

No. 53
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House of Representatives
90th Legislature
REGULAR SESSION OF 2000

House Chamber, Lansing, Tuesday, June 6, 2000.

10:00 a.m.

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—e/d/s
Baird—present	Garcia—present	Kukuk—present	Rivet—present
Basham—present	Garza—e/d/s	LaForge—present	Rocca—present
Birkholz—present	Geiger—present	LaSata—present	Sanborn—present
Bisbee—present	Gielegthem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—e/d/s	Schermesser—present
Bogardus—present	Godchaux—present	Lockwood—present	Scott—excused
Bovin—present	Gosselin—present	Mans—present	Scranton—present
Bradstreet—present	Green—present	Martinez—present	Shackleton—present
Brater—present	Hager—present	Mead—present	Sheltrown—present
Brewer—present	Hale—present	Middaugh—present	Shulman—present
Brown, Bob—present	Hanley—present	Minore—present	Spade—present
Brown, Cameron—present	Hansen—present	Mortimer—present	Stallworth—present
Byl—present	Hardman—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—excused	Quarles—e/d/s	Vear—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—e/d/s	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Rev. Gerald Van Oyen, Pastor of Caledonia Christian Reformed Church in Caledonia, offered the following invocation:

“Heavenly Father, we approach You today in Your grace thankful for this beautiful day that has dawned upon us. As we are seeking to carry out the efforts to which You have assigned us, we thank You for the reminder that each one of us as Legislators, Governor, Senators, Representatives and all the staff, are ministers of You, our Divine Counselor. So we pray that You would equip us and bless us, for without that blessing, we cannot succeed. We ask, Dear Lord, that You would help us expedite the matters of the week for this will be a very difficult one. We pray that everything may be done smoothly. May it all redound to Your honor and glory, Lord. Bless us so that we may be one, together, to serve the needs of our great state. We thank You for the great nation of which we are a part and we pray for our President, all those in congress and all of those that sit on the judiciary. We pray that they may also reap the benefits of Your divine guidance and blessing. This we ask with the pardon of our sins, in Jesus’ name, Amen.”

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

Rep. Julian moved that Rep. Ruth Johnson be excused from today’s session.
The motion prevailed.

Motions and Resolutions

Rep. Raczkowski moved that a respectful message be sent to the Governor requesting the return of **House Bill Nos. 5227, 5230 and 5270**.
The motion prevailed.

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

Rep. Bob Brown moved that Rep. Thomas be excused temporarily from today’s session.
The motion prevailed.

Rep. Basham moved that Rep. Stallworth be excused temporarily from today’s session.
The motion prevailed.

Messages from the Senate

The Speaker laid before the House
Senate Bill No. 378, entitled

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

(The bill was received from the Senate on May 23, with an amendment to the House substitute (H-4) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 24, see House Journal No. 47, p. 1153.)

The question being on concurring in the amendment to the House substitute (H-4) made to the bill by the Senate,
The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 677**Yeas—96**

Baird	Faunce	Kowall	Richner
Basham	Frank	Kuipers	Rivet
Birkholz	Garcia	Kukuk	Rocca
Bisbee	Geiger	LaForge	Sanborn
Bishop	Gielegthem	LaSata	Schauer
Bogardus	Gilbert	Law	Schermesser
Bovin	Godchaux	Lockwood	Scranton
Bradstreet	Gosselin	Mans	Shackleton
Brater	Green	Mead	Sheltrown
Brewer	Hager	Middaugh	Shulman
Brown, B.	Hale	Minore	Spade
Brown, C.	Hanley	Mortimer	Stamas
Byl	Hansen	Neumann	Switalski
Callahan	Hart	O'Neil	Tabor
Cassis	Howell	Pappageorge	Tesanovich
Caul	Jacobs	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	Julian	Rackowski	Wojno
DeVuyst	Kelly	Reeves	Woodward
Ehardt	Koetje	Richardville	Woronchak

Nays—0

In The Chair: Birkholz

The Speaker laid before the House

Senate Bill No. 597, entitled

A bill to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 16i of chapter XVII (MCL 777.16i), as added by 1998 PA 317.

(The bill was received from the Senate on May 23, with an amendment to the House substitute (H-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 24, see House Journal No. 47, p. 1153.)

The question being on concurring in the amendment to the House substitute (H-1) made to the bill by the Senate, The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 678**Yeas—96**

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

Nays—0

In The Chair: Birkholz

Rep. Bogardus moved that Rep. Cherry be excused temporarily from today's session.
The motion prevailed.

The Speaker laid before the House

House Bill No. 5029, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5119 (MCL 333.5119), as amended by 1994 PA 75.

(The bill was received from the Senate on May 31, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 51, p. 1415.)

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

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

Roll Call No. 679**Yeas—70**

Allen	Garcia	LaSata	Richner
Baird	Geiger	Law	Rocca
Birkholz	Gilbert	Lockwood	Sanborn
Bisbee	Godchaux	Mans	Schermesser
Bishop	Gosselin	Mead	Scranton
Bovin	Green	Middaugh	Shackleton

Bradstreet	Hager	Mortimer	Sheltrown
Brewer	Hart	Neumann	Shulman
Brown, B.	Howell	O'Neil	Spade
Brown, C.	Jansen	Pappageorge	Switalski
Byl	Jelinek	Patterson	Tabor
Cassis	Jellema	Perricone	Tesanovich
Caul	Johnson, Rick	Pestka	Toy
DeHart	Julian	Price	Van Woerkom
DeRossett	Koetje	Pumford	Vear
DeVuyst	Kowall	Rackowski	Voorhees
Faunce	Kuipers	Richardville	Woronchak
Frank	Kukuk		

Nays—26

Basham	Dennis	Kelly	Schauer
Bogardus	Gielegem	LaForge	Thomas
Brater	Hale	Minore	Vander Roest
Callahan	Hanley	Prusi	Vaughn
Clark, I.	Hansen	Reeves	Wojno
Clarke, H.	Jacobs	Rivet	Woodward
Daniels	Jamnick		

In The Chair: Birkholz

The House agreed to the full title of the bill.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Reps. DeWeese, Garza, Rison and Quarles entered the House Chambers.

Rep. Vander Roest moved that Rep. Jellema be temporarily excused from today's session.

The motion prevailed.

The Speaker laid before the House

House Bill No. 5538, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending sections 21, 22b, 22c, 32, 32a, 32b, 44, 44a, and 46 (MCL 125.1421, 125.1422b, 125.1422c, 125.1432, 125.1432a, 125.1432b, 125.1444, 125.1444a, and 125.1446), section 21 as amended by 1983 PA 49, sections 22b, 22c, 32, 32a, and 44a as amended by 1996 PA 475, sections 32b and 44 as amended by 1998 PA 33, and section 46 as amended by 1993 PA 220.

(The bill was received from the Senate on May 31, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 51, p. 1415.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 680

Yeas—67

Allen	Geiger	Mans	Schermesser
Birkholz	Gilbert	Mead	Scranton
Bisbee	Godchaux	Middaugh	Shackleton

Bishop	Green	Mortimer	Sheltrown
Bradstreet	Hager	Neumann	Shulman
Brewer	Hart	O'Neil	Spade
Brown, B.	Howell	Pappageorge	Stamas
Brown, C.	Jansen	Patterson	Tabor
Caul	Jelinek	Perricone	Thomas
DeHart	Johnson, Rick	Pestka	Toy
DeRossett	Julian	Pumford	Van Woerkom
DeVuyst	Koetje	Raczkowski	Vander Roest
DeWeese	Kowall	Richardville	Vear
Ehardt	Kukuk	Richner	Voorhees
Faunce	LaSata	Rocca	Woodward
Frank	Law	Sanborn	Woronchak
Garcia	Lockwood	Schauer	

Nays—37

Baird	Clarke, H.	Jacobs	Quarles
Basham	Daniels	Jamnick	Reeves
Bogardus	Dennis	Kelly	Rison
Bovin	Garza	Kilpatrick	Rivet
Brater	Gielegghem	Kuipers	Stallworth
Byl	Gosselin	LaForge	Switalski
Callahan	Hale	Martinez	Tesanovich
Cassis	Hanley	Price	Vaughn
Cherry	Hansen	Prusi	Wojno
Clark, I.			

In The Chair: Birkholz

The House agreed to the full title of the bill.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Messages from the Governor

June 6, 2000

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

Per the request of the House of Representatives, I am returning Enrolled House Bills 5227, 5230 and 5270.

Sincerely,
John Engler
Governor

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Raczkowski moved to vacate the enrollment of **House Bill No. 5227**.

The motion prevailed.

Rep. Raczkowski moved that Rule 67 be suspended.

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

Rep. Raczkowski moved to reconsider the vote by which the House concurred in the Senate substitute (S-1).
The question being on the motion made by Rep. Raczkowski,
Rep. Raczkowski moved that consideration of the motion be postponed for the day.
The motion prevailed.

Rep. Raczkowski moved to vacate the enrollment of **House Bill No. 5230**.
The motion prevailed.

Rep. Raczkowski moved that Rule 67 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Raczkowski moved to reconsider the vote by which the House concurred in the Senate substitute (S-1).
The question being on the motion made by Rep. Raczkowski,
Rep. Raczkowski moved that consideration of the motion be postponed for the day.
The motion prevailed.

Rep. Raczkowski moved to vacate the enrollment of **House Bill No. 5270**.
The motion prevailed.

Rep. Raczkowski moved that Rule 67 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Raczkowski moved to reconsider the vote by which the House concurred in the Senate substitute (S-1).
The question being on the motion made by Rep. Raczkowski,
Rep. Raczkowski moved that consideration of the motion be postponed for the day.
The motion prevailed.

Rep. Lemmons entered the House Chambers.

Second Reading of Bills

Senate Bill No. 738, entitled

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

The bill was read a second time.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 738, entitled

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

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

Roll Call No. 681**Yeas—104**

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

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 5503, entitled**

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

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

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

Rep. Sanborn 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. 5503, entitled**

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

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

Roll Call No. 682**Yeas—105**

Allen	Faunce	Kuipers	Richner
Baird	Frank	Kukuk	Rison
Basham	Garcia	LaForge	Rivet
Birkholz	Garza	LaSata	Rocca
Bisbee	Geiger	Law	Sanborn
Bishop	Gielegghem	Lemmons	Schauer
Bogardus	Gilbert	Lockwood	Schermesser
Bovin	Godchaux	Mans	Scranton
Bradstreet	Gosselin	Martinez	Shackleton
Brater	Green	Mead	Sheltrown
Brewer	Hager	Middaugh	Shulman
Brown, B.	Hale	Minore	Spade
Brown, C.	Hanley	Mortimer	Stallworth
Byl	Hansen	Neumann	Stamas
Callahan	Hart	O'Neil	Switalski
Cassis	Howell	Pappageorge	Tabor
Caul	Jacobs	Patterson	Tesanovich
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	Julian	Quarles	Voorhees
DeRossett	Kelly	Rackowski	Wojno
DeVuyst	Koetje	Reeves	Woodward
DeWeese	Kowall	Richardville	Woronchak
Ehardt			

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

Reps. Basham, Bovin, Brewer, Cameron Brown, Callahan, Cassis, DeWeese, Hansen, Jelinek, Kelly, Kukuk, LaSata, Mead, Middaugh, Mortimer, O'Neil, Patterson, Shulman and Spade were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 5504, entitled**

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

The bill was read a second time.

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

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

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

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

Rep. Vander Roest moved that Rep. Jansen 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. 5504, entitled

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

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

Roll Call No. 683

Yeas—101

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

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

Second Reading of Bills

House Bill No. 5844, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 21723.

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

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

Rep. Gielegghem moved to amend the bill as follows:

1. Amend page 2, following line 17, by inserting:

“(6) TO ASSIST THE NURSING HOME RESIDENT REPRESENTATIVE IN PERFORMING THEIR DUTIES, THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES SHALL POST ON THEIR INTERNET WEBSITE ALL OF THE FOLLOWING INFORMATION:

(A) LINKS TO FEDERAL AND STATE REGULATIONS AND RULES GOVERNING THE NURSING HOME INDUSTRY.

(B) THE SCHEDULING OF ANY TRAINING OR JOINT TRAINING SESSIONS CONCERNING NURSING HOME OR ELDERLY CARE ISSUES BEING PUT ON BY THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES.

(C) A LIST OF LONG-TERM CARE CONTACT PHONE NUMBERS INCLUDING, BUT NOT LIMITED TO, THE CONSUMER AND INDUSTRY SERVICES 24 HOUR HOT-LINE, THE CONSUMER AND INDUSTRY SERVICES NURSING HOME LICENSING DIVISION, ANY COMMONLY KNOWN NURSING HOME PROVIDER GROUPS, THE STATE LONG-TERM CARE OMBUDSMAN, AND ANY COMMONLY KNOWN NURSING HOME PATIENT CARE ADVOCACY GROUPS.

(D) INFORMATION ON THE AVAILABILITY OF ELECTRONIC MAIL ACCESS TO FILE A COMPLAINT CONCERNING NURSING HOME VIOLATIONS DIRECTLY WITH THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES.

(E) ANY OTHER INFORMATION THAT THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES BELIEVES IS HELPFUL TO THE RESIDENT REPRESENTATIVE IN RESPONDING TO COMPLAINTS, REQUESTS, AND INQUIRIES OF A NURSING HOME RESIDENT OR THEIR SURROGATE DECISION MAKER.”.

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

Rep. Patterson 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. Middaugh 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. Mortimer 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. 5844, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 21723.

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

Roll Call No. 684

Yeas—103

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

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

Nays—0

In The Chair: Scranton

The House agreed to the title of the bill.

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

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

Reps. Allen, Basham, Birkholz, Bisbee, Bishop, Bovin, Bob Brown, Callahan, Cassis, DeHart, DeRossett, DeWeese, Faunce, Gilbert, Gosselin, Green, Hager, Hansen, Hart, Howell, Jacobs, Jelinek, Julian, Kelly, Koetje, Kuipers, Kukuk, Law, Lockwood, Mead, Mortimer, O'Neil, Pappageorge, Pumford, Rackowski, Rocca, Sanborn, Schauer, Schermesser, Scranton, Shackleton, Sheltroun, Shulman, Spade, Tabor, Toy, Van Woerkom, Vander Roest, Vaughn, Vear, Voorhees, Wojno, Woodward and Woronchak were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5296, entitled

A bill to amend 1954 PA 188, entitled "An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds," by amending section 4a (MCL 41.724a), as amended by 1986 PA 180.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Local Government and Urban Policy (for amendment, see House Journal No. 49, p. 1270),

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

Rep. Birkholz 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. 5296, entitled

A bill to amend 1954 PA 188, entitled "An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds," by amending section 4a (MCL 41.724a), as amended by 1986 PA 180.

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

Roll Call No. 685**Yeas—102**

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

Nays—1

Vander Roest

In The Chair: Scranton

The House agreed to the title of the bill.

Second Reading of Bills**House Bill No. 5839, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5527 (MCL 324.5527).

The bill was read a second time.

Rep. Birkholz 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. 5839, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5527 (MCL 324.5527).

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

Roll Call No. 686**Yeas—104**

Allen	Ehardt	Kowall	Richardville
Baird	Faunce	Kuipers	Richner
Basham	Frank	Kukuk	Rivet
Birkholz	Garcia	LaForge	Rocca
Bisbee	Garza	LaSata	Sanborn
Bishop	Geiger	Law	Schauer
Bogardus	Gielegthem	Lemmons	Schermesser
Bovin	Gilbert	Lockwood	Scranton
Bradstreet	Godchaux	Mans	Shackleton
Brater	Gosselin	Martinez	Sheltrown
Brewer	Green	Mead	Shulman
Brown, B.	Hager	Middaugh	Spade
Brown, C.	Hale	Minore	Stallworth
Byl	Hanley	Mortimer	Stamas
Callahan	Hansen	Neumann	Switalski
Cassis	Hart	O'Neil	Tabor
Caul	Howell	Pappageorge	Tesanovich
Cherry	Jacobs	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	Julian	Quarles	Wojno
DeVuyst	Kelly	Rackowski	Woodward
DeWeese	Koetje	Reeves	Woronchak

Nays—0

In The Chair: Scranton

The House agreed to the title of the bill.

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

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

The Speaker Pro Tempore resumed the Chair.

Rep. Hardman entered the House Chambers.

Second Reading of Bills**House Bill No. 4014, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1531d.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Education (for amendments, see House Journal No. 41, p. 899),

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4014, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1531d.

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

Roll Call No. 687

Yeas—102

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

Nays—2

Kuipers

Kukuk

In The Chair: Birkholz

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

Second Reading of Bills

Senate Bill No. 1224, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16181 (MCL 333.16181), as amended by 1993 PA 80.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Health Policy (for amendments, see House Journal No. 49, p. 1271),

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

Rep. Raczkowski moved to amend the bill as follows:

1. Amend page 2, line 3, after "(2)" by inserting "UNTIL OCTOBER 1, 2004,".
2. Amend page 2, following line 27, by inserting:

"(5) THE DEPARTMENT, IN CONJUNCTION WITH THE MICHIGAN BOARD OF NURSING, THE MICHIGAN NURSES ASSOCIATION, THE MICHIGAN HEALTH AND HOSPITAL ASSOCIATION, AND ANY OTHER GROUP DESIGNATED BY THE DEPARTMENT FOR THIS PURPOSE, SHALL CONDUCT A STUDY OF THE CURRENT AND FUTURE NEEDS OF THE PROFESSIONAL NURSING WORKFORCE IN THIS STATE. THE DEPARTMENT SHALL INCLUDE IN THE STUDY RECOMMENDATIONS FOR LEGISLATIVE AND OTHER ACTION TO ADDRESS THE NEEDS IDENTIFIED IN THE STUDY. THE DEPARTMENT SHALL SUBMIT THE STUDY TO THE MEMBERS OF THE STANDING COMMITTEES IN THE SENATE AND THE HOUSE OF REPRESENTATIVES WITH JURISDICTION OVER MATTERS PERTAINING TO HEALTH POLICY NOT LATER THAN 1 YEAR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION. AS PERMITTED BY SECTION 16315(9)(B), THE DEPARTMENT MAY USE FUNDS FROM THE NURSE PROFESSIONAL FUND CREATED IN SECTION 16315 TO CONDUCT AND PUBLISH THE STUDY REQUIRED BY THIS SUBSECTION."

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. 1224, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16181 (MCL 333.16181), as amended by 1993 PA 80.

The bill was read a third time.

The question being on the passage of the bill,

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

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

Second Reading of Bills

Senate Bill No. 1224, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16181 (MCL 333.16181), as amended by 1993 PA 80.

Rep. Raczkowski moved to reconsider the vote by which the House adopted the amendments offered previously by the Committee on Health Policy.

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

The question being on the adoption of the amendments offered previously by the Committee on Health Policy,

The amendments were not adopted, a majority of the members serving not voting therefor.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1224, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16181 (MCL 333.16181), as amended by 1993 PA 80.

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. 688

Yeas—107

Allen	Faunce	Kowall	Rison
Baird	Frank	Kuipers	Rivet
Basham	Garcia	Kukuk	Rocca
Birkholz	Garza	LaForge	Sanborn
Bisbee	Geiger	LaSata	Schauer
Bishop	Gielegghem	Law	Schermesser
Bogardus	Gilbert	Lemmons	Scranton
Bovin	Godchaux	Lockwood	Shackleton
Bradstreet	Gosselin	Mans	Sheltrown
Brater	Green	Martinez	Shulman
Brewer	Hager	Mead	Spade
Brown, B.	Hale	Middaugh	Stallworth
Brown, C.	Hanley	Minore	Stamas
Byl	Hansen	Mortimer	Switalski
Callahan	Hardman	Neumann	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	Vaughn
DeHart	Jellema	Prusi	Vear
Dennis	Johnson, Rick	Pumford	Voorhees
DeRossett	Julian	Rackowski	Wojno
DeVuyst	Kelly	Reeves	Woodward
DeWeese	Kilpatrick	Richardville	Woronchak
Ehardt	Koetje	Richner	

Nays—0

In The Chair: Birkholz

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

“An act to 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.”.

The House agreed to the full title.

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

Senate Bill No. 718, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 415 (MCL 750.415).

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

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 3, line 26, after “WITH” by striking out the balance of the subdivision and inserting “SUBTITLE VI OF TITLE 49 OF THE UNITED STATES CODE, 49 U.S.C. 30101 TO 33118.”

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

Rep. LaSata moved to amend the bill as follows:

1. Amend page 3, line 10, after “OF” by inserting “NOT MORE THAN”.

2. Amend page 3, line 21, after “OF” by inserting “NOT MORE THAN”.

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 3, line 7, after “WHICH” by striking out “1 OR MORE ITEMS” and inserting “A MANUFACTURER’S VEHICLE IDENTIFICATION PLATE AND EACH OF THE APPLICABLE LABELS”.

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 718, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 415 (MCL 750.415).

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

Roll Call No. 689

Yeas—106

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

DeVuyst
DeWeese
Ehardt

Kilpatrick
Koetje
Kowall

Richardville
Richner

Woodward
Woronchak

Nays—0

In The Chair: Birkholz

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

“An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

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. 719, entitled

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

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Criminal Law and Corrections (for amendment, see House Journal No. 38, p. 827),

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 719, entitled

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

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

Roll Call No. 690

Yeas—107

Allen
Baird
Basham
Birkholz
Bisbee
Bishop
Bogardus
Bovin
Bradstreet
Brater
Brewer
Brown, B.
Brown, C.
Byl
Callahan
Cassis
Caul
Cherry

Faunce
Frank
Garcia
Garza
Geiger
Gieleghem
Gilbert
Godchaux
Gosselin
Green
Hager
Hale
Hanley
Hansen
Hardman
Hart
Howell
Jacobs

Kowall
Kuipers
Kukuk
LaForge
LaSata
Law
Lemmons
Lockwood
Mans
Martinez
Mead
Middaugh
Minore
Mortimer
Neumann
O’Neil
Pappageorge
Patterson

Rison
Rivet
Rocca
Sanborn
Schauer
Schermesser
Scranton
Shackleton
Sheltrown
Shulman
Spade
Stallworth
Stamas
Switalski
Tabor
Tesanovich
Thomas
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	Julian	Quarles	Wojno
DeVuyst	Kelly	Reeves	Woodward
DeWeese	Kilpatrick	Richardville	Woronchak
Ehardt	Koetje	Richner	

Nays—0

In The Chair: Birkholz

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The House agreed to the full title.

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

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

Rep. Raczkowski moved that when the House adjourns today it stand adjourned until Wednesday, June 7, at 10:00 a.m.

The motion prevailed.

Rep. Raczkowski moved that House Committees be given leave to meet during the balance of today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Wojno, Birkholz, Rocca, Voorhees, Cassis, Schauer, Tesanovich, Kelly, Schermesser, Neumann, Gosselin, DeVuyst, Hager, Hansen, LaForge, Richner, Callahan, Frank, Gielegghem, Dennis, Vander Roest, Spade, Baird, Jacobs, Prusi, Garcia, Faunce, Vear, DeRossett, DeHart, Bovin, Vaughn, Raczkowski, Koetje, Sanborn, Bogardus, Jamnick, Brater, Minore, Switalski, Garza, Thomas and Hanley offered the following resolution:

House Resolution No. 365.

A resolution honoring Claudelle Ackerman upon her retirement from Miller Elementary School.

Whereas, It is a great honor and a distinct personal privilege to join with well-wishers throughout the Center Line Public Schools in saluting Claudelle Ackerman on the occasion of her retirement. The retirement of Mrs. Ackerman brings to a close an era of dedicated service to the young people of Center Line. We are pleased to join with students, co-workers, parents, family, and friends in expressing our appreciation and best wishes to this most devoted teacher; and

Whereas, Claudelle Ackerman was born and raised in Eagle Harbor, located in Michigan's beautiful Upper Peninsula. Claudelle Ackerman earned her Bachelor's Degree from Wayne State University. She began her career with the Center Line Public Schools on January 30, 1961. She started at Miller Elementary and has remained there throughout her career teaching in grades one through five; and

Whereas, In her 40 years as a teacher, Claudelle Ackerman has followed the noble pursuit of educating young people, a tradition that always has been an important part of Michigan's heritage. In her work at Miller Elementary, she has instilled life-long skills and helped build self-confidence in thousands of youngsters who have grown to adulthood as capable and upstanding citizens. Mrs. Ackerman is actively involved in the Safety Patrol, Student Service Squad, and D.A.R.E. programs. She motivates children to involve themselves in their community and to give back through community service. Mrs. Ackerman is a great humanitarian and animal lover. Indeed, her love and compassion for all creatures is evident by her adoption of various stray animals found on the school grounds over the years; and

Whereas, Through her considerable effort, innovation, and persistence, Claudelle Ackerman has helped to foster a stimulating and effective learning environment for the students at Miller Elementary School. Her true reward comes from being a person students will remember long after their school years have passed as an inspiring role model and friend. May Claudelle Ackerman know how much her many years of service have meant to so many; and

Whereas, We wish Mrs. Ackerman much enjoyment and adventure in her retirement. May she look forward to exploring new interests and expanding her current interest in agates, gem shows and holistic health. Surely, she will enjoy the extra time with her husband Michael, with whom she enjoys flying and motorcycling; now, therefore, be it

Resolved by the House of Representatives, That this legislative body express our admiration and appreciation to Claudelle Ackerman upon her retirement as a teacher at Miller Elementary. May she enjoy the health and happiness her years have earned; and be it further

Resolved, That a copy of this resolution be transmitted to Claudelle Ackerman as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Stamas, Birkholz, Rocca, Voorhees, Cassis, Van Woerkom, Schauer, Scranton, Tesanovich, Kelly, Schermesser, Neumann, Toy, Mead, Kukuk, Gosselin, DeVuyst, Hager, Shulman, Hansen, Richner, Frank, Gielegghem, Vander Roest, Bradstreet, Spade, Baird, Jacobs, Prusi, Garcia, Caul, Kowall, Faunce, Vear, Julian, DeRossett, Richardville, DeHart, Bovin, Wojno, Vaughn, Raczkowski, Koetje, Kuipers, Sanborn, Jamnick, Rick Johnson, Brater, Switalski, Pappageorge, Jelinek, Thomas and Hanley offered the following resolution:

House Resolution No. 366.

A resolution declaring June 4-10, 2000, as Michigan Garden Week.

Whereas, Gardeners have a passion for discovering the beauty and resources of the earth through the planting of seeds, the nurturing of plants, and the harvesting of the riches of their efforts. They seek to add splendor, fragrance, and nutrition to our lives through the growing of herbs, vegetables, foliage, and flowers; and

Whereas, Gardeners work to preserve our state's traditional spirit of independence and initiative through innovation and hard work; and

Whereas, Gardeners advocate the importance of all creatures, large and small, that share our world and their roles in having a productive ecology. Gardening instills a greater respect and care for the environment and the natural resources that are so precious to the future of the well-being of the world; and

Whereas, Gardening furnishes a challenging and productive activity for many citizens, from those just learning, to others with years of experience. It promotes a healthy lifestyle that lasts a lifetime, helps reduce stress from other areas of our life, and teaches that rewards can come from diligent efforts; and

Whereas, Gardening enables members of garden clubs across the state, nation, and world to serve others in the communities where they reside and work; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body call upon the citizens of Michigan to recognize June 4-10, 2000, as Michigan Garden Week; and it be further

Resolved, That a copy of this resolution be transmitted to the Federated Garden Clubs of Michigan as evidence of our support for their efforts.

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. Schauer, Birkholz, Tesanovich, Kelly, Schermesser, Neumann, Gosselin, Hager, Hansen, LaForge, Callahan, Frank, Gielegem, Dennis, Vander Roest, Spade, Baird, Jacobs, Prusi, Garcia, Vear, DeRossett, DeHart, Bovin, Wojno, Vaughn, Bogardus, Jammick, Brater, Minore, Switalski, Thomas, Martinez and Hanley offered the following resolution:

House Resolution No. 367.

A resolution honoring Gail Carter.

Whereas, On June 16, 2000, Gail Carter will bring to a close her career of dedicated service to the education and guidance of young people. We are pleased to join with students, co-workers, parents, family, and friends of the greater Howell community and all of Michigan in expressing our appreciation and best wishes to this most caring, devoted professional; and

Whereas, In her twenty-eight years as a teacher Gail Carter has followed the noble pursuit of educating and instilling life-long skills in young people. During the last twelve years of her professional career at Howell High School, as a guidance counselor, she dedicated herself to the challenging task of building self-confidence and vision in thousands of youngsters who have grown to adulthood as capable, contributing citizens; and

Whereas, During Gail Carter's years in the classroom, many changes have occurred in our society that affect the learning process. Her ability to meet these challenges and cope with a changing world requires not only skill, but a deep sense of emotional concern as well. We thank Gail for passing this legacy on to our rising generations; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body express their admiration and appreciation to Gail Carter upon her retirement as an educator with Howell Public Schools. May her retirement be filled with health and happiness for she has earned it; and be it further

Resolved, That a copy of this resolution be transmitted to Gail Carter as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Garcia, Birkholz, Rocca, Voorhees, Cassis, Van Woerkom, Schauer, Scranton, Tesanovich, Kelly, Schermesser, Neumann, Toy, Mead, Kukuk, Gosselin, DeVuyst, Hager, Shulman, Hansen, LaForge, Richner, Callahan, Frank, Gielegem, Dennis, Vander Roest, Bradstreet, Spade, Baird, Jacobs, Prusi, Caul, Kowall, Faunce, Vear, Julian, DeRossett, Richardville, DeHart, Jellema, Bovin, Wojno, Vaughn, Raczkowski, Koetje, Bishop, Sanborn, Geiger, Shackleton, Bogardus, Jammick, Rick Johnson, Brater, Minore, Switalski, Pappageorge, Jelinek, Tabor, Thomas, Martinez and Hanley offered the following resolution:

House Resolution No. 368.

A resolution commemorating the fifty-sixth anniversary of D-Day on June 6, 2000.

Whereas, The members of the Michigan legislature are proud to join with the rest of the world in remembering those heroes who stormed the beaches of Normandy on June 6, 1944. As we commemorate the fifty-sixth anniversary of this historic event, we also take time to honor those that sacrificed their lives and fought for the sake of freedom. For many, the first step on European soil was their last. For others, it was the beginning of a great journey to solidify the security of sovereignty. Yet, for each of these warriors, the cause they were fighting for was well worth the risk; and

Whereas, D-Day was the greatest mastering of land, sea, and air forces ever to have been attempted. The assault planned in secrecy and staged when even the elements had turned against the Allied forces, was a turning point not only for World War II, but also for America's place in the world. Since Americans comprised the largest element of the invading forces, the United States, in the person of General Dwight D. Eisenhower, took command. The global leadership that was assumed then has remained the role for our country to the present day; and

Whereas, D-Day was the start of the great offensive to wrest Europe from the hands of a despot. It was the beginning of the end as Hitler's made his final attempt in the Ardennes Forest. Yet our troops proved once and for all that American courage and determination have no equal and soon the continent would be freed from the grip of German might and;

Whereas, D-Day was also a deadline. While conditions were far from favorable, time was of the essence. It was indeed a day that America and Americans, as well as their comrades-in-arms, the Canadians, the British, and French proved their mettle. The row upon row of white crosses on the ridge above the beaches stand as solemn reminders of this long, long day and of those who fought for the cause of freedom; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body pay tribute to commemorate the fifty-sixth anniversary of D-Day on June 6, 2000; and be it further

Resolved, That we remember in our hearts those who gave their lives and express our gratitude to the many surviving veterans in the Great Lakes State.

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.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, May 31:

Senate Bill Nos. 1292 1293 1294 1295 1296 1297 1298 1299 1300

The Clerk announced the enrollment printing and presentation to the Governor on Friday, June 2, for his approval of the following bills:

Enrolled House Bill No. 5638 at 11:00 a.m.

Enrolled House Bill No. 5172 at 11:02 a.m.

Enrolled House Bill No. 5164 at 11:04 a.m.

Enrolled House Bill No. 5140 at 11:06 a.m.

Enrolled House Bill No. 4008 at 11:08 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, June 2:

House Bill Nos. 5865 5866 5867 5868 5869 5870

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, June 6, for his approval of the following bills:

Enrolled House Bill No. 4206 at 12:30 p.m.

Enrolled House Bill No. 5078 at 12:32 p.m.

Enrolled House Bill No. 5184 at 12:34 p.m.

Enrolled House Bill No. 5232 at 12:36 p.m.

Enrolled House Bill No. 5252 at 12:38 p.m.

Enrolled House Bill No. 5260 at 12:40 p.m.

Enrolled House Bill No. 5421 at 12:42 p.m.

Enrolled House Bill No. 5468 at 12:44 p.m.

Enrolled House Bill No. 5484 at 12:46 p.m.

Enrolled House Bill No. 5507 at 12:48 p.m.

Enrolled House Bill No. 5654 at 12:50 p.m.

Enrolled House Bill No. 5682 at 12:52 p.m.

The Clerk announced that the following Senate bills had been received on Tuesday, June 6:

Senate Bill Nos. 1199 1271 1272

By unanimous consent the House returned to the order of

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Conservation and Outdoor Recreation from further consideration of **House Bill No. 4371**.

Rep. Brater

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 5273, entitled**

A bill to make appropriations for the department of agriculture 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 require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

The Senate has appointed Senators McManus, Gast and Koivisto as conferees to join with Reps. Pumford, Jelinek and Tesanovich.

The bill was referred to the Conference Committee on June 2, 2000.

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.

The Senate has appointed Senators Johnson, Stille and Emerson as conferees to join with Reps. Kukuk, Godchaux and Prusi.

The bill was referred to the Conference Committee on June 2, 2000.

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.

The Senate has appointed Senators Goschka, Gougeon and Emerson as conferees to join with Reps. Jansen, Toy and Price.

The bill was referred to the Conference Committee on June 2, 2000.

House Bill No. 5278, entitled

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2001; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2001; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The Senate has appointed Senators Schwarz, Johnson and Young as conferees to join with Reps. Pappageorge, Kukuk and Martinez.

The bill was referred to the Conference Committee on June 2, 2000.

House Bill No. 5279, entitled

A bill to make appropriations for the judicial branch for the fiscal years ending September 30, 2000 and September 30, 2001; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

The Senate has appointed Senators North, Goschka and A. Smith as conferees to join with Reps. Mortimer, Cameron Brown and Pestka.

The bill was referred to the Conference Committee on June 2, 2000.

House Bill No. 5280, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

The Senate has appointed Senators Hoffman, North and Vaughn as conferees to join with Reps. Cameron Brown, Pappageorge and Frank.

The bill was referred to the Conference Committee on June 2, 2000.

House Bill No. 5282, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

The Senate has appointed Senators Hoffman, North and Vaughn as conferees to join with Reps. Cameron Brown, Pappageorge and Frank.

The bill was referred to the Conference Committee on June 2, 2000.

House Bill No. 5284, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2001; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The Senate has appointed Senators Hoffman, Goschka and Young as conferees to join with Reps. Scranton, Jellema and Stallworth.

The bill was referred to the Conference Committee on June 2, 2000.

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.

The Senate has appointed Senators Bennett, Stille and Young as conferees to join with Reps. Godchaux, Kukuk and Prusi.

The bill was referred to Conference Committee on June 6, 2000.

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.

The Senate has appointed Senators Bennett, Gast and DeBeaussiaert as conferees to join with Reps. Byl, Mead and Tesanovich.

The bill was referred to Conference Committee on June 6, 2000.

Senate Bill No. 1199, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 1999 PA 39.

The Senate has passed the bill.

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

Senate Bill No. 1271, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 484.

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. 1272, entitled

A bill to create incentives to locate and maintain agricultural processing facilities within this state; to create certain funds; to authorize expenditures from the funds; to finance the development of certain facilities; to provide for appropriations; and to prescribe the powers and duties of certain state officials.

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. 963, entitled

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

The Senate has nonconcurrent in the House substitute (H-1) and appointed Senators Gast, Goschka and A. Smith as conferees.

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Stamas, Godchaux and Pestka.

The message was referred to the Clerk for record.

Senate Bill No. 966, entitled

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

The Senate has nonconcurring in the House substitute (H-1) and appointed Senators Stille, Bennett and DeBeaussiaert as conferees.

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Jelinek, Stamas and Kelly. The message was referred to the Clerk for record.

Senate Bill No. 967, entitled

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

The Senate has nonconcurring in the House substitute (H-1) and appointed Senators Schwarz, McManus and Koivisto as conferees.

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Caul, Mead and Price. The message was referred to the Clerk for record.

Senate Bill No. 1044, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 8, 11, 11f, 11g, 19, 20, 20j, 21b, 24, 26a, 31a, 31c, 31d, 32, 36, 36a, 39, 40, 41, 51a, 53a, 54, 56, 57, 61a, 62, 63, 67, 68, 74, 81, 91c, 94, 99, 101, 102, 104a, 105, 105b, 105c, 107, 147, 151, 152, and 163 (MCL 388.1603, 388.1606, 388.1608, 388.1611, 388.1611f, 388.1611g, 388.1619, 388.1620, 388.1620j, 388.1621b, 388.1624, 388.1626a, 388.1631a, 388.1631c, 388.1631d, 388.1632, 388.1636, 388.1636a, 388.1639, 388.1640, 388.1641, 388.1651a, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1663, 388.1667, 388.1668, 388.1674, 388.1681, 388.1691c, 388.1694, 388.1699, 388.1701, 388.1702, 388.1704a, 388.1705, 388.1705b, 388.1705c, 388.1707, 388.1747, 388.1751, 388.1752, and 388.1763), sections 6, 11, 11f, 11g, 20, 24, 26a, 31a, 31c, 36, 36a, 41, 51a, 53a, 54, 56, 57, 61a, 62, 63, 67, 68, 74, 81, 94, 99, 101, 104a, 105, 107, and 147 as amended and sections 20j, 31d, 32, and 105c as added by 1999 PA 119, sections 3 and 151 as amended by 1997 PA 93, sections 8 and 39 as amended by 1997 PA 142, sections 19, 21b, 102, and 163 as amended by 1996 PA 300, section 40 as amended by 1991 PA 118, section 91c as added by 1995 PA 130, section 105b as added by 1997 PA 24, and section 152 as amended by 1993 PA 175, and by adding sections 20l, 22a, 22b, 22c, 51c, 94a, 101b, and 108; and to repeal acts and parts of acts.

The Senate has nonconcurring in the House substitute (H-1) and appointed Senators Stille, Bennett and DeBeaussiaert as conferees.

The message was referred to the Clerk for record.

House Concurrent Resolution No. 103.

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

(For text of resolution, see House Journal No. 47, p. 1143.)

The Senate has adopted the concurrent resolution and named Senator Young as co-sponsor of the concurrent resolution.

The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 104.

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

(For text of resolution, see House Journal No. 47, p. 1143.)

The Senate has adopted the concurrent resolution and named Senator Young as co-sponsor of the concurrent resolution.

The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 105.

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

(For text of resolution, see House Journal No. 47, p. 1144.)

The Senate has adopted the concurrent resolution and named Senator Young as co-sponsor of the concurrent resolution.

The concurrent resolution was referred to the Clerk for record.

Communications from State Officers

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

June 5, 2000

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

Performance Audit of the
Michigan Council for Arts and Cultural Affairs
June 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.

By unanimous consent the House returned to the order of

Reports of Select Committees**First Conference Report**

The Committee of Conference on the matters of difference between the two Houses concerning

House Bill No. 5058, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 15 (MCL 169.215), as amended by 1996 PA 590.

Recommends:

First: That the Senate recede from the Substitute of the Senate as passed by the Senate.

Second: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 15 (MCL 169.215), as amended by 1999 PA 238.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 15. (1) The secretary of state shall do all of the following:

(a) Make available through his or her offices, and furnish to county clerks, appropriate forms, instructions, and manuals required by this act.

(b) Develop a filing, coding, and cross-indexing system for the filing of required reports and statements consistent with the purposes of this act, and supervise the implementation of the filing systems by the clerks of the counties.

(c) Receive all statements and reports required by this act to be filed with the secretary of state.

(d) Prepare forms, instructions, and manuals required under this act.

(e) Promulgate rules and issue declaratory rulings to implement this act pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(f) Upon receipt of a written request and the required filing, waive payment of a late filing fee if the request for the waiver is based on good cause and accompanied by adequate documentation. One or more of the following reasons constitute good cause for a late filing fee waiver:

(i) The incapacitating physical illness, hospitalization, accident involvement, death, or incapacitation for medical reasons of a person required to file, a person whose participation is essential to the preparation of the statement or report, or a member of the immediate family of these persons.

(ii) Other unique, unintentional factors beyond the filer's control not stemming from a negligent act or nonaction so that a reasonably prudent person would excuse the filing on a temporary basis. These factors include the loss or unavailability of records due to a fire, flood, theft, or similar reason and difficulties related to the transmission of the filing to the filing official, such as exceptionally bad weather or strikes involving transportation systems.

(2) A declaratory ruling shall be issued under this section only if the person requesting the ruling has provided a reasonably complete statement of facts necessary for the ruling or if ~~the secretary of state has permitted~~ the person requesting the ruling ~~an opportunity to supply~~ HAS, WITH THE PERMISSION OF THE SECRETARY OF STATE, SUPPLIED supplemental facts necessary for the ruling. A request for a declaratory ruling that is submitted to the secretary of state shall be made available for public inspection within 48 hours after its receipt. An interested person may submit written comments regarding the request to the secretary of state within 10 business days after the date the request is made available to the public. Within 45 business days after receiving a declaratory ruling request, the secretary of state shall make a proposed response available to the public. An interested person may submit written comments regarding the proposed response to the secretary of state within 5 business days after the date the proposal is made available to the public. Except as otherwise provided in this section, the secretary of state shall issue a declaratory ruling within 60 business days after a request for a declaratory ruling is received. If the secretary of state refuses to issue a declaratory ruling, the secretary of state shall notify the person making the request of the reasons for the refusal. The secretary of state may issue an interpretative statement providing an informational response to the question presented. A declaratory ruling or interpretative statement issued under this section shall not state a general rule of law, other than that which is stated in this act, until the general rule of law is promulgated by the secretary of state as a rule pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, or pursuant to judicial order.

(3) Under extenuating circumstances, the secretary of state may issue a notice extending for not more than 30 business days the period during which the secretary of state shall respond to a request for a declaratory ruling. The secretary of state shall not issue more than 1 notice of extension for a particular request. A person requesting a declaratory ruling may waive, in writing, the time limitations provided by this section.

(4) The secretary of state shall make available to the public an annual summary of the declaratory rulings and interpretative statements issued by the secretary of state.

(5) A person may file WITH THE SECRETARY OF STATE a complaint ~~with the secretary of state alleging~~ THAT ALLEGES a violation of this act. Within 5 business days after a complaint THAT MEETS THE REQUIREMENTS OF SUBSECTION (6) is filed, the secretary of state shall give notice to the person against whom the complaint is filed. The notice shall include a copy of the complaint. Within 15 business days after this notice is provided, the person against whom the complaint was filed may submit to the secretary of state a response. The secretary of state may extend the period for submitting a response an additional 15 business days for good cause. The secretary of state shall provide a copy of a response received to the complainant. Within 10 business days after receiving a copy of the response, the complainant may submit to the secretary of state a rebuttal statement. The secretary of state may extend the period for submitting a rebuttal statement an additional 10 business days for good cause. The secretary of state shall provide a copy of the rebuttal statement to the person against whom the complaint was filed.

(6) A COMPLAINT UNDER SUBSECTION (5) SHALL SATISFY ALL OF THE FOLLOWING REQUIREMENTS:

(A) BE SIGNED BY THE COMPLAINANT.

(B) STATE THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE COMPLAINANT.

(C) INCLUDE THE COMPLAINANT'S CERTIFICATION THAT, TO THE BEST OF THE COMPLAINANT'S KNOWLEDGE, INFORMATION, AND BELIEF, FORMED AFTER A REASONABLE INQUIRY UNDER THE CIRCUMSTANCES, EACH FACTUAL CONTENTION OF THE COMPLAINT IS SUPPORTED BY EVIDENCE. HOWEVER, IF, AFTER A REASONABLE INQUIRY UNDER THE CIRCUMSTANCES, THE COMPLAINANT IS UNABLE TO CERTIFY THAT CERTAIN FACTUAL CONTENTIONS ARE SUPPORTED BY EVIDENCE, THE COMPLAINANT MAY CERTIFY THAT, TO THE BEST OF HIS OR HER KNOWLEDGE, INFORMATION, OR BELIEF, THERE ARE GROUNDS TO CONCLUDE THAT THOSE SPECIFICALLY IDENTIFIED FACTUAL CONTENTIONS ARE LIKELY TO BE SUPPORTED BY EVIDENCE AFTER A REASONABLE OPPORTUNITY FOR FURTHER INQUIRY.

(7) THE SECRETARY OF STATE SHALL DEVELOP A FORM THAT SATISFIES THE REQUIREMENTS OF SUBSECTION (6) AND MAY BE USED FOR THE FILING OF COMPLAINTS.

(8) A PERSON WHO FILES A COMPLAINT WITH A FALSE CERTIFICATE UNDER SUBSECTION (6)(C) IS RESPONSIBLE FOR A CIVIL VIOLATION OF THIS ACT. A PERSON MAY FILE A COMPLAINT UNDER SUBSECTION (5) ALLEGING THAT ANOTHER PERSON HAS FILED A COMPLAINT WITH A FALSE CERTIFICATE UNDER SUBSECTION (6)(C).

(9) The secretary of state shall investigate the allegations pursuant to the rules promulgated under this act. Every 60 days after a complaint THAT MEETS THE REQUIREMENTS OF SUBSECTION (6) is filed and until the matter is

terminated, the secretary of state shall mail to the complainant and to the alleged violator notice of the action taken to date by the secretary of state, together with the reasons for the action or nonaction.

(10) If the secretary of state determines that there may be reason to believe that a violation of this act has occurred, the secretary of state shall endeavor to correct the violation or prevent a further violation by using informal methods such as a conference, conciliation, or persuasion, and may enter into a conciliation agreement with the person involved. Unless violated, a conciliation agreement is a complete bar to any further action with respect to matters covered in the conciliation agreement. If the secretary of state is unable to correct or prevent further violation by these informal methods, the secretary of state may refer the matter to the attorney general for the enforcement of any criminal penalty provided by this act or commence a hearing pursuant to subsection ~~(6)~~ (11).

(11) ~~(6)~~ The secretary of state may commence a hearing to determine whether a civil violation of this act has occurred. A hearing shall not be commenced during the period beginning 30 days before an election in which the committee has received or expended money and ending the day after that election except with the consent of the person suspected of committing a civil violation. The hearing shall be conducted in accordance with the procedures set forth in chapter 4 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.271 to 24.287. If after a hearing the secretary of state determines that a violation of this act has occurred, the secretary of state may issue an order requiring the person to pay a civil fine equal to the amount of the improper contribution or expenditure plus not more than \$1,000.00 for each violation. A final decision and order issued by the secretary of state is subject to judicial review as provided by chapter 6 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.301 to 24.306. The secretary of state shall deposit a civil fine imposed under this section in the general fund. The secretary of state may bring an action in circuit court to recover the amount of a civil fine.

(12) ~~(7)~~ When a report or statement is filed pursuant to this act, the secretary of state shall review the report or statement and may investigate an apparent violation of this act pursuant to the rules promulgated under this act. If the secretary of state determines that there may be reason to believe a violation of this act has occurred and the procedures prescribed in subsection ~~(5)~~ (10) have been complied with, the secretary of state may refer the matter to the attorney general for the enforcement of any criminal penalty provided by this act, or commence a hearing under subsection ~~(6)~~ (11) to determine whether a civil violation of this act has occurred.

(13) ~~(8)~~ Unless otherwise specified in this act, a person who violates a provision of this act is subject to a civil fine of not more than \$1,000.00 for each violation. Civil fines are in addition to, but not limited by, any criminal penalty prescribed by this act.

(14) IN ADDITION TO ANY OTHER SANCTION PROVIDED FOR BY THIS ACT, THE SECRETARY OF STATE MAY REQUIRE A PERSON WHO FILES A COMPLAINT WITH A FALSE CERTIFICATE UNDER SUBSECTION (6)(C) TO DO EITHER OR BOTH OF THE FOLLOWING:

(A) PAY TO THE SECRETARY OF STATE SOME OR ALL OF THE EXPENSES INCURRED BY THE SECRETARY OF STATE AS A DIRECT RESULT OF THE FILING OF THE COMPLAINT.

(B) PAY TO THE PERSON AGAINST WHOM THE COMPLAINT WAS FILED SOME OR ALL OF THE EXPENSES, INCLUDING, BUT NOT LIMITED TO, REASONABLE ATTORNEY FEES INCURRED BY THAT PERSON IN PROCEEDINGS UNDER THIS ACT AS A DIRECT RESULT OF THE FILING OF THE COMPLAINT.

(15) ~~(9)~~ There is no private right of action, either in law or in equity, pursuant to this act. The remedies provided in this act are the exclusive means by which this act may be enforced and by which any harm resulting from a violation of this act may be redressed.

(16) ~~(10)~~ The secretary of state may waive the filing of a campaign statement required under section 33, 34, or 35 if the closing date of the particular campaign statement falls on the same or a later date as the closing date of the next campaign statement filed by the same person, or if the period that would be otherwise covered by the next campaign statement filed by the same person is 10 days or less.

(17) ~~(11)~~ The clerk of each county shall do all of the following:

(a) Make available through the county clerk's office the appropriate forms, instructions, and manuals required by this act.

(b) Under the supervision of the secretary of state, implement the filing, coding, and cross-indexing system prescribed for the filing of reports and statements required to be filed with the county clerk's office.

(c) Receive all statements and reports required by this act to be filed with the county clerk's office.

(d) Upon written request, waive the payment of a late filing fee if the request for a waiver is based on good cause as prescribed in subsection (1)(f).

Third: That the House and Senate agree to the title of the bill to read as follows:

A bill to amend 1976 PA 388, entitled "An act to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; to require campaign statements and reports; to regulate anonymous contributions; to regulate campaign advertising and literature; to provide for segregated funds for political purposes; to provide for the use of public funds for political purposes; to create certain funds; to provide for reversion, retention,

or refunding of unexpended balances in certain funds; to require other statements and reports; to regulate acceptance of certain gifts, payments, and reimbursements; to prescribe the powers and duties of certain state departments and state and local officials and employees; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts,” by amending section 15 (MCL 169.215), as amended by 1999 PA 238.

Michael Bishop
Bruce Patterson
Elizabeth S. Brater
Conferees for the House

Thaddeus G. McCotter
Beverly S. Hammerstrom
Conferees for the Senate

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Reports of Standing Committees

The Committee on Economic Development, by Rep. Garcia, Chair, reported

House Bill No. 4181, entitled

A bill to amend 1987 PA 96, entitled “The mobile home commission act,” by amending sections 3, 5, 17, 41, 42, and 43 (MCL 125.2303, 125.2305, 125.2317, 125.2341, 125.2342, and 125.2343), section 43 as added by 1988 PA 337.

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

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

Favorable Roll Call

HB 4181 To Report Out:

Yeas: Reps. Garcia, Kowall, Richardville, Van Woerkom, Mans, Vaughn,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 1, 2000, at 9:15 a.m.,

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

Absent: Rep. Lockwood,

Excused: Rep. Lockwood.

The Committee on Education, by Rep. Allen, Chair, reported

House Bill No. 5243, entitled

A bill to amend 1990 PA 187, entitled “The pupil transportation act,” by amending section 55 (MCL 257.1855), as amended by 1991 PA 184.

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

HB 5243 To Report Out:

Yeas: Reps. Allen, Bradstreet, DeWeese, Hager, Hart, Kuipers, Van Woerkom, Voorhees, Bogardus, Clark, Daniels, Hansen, Spade,

Nays: None.

The Committee on Education, by Rep. Allen, Chair, reported

House Bill No. 5785, entitled

A bill to amend 1996 PA 160, entitled “Postsecondary enrollment options act,” by amending sections 4 and 9 (MCL 388.514 and 388.519).

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 5785 To Report Out:

Yeas: Reps. Allen, Bradstreet, DeWeese, Hager, Kuipers, Van Woerkom, Voorhees, Bogardus, Clark, Daniels, Gielegheem, Hansen, Spade,

Nays: None.

The Committee on Education, by Rep. Allen, Chair, reported

House Bill No. 5795, entitled

A bill to require textbook publishers to provide electronic versions of certain instructional materials used in colleges and universities.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5795 To Report Out:

Yeas: Reps. Allen, DeWeese, Hager, Hart, Kuipers, Van Woerkom, Voorhees, Bogardus, Clark, Daniels, Gielegheem, Hansen, Spade,

Nays: None.

The Committee on Education, by Rep. Allen, Chair, reported

House Bill No. 5866, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1304.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5866 To Report Out:

Yeas: Reps. Allen, DeWeese, Hager, Hart, Kuipers, Van Woerkom, Voorhees, Bogardus, Clark, Daniels, Gielegheem, Hansen, Spade,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 6, 2000, at 8:00 a.m.,

Present: Reps. Allen, Bradstreet, DeWeese, Hager, Hart, Kuipers, Van Woerkom, Voorhees, Bogardus, Clark, Daniels, Gielegheem, Hansen, Spade,

Absent: Reps. Ruth Johnson, Rick Johnson, Scott,

Excused: Reps. Ruth Johnson, Rick Johnson, Scott.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

Senate Bill No. 1274, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within

the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 10, 10o, and 11 (MCL 247.660, 247.660o, and 247.661), sections 10 and 11 as amended and section 10o as added by 1998 PA 308, and by adding section 20b.

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

1. Amend page 4, line 4, after "subdivision" by striking out "(J)" and inserting "(I)".
2. Amend page 5, following line 3, by striking out all of subdivision (I) and relettering the remaining subdivision.
3. Amend page 5, line 6, after "through" by striking out "(I)" and inserting "(H)".
4. Amend page 5, line 13, after the second "WITH A POPULATION OF" by striking out "500,000 OR LESS OR 600,000" and inserting "2,000,000".
5. Amend page 5, line 13, after "AREA ESTIMATES" by inserting "THAT DOES NOT HAVE AN ELECTED BOARD OF COUNTY ROAD COMMISSIONERS".
6. Amend page 5, line 13, after "ESTIMATES THAT" by striking out "DESIRES" and inserting "CHOOSES".
7. Amend page 8, line 20, after "REGARDING" by striking out the balance of the line through "OR" on line 21.
8. Amend page 8, following line 22, following section 11, by striking out all of section 20B.

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

Favorable Roll Call

SB 1274 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Middaugh, Patterson, Shackleton, Tabor, Bovin,
Nays: Reps. Kilpatrick, Lemmons, Reeves, Schermesser.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rick Johnson, Chair of the Committee on Transportation, was received and read:

Meeting held on: Tuesday, June 6, 2000, at 8:00 a.m.,

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

Absent: Rep. Ruth Johnson,

Excused: Rep. Ruth Johnson.

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

Senate Bill No. 1246, entitled

A bill to impose a state recapture tax on the change in use of certain agricultural property; to provide for the administration of this act; to prescribe the powers and duties of certain state and local officers; to provide for the collection and distribution of the recapture tax; and to prescribe penalties and provide remedies.

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

1. Amend page 2, line 10, after "property" by striking out "and a rescission form is required to be filed".
2. Amend page 2, line 12, after "211.7ee" by inserting a comma and "as determined by the assessor of the local tax collecting unit".
3. Amend page 3, line 1, section 9, subsection (3), after "owned the property" by striking out "prior to" and inserting "immediately preceding".

4. Amend page 3, line 1, section 9, subsection (3), after “deeds.” by inserting “The Register of Deeds shall not record an instrument transferring the property before recapture tax is paid.”.

5. Amend page 3, line 26, after “5.” by inserting “(1)”.

6. Amend page 4, following line 12, by inserting:

“(2) The assessor of the local tax collecting unit shall notify the county treasurer of the date the property is converted by a change in use.”.

7. Amend page 5, line 11, after “(a)” by striking out “Senate Bill No. 1245” and inserting “House Bill No. 5779”.

8. Amend page 5, line 13, after “(b)” by striking out “Senate Bill No. 1247” and inserting “House Bill No. 5780”.

9. Amend page 5, line 15, after “(c)” by striking out “Senate Joint Resolution M” and inserting “House Joint Resolution R”.

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

Favorable Roll Call

SB 1246 To Report Out:

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

Nays: Reps. Brater, LaForge.

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

Senate Bill No. 1251, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending sections 3, 4, 6, 7, and 10 (MCL 125.2683, 125.2684, 125.2686, 125.2687, and 125.2690), section 3 as amended by 1999 PA 98 and sections 4, 6, and 10 as amended by 1999 PA 139, and by adding sections 8c and 12a.

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 1251 To Report Out:

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

Nays: Reps. Brater, Hansen, LaForge.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 6, 2000, at 8:00 a.m.,

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

The Committee on Health Policy, by Rep. Law, Chair, reported

House Bill No. 4383, entitled

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

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 4383 To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Gosselin, Raczkowski, Rocca, Vear, Schauer, Baird, Dennis, Jacobs, Neumann, Reeves,

Nays: None.

The Committee on Health Policy, by Rep. Law, Chair, reported

House Bill No. 4384, entitled

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

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 4384 To Report Out:

Yeas: Reps. Law, DeRossett, Ehardt, Green, Raczkowski, Rocca, Vear, Schauer, Baird, Dennis, Jacobs, Neumann,

Nays: None.

The Committee on Health Policy, by Rep. Law, Chair, reported

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.

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 5523 To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Ehardt, Gosselin, Green, Raczkowski, Rocca, Vear,

Nays: Reps. Dennis, Reeves.

The Committee on Health Policy, by Rep. Law, Chair, reported

Senate Bill No. 694, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2006 (MCL 500.2006).

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 694 To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Ehardt, Gosselin, Green, Raczkowski, Rocca, Vear, Schauer, Dennis, Jacobs, Neumann, Reeves, Woodward,

Nays: None.

The Committee on Health Policy, by Rep. Law, Chair, reported

Senate Bill No. 696, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 403 (MCL 550.1403).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 696 To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Ehardt, Gosselin, Green, Raczkowski, Rocca, Vear, Schauer, Dennis, Jacobs, Neumann, Reeves, Woodward,

Nays: None.

The Committee on Health Policy, by Rep. Law, Chair, reported

Senate Bill No. 698, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21095.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 698 To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Ehardt, Gosselin, Green, Raczkowski, Rocca, Vear, Schauer, Dennis, Jacobs, Neumann, Reeves, Woodward,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 6, 2000, at 8:00 a.m.,

Present: Reps. Law, DeWeese, DeRossett, Ehardt, Gosselin, Green, Raczkowski, Rocca, Vear, Schauer, Baird, Dennis, Jacobs, Neumann, Reeves, Woodward,

Absent: Rep. Ruth Johnson,

Excused: Rep. Ruth Johnson.

Messages from the Governor

The following messages from the Governor, approving and signing the following bills at the times designated below, were received and read:

Date: May 31, 2000

Time: 2:40 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5620 (Public Act No. 131, 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 662 (MCL 257.662).

(Filed with the Secretary of State June 1, 2000, at 3:20 p.m.)

Date: May 31, 2000

Time: 2:42 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5601 (Public Act No. 132, I.E.), being

An act to repeal 1962 PA 57, entitled “An act to authorize a bridge over the public navigable waters of Missaukee lake in Missaukee county,” (MCL 254.351 to 254.352).

(Filed with the Secretary of State June 1, 2000, at 3:22 p.m.)

Date: May 31, 2000

Time: 2:44 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5602 (Public Act No. 133, I.E.), being

An act to repeal 1921 PA 324, entitled “An act to authorize and direct the state highway commissioner to lay out and establish a trunk line highway commencing at the section corner common to sections 15, 16, 21 and 22, town 14 north, range 7 west, Wheatland township, Mecosta county, thence running due north through the village of Barryton, Mecosta

county, and the village of Marion, Osceola county, to the city of McBain in Missaukee county, thence due north on the township line between town 21 north, range 7 west, and 21 north, range 8 west, to the southwest corner to section 25, town 22 north, range 8 west,” (MCL 250.151).

(Filed with the Secretary of State June 1, 2000, at 3:24 p.m.)

Date: May 31, 2000

Time: 2:48 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5604 (Public Act No. 134, I.E.), being

An act to repeal 1947 PA 294, entitled “An act to enable the state bridge commission to sell certain real estate subject to certain limitations and to direct the disposition of the proceeds of said sale,” (MCL 254.181).

(Filed with the Secretary of State June 1, 2000, at 3:26 p.m.)

Date: May 31, 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. 5626 (Public Act No. 135, I.E.), being

An act to repeal 1921 PA 341, entitled “An act to authorize and direct the state highway commissioner to lay out and establish a trunk line highway from Paw Paw to Gobleville to Allegan,” (MCL 250.161).

(Filed with the Secretary of State June 1, 2000, at 3:28 p.m.)

Date: May 31, 2000

Time: 2:52 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5582 (Public Act No. 136, I.E.), being

An act to amend 1929 PA 313, entitled “An act to provide for the control and eradication of white pine blister rust; to provide for the destruction of trees, plants and bushes infected with white pine blister rust; to authorize the commissioner of agriculture to remove, appraise and pay for healthy host plants necessarily destroyed; to declare certain plants and bushes a public nuisance; to authorize the commissioner to set aside fruiting currant and gooseberry and white pine growing districts as control areas; to provide for co-operation between state departments; to authorize the promulgation of rules and regulations; to provide funds for carrying out the purposes of this act; and to provide penalties for its violation,” by amending section 2 (MCL 286.102).

(Filed with the Secretary of State June 1, 2000, at 3:30 p.m.)

Date: May 31, 2000

Time: 2:54 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5592 (Public Act No. 137, I.E.), being

An act to amend 1913 PA 188, entitled “An act relating to the conduct of hotels, inns and public lodging houses,” by repealing section 4 (MCL 427.4).

(Filed with the Secretary of State June 1, 2000, at 3:32 p.m.)

Date: May 31, 2000

Time: 2:56 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5593 (Public Act No. 138, I.E.), being

An act to amend 1913 PA 188, entitled “An act relating to the conduct of hotels, inns and public lodging houses,” by repealing section 5 (MCL 427.5).

(Filed with the Secretary of State June 1, 2000, at 3:34 p.m.)

Date: May 31, 2000
Time: 2:58 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5631 (Public Act No. 139, I.E.), being

An act to repeal 1959 PA 82, entitled “An act to authorize a bridge over the public navigable waters of Crooked lake in Emmet county,” (MCL 254.111 to 254.112).

(Filed with the Secretary of State June 1, 2000, at 3:36 p.m.)

Date: May 31, 2000
Time: 3:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5633 (Public Act No. 140 I.E.), being

An act to amend 1955 PA 162, entitled “An act to provide for the licensing and inspection of agricultural liming material and to regulate the sale thereof; and to prescribe penalties for the violations of the provisions of this act,” by amending section 8 (MCL 290.538).

(Filed with the Secretary of State June 1, 2000, at 3:38 p.m.)

Date: June 6, 2000
Time: 10:02 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5443 (Public Act No. 144, I.E.), being

An act to amend 1995 PA 24, entitled “An act to promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; and to provide qualifications for incentives for authorized businesses,” by amending the title and sections 3, 6, 8, and 9 (MCL 207.803, 207.806, 207.808, and 207.809).

(Filed with the Secretary of State June 6, 2000, at 11:02 a.m.)

Date: June 6, 2000
Time: 10:04 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4400 (Public Act No. 145, I.E.), being

An act to amend 1996 PA 381, entitled “An act to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans relating to the designation and treatment of brownfield redevelopment zones; to promote the revitalization of environmentally distressed areas; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing,” by amending sections 2, 3, 4, 5, 7, 8, 13, 15, 16, and 19 (MCL 125.2652, 125.2653, 125.2654, 125.2655, 125.2657, 125.2658, 125.2663, 125.2665, 125.2666, and 125.2669).

(Filed with the Secretary of State June 6, 2000, at 11:04 a.m.)

Date: June 6, 2000
Time: 10:06 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5444 (Public Act No. 146, I.E.), being

An act to provide for the establishment of obsolete property rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local government officials; and to provide penalties.

(Filed with the Secretary of State June 6, 2000, at 11:06 a.m.)

Introduction of Bills

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

House Bill No. 5871, entitled

A bill to create a state community policing assistance program; to prescribe certain powers and duties of certain state departments and officials; to create a fund in the department of treasury; and to provide for an appropriation.

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

Reps. Gosselin, Green, Julian, Tabor, Kowall, Bradstreet, DeRossett, Stamas, Neumann, Kuipers, Shackleton, Voorhees, Garcia, Kukuk, Vear and Ehardt introduced

House Bill No. 5872, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 30311a.

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

Rep. Kelly moved that the House adjourn.
The motion prevailed, the time being 5:40 p.m.

Associate Speaker Pro Tempore Scranton declared the House adjourned until Wednesday, June 7, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives.