e.

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

Reps. Hager, Allen, Voorhees, Bradstreet, Van Woerkom, Rick Johnson, Sheltroun, Garcia, Kowall, Gilbert, Ehardt, Tabor, Richardville, DeRossett, Patterson, Hart, Rocca, Ruth Johnson, Pumford, Sanborn, Godchaux, Julian, Faunce, Switalski, Shulman and Middaugh introduced

House Bill No. 5534, entitled

A bill to establish career and technical preparation enrollment options for certain students enrolled in Michigan schools; to prescribe certain duties of public schools and certain postsecondary institutions; to prescribe certain powers and duties of certain state departments, officials, and agencies; and to repeal acts and parts of acts.

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

Reps. Ruth Johnson, Rocca, Spade, Allen, Bishop, Hart, Schauer and Birkholz introduced

House Bill No. 5535, entitled

A bill to amend 1915 PA 31, entitled "Youth tobacco act," by amending the title and sections 1, 2, and 4 (MCL 722.641, 722.642, and 722.644), the title and section 4 as amended by 1992 PA 272 and sections 1 and 2 as amended by 1988 PA 314.

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

Rep. DeWeese moved that the House adjourn.
The motion prevailed, the time being 10:00 p.m.

Associate Speaker Pro Tempore Scranton declared the House adjourned until Wednesday, March 22, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.

