

**No. 42**  
**JOURNAL OF THE HOUSE**

---

House Chamber, Lansing, Wednesday, May 14, 1997.

2:00 p.m.

The House was called to order by the Speaker.

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

Agee—present	Fitzgerald—present	Kaza—present	Price—present
Alley—present	Frank—present	Kelly—present	Profit—present
Anthony—present	Freeman—present	Kilpatrick—excused	Prusi—present
Baade—present	Gagliardi—present	Kukuk—present	Quarles—present
Baird—present	Galloway—present	LaForge—present	Raczkowski—present
Bankes—present	Geiger—present	Law—present	Rhead—present
Birkholz—excused	Gernaat—present	Leland—present	Richner—present
Bobier—present	Gilmer—present	LeTarte—present	Rison—excused
Bodem—present	Gire—present	Llewellyn—present	Rocca—present
Bogardus—present	Godchaux—present	London—present	Schauer—present
Brackenridge—present	Goschka—present	Lowe—present	Schermesser—present
Brater—present	Green—present	Mans—present	Schroer—present
Brewer—present	Griffin—present	Martinez—present	Scott—present
Brown—present	Gubow—present	Mathieu—present	Scranton—present
Byl—present	Gustafson—present	McBryde—present	Sikkema—present
Callahan—present	Hale—present	McManus—present	Stallworth—present
Cassis—present	Hammerstrom—present	McNutt—present	Tesanovich—present
Cherry—present	Hanley—present	Middaugh—present	Thomas—present
Ciaramitaro—present	Harder—present	Middleton—present	Varga—present
Crissman—present	Hertel—present	Murphy—present	Vaughn—present
Cropsey—present	Hood—present	Nye—present	Voorhees—present
Curtis—present	Horton—present	Olshove—present	Walberg—present
Dalman—excused	Jansen—present	Owen—present	Wallace—present
DeHart—present	Jaye—present	Oxender—present	Wetters—present
DeVuyst—present	Jelinek—present	Palamara—present	Whyman—present
Dobb—present	Jellema—present	Parks—present	Willard—present
Dobronski—present	Johnson—present	Perricone—present	Wojno—present
Emerson—e/d/s			

e/d/s = entered during session

The Rev. Allen Petroelje, Pastor, First Christian Reformed Church, Fremont, offered the following invocation:

“Almighty God, We bring You our praise and prayer. As King David prayed long ago, ‘Yours, O Lord, is the greatness and the power and the glory and the majesty and splendor, for everything in heaven and earth is Yours . . . wealth and honor come from You; You are the Ruler of all things. In Your hands are strength and power to exalt and give strength to all. We give You thanks and praise Your glorious name.’

We thank You for Your great mercy. We have transgressed against Your commandments. We have been more concerned with our happiness than Your holiness. Thank You for not giving us what our sins deserve. May Your patience with us not make us indifferent to Your will. Stir our consciences with Your word and spirit lest we become complacent and invite Your judgments. Convict us of the truth that ‘righteousness exalts a nation but sin is a reproach to any people’.

We are grateful for Your kindness and generosity. The wealth and beauty with which You have endowed this state bears eloquent witness to Your goodness. We thank You for abundant natural resources, for productive farms and forests, for lakes and streams that provide food and fun, for safe and loving homes, for schools where knowledge is sought and truth embraced, for businesses and factories that supply goods and services for our citizens, for agencies that help the sick and the poor.

We thank You for the government which You have been pleased to give us in Your providence. Help us to cherish the precious gifts of freedom and peace. We thank You for our leaders, the people whom You have appointed to serve as Your representatives to govern the citizens of this state and country.

As the Mighty Sovereign over all and the source of all wisdom and truth, we ask that You will give blessing to this body assembled here as they take up their tasks today. Help them to humbly exercise the authority that You have given to them. As they make laws, may they do so in the light of Your law. Grant them much wisdom to discern the issues that are before them. May they be alert to temptations that would divert them from their holy calling. May their work be characterized by integrity and righteousness. May their zeal for justice be tempered with compassion. Grant them safety and health. Bless them with strength to bear up under heavy responsibilities. Help them to work patiently and lovingly with one another.

We pray blessing on our Governor and other state officials and our justices. May their decisions preserve good order and provide safety and justice to all our citizens. We pray for the people of this state. Continue to deal with us in Your mercy, and grant us Your blessings only if they help us to do Your will. May Your gifts never bring Your judgments because of our ingratitude and disobedience. Help us all to be faithful to You wherever You have placed us to serve—until at last we appear before Your throne to account for our lives.

Be pleased to hear us in the name of Him who is the Savior of His People and the King of Kings, Our Lord Jesus Christ, Amen.”

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

Rep. Hammerstrom moved that Reps. Birkholz and Dalman be excused from today’s session.  
The motion prevailed.

The Speaker called the Speaker Pro Tempore to the Chair.

### Reports of Standing Committees

The Speaker laid before the House

#### **Senate Concurrent Resolution No. 25.**

A concurrent resolution to memorialize the President and the Congress of the United States to work for the admission of Latvia, Estonia, and Lithuania into the North Atlantic Treaty Organization.

(For text of resolution, see House Journal No. 36, p. 733.)

(The concurrent resolution was reported by the Committee on House Oversight and Ethics on May 13, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

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

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Rep. Gagliardi moved that Rep. Hertel be excused temporarily from today’s session.  
The motion prevailed.

**Third Reading of Bills****House Bill No. 4444, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 356, 356a, 356c, 356d, 362a, 377a, 380, 387, and 535 (MCL 750.356, 750.356a, 750.356c, 750.356d, 750.362a, 750.377a, 750.380, 750.387, and 750.535), sections 356c and 356d as added by 1988 PA 20.

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

**Roll Call No. 338****Yeas—98**

Agee	Fitzgerald	Kukuk	Price
Alley	Frank	LaForge	Profit
Anthony	Freeman	Law	Prusi
Baade	Gagliardi	Leland	Quarles
Baird	Galloway	LeTarte	Raczkowski
Bankes	Geiger	Llewellyn	Rhead
Bobier	Gernaat	London	Richner
Bodem	Gire	Lowe	Rocca
Bogardus	Godchaux	Mans	Schauer
Brackenridge	Goschka	Martinez	Schermesser
Brater	Green	Mathieu	Schroer
Brewer	Gubow	McBryde	Scott
Brown	Gustafson	McManus	Scranton
Byl	Hale	McNutt	Sikkema
Callahan	Hammerstrom	Middaugh	Stallworth
Cassis	Hanley	Middleton	Tesanovich
Cherry	Harder	Murphy	Thomas
Ciaramitaro	Hood	Nye	Vaughn
Crissman	Horton	Olshove	Voorhees
Cropsey	Jansen	Owen	Walberg
Curtis	Jelinek	Oxender	Wallace
DeHart	Jellema	Palamara	Whyman
DeVuyst	Johnson	Parks	Willard
Dobb	Kaza	Perricone	Wojno
Dobronski	Kelly		

**Nays—1**

Jaye

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

Rep. Emerson entered the House Chambers.

**House Bill No. 4445, entitled**

A bill to amend 1931 PA 328, entitled "Michigan penal code," by amending sections 131, 157s, 157w, 174, 177, 178, 181, and 218 (MCL 750.131, 750.157s, 750.157w, 750.174, 750.177, 750.178, 750.181, and 750.218), section 131 as amended by 1984 PA 277 and section 157s as amended and section 157w as added by 1987 PA 276.

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

**Roll Call No. 339****Yeas—101**

Agee	Frank	Kelly	Price
Anthony	Freeman	Kukuk	Profit
Baade	Gagliardi	LaForge	Prusi
Baird	Galloway	Law	Quarles
Bankes	Geiger	Leland	Raczkowski
Bobier	Gernaat	LeTarte	Rhead
Bodem	Gilmer	Llewellyn	Richner
Bogardus	Gire	London	Rocca
Brackenridge	Godchaux	Lowe	Schauer
Brater	Goschka	Mans	Schermesser
Brewer	Green	Martinez	Schroer
Brown	Gubow	Mathieu	Scott
Byl	Gustafson	McBryde	Scranton
Callahan	Hale	McManus	Sikkema
Cassis	Hammerstrom	McNutt	Stallworth
Cherry	Hanley	Middaugh	Tesanovich
Ciaramitaro	Harder	Middleton	Thomas
Crissman	Hood	Murphy	Varga
Cropsey	Horton	Nye	Vaughn
Curtis	Jansen	Olshove	Voorhees
DeHart	Jaye	Owen	Wallace
DeVuyst	Jelinek	Oxender	Wetters
Dobb	Jellema	Palamara	Whyman
Dobronski	Johnson	Parks	Willard
Emerson	Kaza	Perricone	Wojno
Fitzgerald			

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

**House Bill No. 4446, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2952 and 2953 (MCL 600.2952 and 600.2953), section 2952 as added by 1984 PA 276 and section 2953 as added by 1988 PA 50.

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

**Roll Call No. 340****Yeas—102**

Agee	Frank	Kelly	Price
Alley	Freeman	Kukuk	Profit
Anthony	Gagliardi	LaForge	Prusi
Baade	Galloway	Law	Quarles
Baird	Geiger	Leland	Raczkowski
Bankes	Gernaat	LeTarte	Rhead
Bobier	Gilmer	Llewellyn	Richner
Bogardus	Gire	London	Rocca
Brackenridge	Godchaux	Lowe	Schauer
Brater	Goschka	Mans	Schermesser

Brewer	Green	Martinez	Schroer
Brown	Griffin	Mathieu	Scott
Byl	Gubow	McBryde	Scranton
Callahan	Gustafson	McManus	Sikkema
Cassis	Hale	McNutt	Stallworth
Cherry	Hammerstrom	Middaugh	Tesanovich
Ciaramitaro	Hanley	Middleton	Thomas
Crissman	Harder	Murphy	Vaughn
Cropsey	Hood	Nye	Voorhees
Curtis	Horton	Olshove	Walberg
DeHart	Jansen	Owen	Wallace
DeVuyst	Jaye	Oxender	Wetters
Dobb	Jelinek	Palamara	Whyman
Dobronski	Jellema	Parks	Willard
Emerson	Johnson	Perricone	Wojno
Fitzgerald	Kaza		

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

**House Bill No. 4509, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 8.

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

**Roll Call No. 341****Yeas—99**

Agee	Fitzgerald	Johnson	Perricone
Alley	Frank	Kaza	Price
Anthony	Freeman	Kelly	Profit
Baade	Gagliardi	Kukuk	Prusi
Baird	Galloway	Law	Raczkowski
Bankes	Geiger	Leland	Rhead
Bobier	Gernaat	LeTarte	Richner
Bodem	Gilmer	Llewellyn	Rocca
Bogardus	Gire	London	Schauer
Brackenridge	Godchaux	Lowe	Schermesser
Brewer	Goschka	Mans	Scott
Brown	Green	Martinez	Scranton
Byl	Griffin	Mathieu	Sikkema
Callahan	Gubow	McBryde	Stallworth
Cassis	Gustafson	McManus	Tesanovich
Cherry	Hale	McNutt	Thomas
Ciaramitaro	Hammerstrom	Middaugh	Varga
Crissman	Hanley	Middleton	Vaughn
Cropsey	Harder	Murphy	Voorhees
Curtis	Hood	Nye	Walberg
DeHart	Horton	Olshove	Wallace
DeVuyst	Jansen	Owen	Wetters
Dobb	Jaye	Oxender	Whyman
Dobronski	Jelinek	Palamara	Wojno
Emerson	Jellema	Parks	

**Nays—3**

LaForge

Schroer

Willard

In The Chair: Murphy

The House agreed to the title of the bill.

Rep. Gagliardi 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. 4454, entitled**

A bill to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.

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

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

Reps. Anthony and Varga moved to amend the bill as follows:

1. Amend page 17, line 12, after "requirements." by inserting "The authorized distribution agent shall provide retailers access to a computer application that includes the capability to determine whether certain spirits are currently available for delivery."

2. Amend page 17, line 15, after "case" by inserting "except that if the authorized distribution agent does not have sufficient stock to fill a retailer's order that otherwise meets the minimum requirements, the authorized distribution agent shall fill the partial order in as timely a manner as if the delivery met the minimum requirements".

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

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

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

**House Bill No. 4290, entitled**

A bill to regulate the servicing, repair, and maintenance of certain appliances and the compensation received by certain persons for those activities; to provide for certain disclosures and warranties regarding those activities; to limit certain representations by service dealers; and to provide for certain remedies.

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

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

Rep. Bankes 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. Freeman 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 members present voting therefor.

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

The motion prevailed.

**Senate Bill No. 340, entitled**

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending sections 11, 18, 19, 20, 23, 25, and 31 (MCL 567.231, 567.238, 567.239, 567.240, 567.243, 567.245, and 567.251); and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Tax Policy (for amendment, see House Journal No. 36, p. 728),

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 1, line 7, after "for" by striking out "5" and inserting "7".

2. Amend page 1, line 8, after "within" by striking out "5" and inserting "7".

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

Rep. McBryde demanded the yeas and nays.

The demand was supported.

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

Rep. Profit moved that consideration of the bill be postponed for the day.

The motion prevailed.

**House Bill No. 4295, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3113 (MCL 324.3113) and by adding section 3111a.

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

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

Rep. Bogardus moved to amend the bill as follows:

1. Amend page 1, line 11, after "OR A" by inserting "NEW".

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

Rep. Bogardus 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. Gagliardi 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. 4295, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3113 (MCL 324.3113) and by adding section 3111a.

The bill was read a third time.

The question being on the passage of the bill,

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

**Second Reading of Bills****House Bill No. 4465, entitled**

A bill to amend 1994 PA 51, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 54.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Conservation, Environment and Recreation (for amendments, see House Journal No. 36, p. 730),

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

Rep. Jellema moved to amend the bill as follows:

1. Amend page 11, line 15, after "SYSTEM" by striking out the balance of the subdivision and inserting "IF A PRIMARY PURPOSE OF THE EXPANSION IS TO ACCOMMODATE FUTURE DEVELOPMENT.".

2. Amend page 12, following line 25, by inserting:

"(8) A PROJECT PLAN SHALL NOT HAVE AS A PRIMARY PURPOSE THE CONSTRUCTION OF OR EXPANSION OF A WATERWORKS SYSTEM TO ACCOMMODATE FUTURE DEVELOPMENT.".

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

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

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

**House Bill No. 4466, entitled**

A bill to amend 1985 PA 227, entitled "Shared credit rating act," by amending the title and sections 1, 3, 7, 8, 13, 25, and 27 (MCL 141.1051, 141.1053, 141.1057, 141.1058, 141.1063, 141.1075, and 141.1077), the title and sections 3, 8, 13, and 27 as amended by 1996 PA 241, section 7 as amended by 1996 PA 391, and section 25 as amended by 1988 PA 316, and by adding section 16b.

The bill was read a second time.

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

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

**Senate Bill No. 51, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40113a (MCL 324.40113a), as added by 1996 PA 377.

The bill was read a second time.

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

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

**House Bill No. 4005, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21054u.

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

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

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

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

**House Bill No. 4006, entitled**

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

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

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

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

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

**House Bill No. 4415, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 418.

The bill was read a second time.

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

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

The House returned to the consideration of

**House Bill No. 4290, entitled**

A bill to regulate the servicing, repair, and maintenance of certain appliances and the compensation received by certain persons for those activities; to provide for certain disclosures and warranties regarding those activities; to limit certain representations by service dealers; and to provide for certain remedies.

(Was read a second time, substitute (H-1) adopted and bill postponed temporarily earlier today, see today's Journal, p. 888.)

Rep. Brown moved to amend the bill as follows:

1. Amend page 5, line 12, after "dealer." by inserting "In the case of a service dealer who provides for an in-home service call for the repair, service, or maintenance of an appliance and who is required to warrant a specific service or repair of an appliance as described in subsection (1), the service dealer shall make a return in-home service call unless otherwise agreed to by the customer."

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



Rep. Brown moved to amend the bill as follows:

1. Amend page 1, line 6, after "compactor," by inserting "video cassette recorder, television, stereo component, computer,".

2. Amend page 4, line 2, after "part." by inserting "Upon request, a customer may inspect a part retained by the service dealer.".

Rep. Bankes moved that the amendments be considered separately.

The motion prevailed.

The question being on the adoption of the amendment No. 1 offered by Rep. Brown,

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

The question being on the adoption of the amendment No. 2 offered by Rep. Brown,

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

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

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

#### **House Bill No. 4646, entitled**

A bill to amend 1965 PA 190, entitled "An act to provide for a system of uniformity of service for veterans," by amending section 1 (MCL 35.61).

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Senior Citizens and Veterans Affairs (for amendment, see House Journal No. 39, p. 795),

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

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

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

Rep. Gagliardi 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. 4646, entitled**

A bill to amend 1965 PA 190, entitled "An act to provide for a system of uniformity of service for veterans," by amending section 1 (MCL 35.61).

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

#### **Second Reading of Bills**

#### **House Bill No. 4606, entitled**

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending sections 102, 103, 201, 202, 203, 204, 206, 207, 213, 301, 302, 303, 304, 305, 307, 308, 401, 402, 403, 404, 405, 501, 502, 503, 506, 509, 701, 702, 703, 704, 705, 706, 801, 808, 901, 902, 903, 909, 910, 1002, and 1101 (MCL 450.4102, 450.4103, 450.4201, 450.4202, 450.4203, 450.4204, 450.4206, 450.4207, 450.4213, 450.4301, 450.4302, 450.4303, 450.4304, 450.4305, 450.4307, 450.4308, 450.4401, 450.4402, 450.4403, 450.4404, 450.4405, 450.4501, 450.4502, 450.4503, 450.4506, 450.4509, 450.4701, 450.4702, 450.4703, 450.4704, 450.4705, 450.4706, 450.4801, 450.4808, 450.4901, 450.4902, 450.4903, 450.4909, 450.4910, 450.5002, and 450.5101), sections 701, 702, 703, 705, and 706 as amended by 1994 PA 410, and by adding sections 515, 705a, and 707.

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

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

Rep. Profit 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. Gagliardi moved that **House Bill No. 4454** 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. 4454, entitled**

A bill to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Gagliardi moved to amend the bill as follows:

1. Amend page 20, following line 19, by inserting:

“(12) Notwithstanding any other provision of this section, the commission shall enter into a performance contract with each authorized distribution agent.”.

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

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. 342**

**Yeas—105**

Agee	Frank	Kaza	Price
Alley	Freeman	Kelly	Profit
Anthony	Gagliardi	Kukuk	Prusi
Baade	Galloway	LaForge	Quarles
Baird	Geiger	Law	Raczkowski
Bankes	Gernaat	Leland	Rhead
Bobier	Gilmer	LeTarte	Richner
Bodem	Gire	Llewellyn	Rocca
Bogardus	Godchaux	London	Schauer
Brackenridge	Goschka	Lowe	Schermesser
Brater	Green	Mans	Schroer
Brewer	Griffin	Martinez	Scott
Brown	Gubow	Mathieu	Scranton
Byl	Gustafson	McBryde	Sikkema
Callahan	Hale	McManus	Stallworth
Cassis	Hammerstrom	McNutt	Tesanovich
Cherry	Hanley	Middaugh	Thomas
Ciaramitaro	Harder	Middleton	Varga
Crissman	Hertel	Murphy	Vaughn
Cropsey	Hood	Nye	Voorhees
Curtis	Horton	Olshove	Walberg
DeHart	Jansen	Owen	Wallace
DeVuyst	Jaye	Oxender	Wetters
Dobb	Jelinek	Palamara	Whyman
Dobronski	Jellema	Parks	Willard
Emerson	Johnson	Perricone	Wojno
Fitzgerald			

**Nays—0**

In The Chair: Murphy

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

The House returned to the consideration of  
**House Bill No. 4295, entitled**  
A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3113 (MCL 324.3113) and by adding section 3111a.  
(The bill was considered earlier today, see today's Journal, p. 889.)  
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. 343****Yeas—103**

Agee	Frank	Kelly	Profit
Alley	Freeman	Kukuk	Prusi
Anthony	Gagliardi	LaForge	Quarles
Baade	Galloway	Law	Raczkowski
Baird	Geiger	Leland	Rhead
Banks	Gernaat	LeTarte	Richner
Bobier	Gilmer	Llewellyn	Rocca
Bodem	Gire	London	Schauer
Bogardus	Godchaux	Lowe	Schermesser
Brackenridge	Goschka	Mans	Schroer
Brater	Green	Martinez	Scott
Brown	Gubow	Mathieu	Scranton
Byl	Gustafson	McBryde	Sikkema
Callahan	Hale	McManus	Stallworth
Cassis	Hammerstrom	McNutt	Tesanovich
Cherry	Hanley	Middaugh	Thomas
Ciaramitaro	Harder	Middleton	Varga
Crissman	Hertel	Murphy	Vaughn
Cropsey	Hood	Nye	Voorhees
Curtis	Horton	Olshove	Walberg
DeHart	Jansen	Owen	Wallace
DeVuyst	Jaye	Oxender	Wetters
Dobb	Jelinek	Palamara	Whyman
Dobronski	Jellema	Parks	Willard
Emerson	Johnson	Perricone	Wojno
Fitzgerald	Kaza	Price	

**Nays—0**

In The Chair: Murphy

The question being on agreeing to the title of the bill,  
Rep. Gagliardi moved to amend the title to read as follows:  
A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3113 (MCL 324.3113).  
The motion prevailed.  
The House agreed to the title as amended.  
Rep. Gagliardi moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.  
Reps. Alley, Baade, Baird, Bodem, Brown, Ciaramitaro, Dobronski, Freeman, Gagliardi, Gernaat, Hanley, Harder, Jellema, Kukuk, Law, Murphy, Oxender, Palamara, Price, Profit, Prusi, Rhead, Rocca, Schermesser, Schroer, Scott, Stallworth, Varga, Vaughn, Wallace, Wetters and Wojno were named co-sponsors of the bill.

The House returned to the consideration of

**House Bill No. 4646, entitled**

A bill to amend 1965 PA 190, entitled "An act to provide for a system of uniformity of service for veterans," by amending section 1 (MCL 35.61).

(The bill was considered earlier today, see today's Journal, p. 891.)

The question being on 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. 344**

**Yeas—101**

Agee	Fitzgerald	Kelly	Profit
Alley	Frank	Kukuk	Prusi
Anthony	Freeman	LaForge	Quarles
Baade	Gagliardi	Law	Rackowski
Baird	Galloway	Leland	Rhead
Banks	Geiger	LeTarte	Richner
Bobier	Gernaat	Llewellyn	Rocca
Bodem	Gilmer	London	Schauer
Bogardus	Gire	Lowe	Schermesser
Brackenridge	Godchaux	Mans	Schroer
Brater	Goschka	Martinez	Scott
Brewer	Green	Mathieu	Scranton
Brown	Gubow	McBryde	Sikkema
Byl	Gustafson	McManus	Stallworth
Callahan	Hale	McNutt	Tesanovich
Cassis	Hammerstrom	Middaugh	Thomas
Cherry	Hanley	Middleton	Varga
Ciaramitaro	Harder	Murphy	Vaughn
Crissman	Hood	Nye	Voorhees
Cropsey	Horton	Olshove	Walberg
Curtis	Jansen	Oxender	Wallace
DeHart	Jaye	Palamara	Wetters
DeVuyst	Jelinek	Parks	Whyman
Dobb	Jellema	Perricone	Willard
Dobronski	Kaza	Price	Wojno
Emerson			

**Nays—1**

Owen

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

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Rep. Price asked and obtained an excuse from tomorrow's session.

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

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

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, May 12:

**Senate Bill Nos. 481 482 483 484 485 486 487 488 489 493 494**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, May 14:

**House Bill Nos. 4763 4764 4765 4766 4767 4768 4769 4770 4771 4773 4774**

The Clerk announced that the following Senate bills had been received on Wednesday, May 14:

**Senate Bill Nos. 372 373 374 375 376 377 378 379 380 381 382 383 384 385  
386 387**

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

**House Bill No. 4049, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 518.

The committee recommended that the bill be referred to the Committee on Forestry and Mineral Rights.

Favorable Roll Call

**HB 4049 To Report Out:**

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, LaForge, Mans, Schermesser, Middaugh, Bodem, Byl, McManus, McNutt, Walberg,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Forestry and Mineral Rights.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

**House Bill No. 4204, entitled**

A bill to amend 1993 PA 92, entitled "Seller disclosure act," by amending section 7 (MCL 565.957), as amended by 1996 PA 92.

The committee recommended that the bill be referred to the Committee on Forestry and Mineral Rights.

Favorable Roll Call

**HB 4204 To Report Out:**

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, LaForge, Mans, Schermesser, Middaugh, Bodem, Byl, McManus, McNutt, Walberg,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Forestry and Mineral Rights.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

**House Bill No. 4382, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8905a (MCL 324.8905a), as added by 1995 PA 111; and to repeal acts and parts of acts.

The committee recommended that the bill be referred to the Committee on Forestry and Mineral Rights.

Favorable Roll Call

**HB 4382 To Report Out:**

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, LaForge, Mans, Schermesser, Middaugh, Bodem, Byl, McManus, McNutt, Walberg,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Forestry and Mineral Rights.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

**House Bill No. 4522, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82113 (MCL 324.82113), as added by 1995 PA 58.

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 4522** To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, LaForge, Mans, Schermesser, Middaugh, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

**House Resolution No. 39.**

A resolution to memorialize the Congress of the United States and the Environmental Protection Agency not to restrict the use of barbecue grills.

(For text of resolution, see House Journal No. 34, p. 690.)

With the recommendation that the resolution be adopted.

The Speaker announced that under Rule 77 the resolution would lie over one day.

Favorable Roll Call

**HR 39** To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, LaForge, Schermesser, Middaugh, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

**House Concurrent Resolution No. 37.**

A concurrent resolution to memorialize the Congress of the United States and the Environmental Protection Agency not to restrict the use of barbecue grills.

(For text of resolution, see House Journal No. 34, p. 690.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

**HCR 37** To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, LaForge, Schermesser, Middaugh, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Alley, Chair of the Committee on Conservation, Environment and Recreation, was received and read:

Meeting held on: Wednesday, May 14, 1997, at 10:30 a.m.,

Present: Reps. Alley, Callahan, Anthony, Brater, Brown, LaForge, Mans, Schermesser, Middaugh, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Absent: Reps. Gire, Kilpatrick, Wetters, Birkholz,

Excused: Reps. Gire, Kilpatrick, Wetters, Birkholz.

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

**House Bill No. 4440, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 273 (MCL 206.273), as added by 1988 PA 516.

With the recommendation that the bill pass.

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

Favorable Roll Call

**HB 4440** To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Hanley, Wojno, Perricone, Cassis, Dobb, Middleton, Whyman,

Nays: None.

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

**House Bill No. 4773, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 35 (MCL 208.35), as amended by 1995 PA 255.

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 4773** To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Gubow, Wojno, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton, Whyman,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 14, 1997, at 9:00 a.m.,

Present: Reps. Profit, Quarles, Agee, Freeman, Gubow, Hanley, Palamara, Wojno, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton, Whyman,

Absent: Reps. Wallace, Wetters,

Excused: Reps. Wallace, Wetters.

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

**House Bill No. 4395, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 502, 503, 504a, 512, 513, and 514a (MCL 380.502, 380.503, 380.504a, 380.512, 380.513, and 380.514a), as amended by 1995 PA 289, and by adding sections 503b and 513b.

With the recommendation that the substitute (H-3) 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 4395** To Report Out:

Yeas: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, LaForge, Schauer, Scott,

Nays: Reps. Crissman, Cropsey, Jelinek, LeTarte, McNutt, Middleton.

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

**House Bill No. 4774, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1234 (MCL 380.1234).

With the recommendation that the bill pass.

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

## Favorable Roll Call

**HB 4774** To Report Out:

Yeas: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, LaForge, Schauer, Scott, Crissman, Cropsey, Jelinek, LeTarte, McNutt, Middleton,  
Nays: None.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gire, Chair of the Committee on Education, was received and read:  
Meeting held on: Wednesday, May 14, 1997, at 12:00 Noon,  
Present: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, LaForge, Schauer, Scott, Crissman, Cropsey, Jelinek, LeTarte, McNutt, Middleton,  
Absent: Reps. Kilpatrick, Dalman,  
Excused: Reps. Kilpatrick, Dalman.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Griffin, Chair of the Committee on Commerce, was received and read:  
Meeting held on: Wednesday, May 14, 1997, at 9:00 a.m.,  
Present: Reps. Griffin, Thomas, Alley, Callahan, Mans, Murphy, Olshove, Palamara, Schermesser, Varga, Gernaat, Jaze, Kaza, Kukuk, Rhead, Richner, Walberg.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Baird, Chair of the Committee on Mental Health, was received and read:  
Meeting held on: Wednesday, May 14, 1997, at 12:00 Noon,  
Present: Reps. Baird, Brater, Gubow, LaForge, Scranton, Cassis, Green, Hammerstrom,  
Absent: Rep. Wallace,  
Excused: Rep. Wallace.

**Messages from the Senate****Senate Bill No. 352, entitled**

A bill to amend 1976 PA 220, entitled "Michigan handicappers' civil rights act," by amending the title and sections 101, 102, 103, 202, 203, 204, 205, 206, 208, 209, 210, 211, 302, 402, 403, 502, 504, 505, 506, 506a, 507, 604, and 606 (MCL 37.1101, 37.1102, 37.1103, 37.1202, 37.1203, 37.1204, 37.1205, 37.1206, 37.1208, 37.1209, 37.1210, 37.1211, 37.1302, 37.1402, 37.1403, 37.1502, 37.1504, 37.1505, 37.1506, 37.1506a, 37.1507, 37.1604, and 37.1606), the title and sections 103, 502, and 504 as amended and section 506a as added by 1992 PA 123, sections 102 and 606 as amended and sections 210 and 211 as added by 1990 PA 121, and sections 204 and 402 as amended and section 209 as added by 1980 PA 478.

The Senate has passed the bill.

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

**Senate Bill No. 353, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 29, 504, 509t, and 795 (MCL 168.29, 168.504, 168.509t, and 168.795), sections 29 and 504 as amended by 1989 PA 142, section 509t as added by 1994 PA 441, and section 795 as amended by 1992 PA 8.

The Senate has passed the bill.

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

**Senate Bill No. 354, entitled**

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending sections 506a and 605 (MCL 37.2506a and 37.2605), section 506a as added and section 605 as amended by 1992 PA 124.

The Senate has passed the bill.

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



**Senate Bill No. 355, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 115f (MCL 400.115f), as amended by 1994 PA 238.

The Senate has passed the bill.

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

**Senate Bill No. 356, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 293, 295, and 296 (MCL 18.1293, 18.1295, and 18.1296).

The Senate has passed the bill.

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

**Senate Bill No. 357, entitled**

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending section 205 (MCL 484.1205), as amended by 1994 PA 29.

The Senate has passed the bill.

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

**Senate Bill No. 358, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending sections 211a, 410, and 502 (MCL 550.1211a, 550.1410, and 550.1502), section 211a as added by 1993 PA 127 and section 502 as amended by 1994 PA 440.

The Senate has passed the bill.

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

**Senate Bill No. 359, entitled**

A bill to amend 1948 (1st Ex Sess) PA 31, entitled "An act to provide for the incorporation of authorities to acquire, furnish, equip, own, improve, enlarge, operate, and maintain buildings, automobile parking lots or structures, recreational facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use of any county, city, village, or township, or for the use of any combination of 2 or more counties, cities, villages, or townships, or for the use of any school district and any city, village, or township wholly or partially within the district's boundaries, or for the use of any school district and any combination of 2 or more cities, villages, or townships wholly or partially within the district's boundaries, or for the use of any intermediate school district and any constituent school district or any city, village, or township, wholly or partially within the intermediate school district's boundaries; to provide for compensation of authority commissioners; to permit transfers of property to authorities; to authorize the execution of contracts, leases, and subleases pertaining to authority property and the use of authority property; to authorize incorporating units to impose taxes without limitation as to rate or amount and to pledge their full faith and credit for the payment of contract of lease obligations in anticipation of which bonds are issued by an authority; to provide for the issuance of bonds by such authorities; to validate action taken and bonds issued; and to provide other powers, rights, and duties of authorities and incorporating units, including those for the disposal of authority property," by amending section 2b (MCL 123.952b).

The Senate has passed the bill.

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

**Senate Bill No. 360, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2027, 2121, 2264, 2925a, and 5208a (MCL 500.2027, 500.2121, 500.2264, 500.2925a, and 500.5208a), sections 2121 and 2925a as amended by 1980 PA 461 and section 5208a as added by 1981 PA 189.

The Senate has passed the bill.

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

**Senate Bill No. 361, entitled**

A bill to amend 1987 PA 230, entitled "Municipal health facilities corporations act," by amending section 306 (MCL 331.1306), as amended by 1988 PA 502.

The Senate has passed the bill.

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

**Senate Bill No. 362, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 116 (MCL 330.1116), as amended by 1995 PA 290.

The Senate has passed the bill.

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

**Senate Bill No. 363, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of the department of social services and adoption facilitators; to provide penalties; and to repeal certain acts and parts of acts," by amending section 5 (MCL 722.115), as amended by 1995 PA 81.

The Senate has passed the bill.

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

**Senate Bill No. 364, entitled**

A bill to amend 1973 PA 8, entitled "An act to provide for the construction and maintenance of sidewalks for use by handicapped persons," by amending the title and section 1 (MCL 125.1361).

The Senate has passed the bill.

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

**Senate Bill No. 365, entitled**

A bill to amend 1978 PA 59, entitled "Condominium act," by amending the title and sections 47a and 104b (MCL 559.147a and 559.204b), the title and section 104b as amended by 1982 PA 538 and section 47a as added by 1987 PA 31.

The Senate has passed the bill.

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

**Senate Bill No. 366, entitled**

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending sections 3 and 6 (MCL 400.703 and 400.706), as amended by 1996 PA 194.

The Senate has passed the bill.

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

**Senate Bill No. 367, entitled**

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending sections 7 and 14 (MCL 408.387 and 408.394).

The Senate has passed the bill.

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

**Senate Bill No. 368, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 49, 145m, 147a, 470, and 502c (MCL 750.49, 750.145m, 750.147a, 750.470, and 750.502c), section 49 as amended by 1995 PA 228, section 145m as added by 1994 PA 149, section 470 as added by 1992 PA 271, and section 502c as amended by 1995 PA 114.

The Senate has passed the bill.

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

**Senate Bill No. 369, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7d (MCL 211.7d), as amended by 1987 PA 200.

The Senate has passed the bill.

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

**Senate Bill No. 370, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 3b of chapter XI and section 19a of chapter XV (MCL 771.3b and 775.19a), section 3b of chapter XI as amended by 1994 PA 426 and section 19a of chapter XV as amended by 1982 PA 203.

The Senate has passed the bill.

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

**Senate Bill No. 371, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 19a, 39a, 67b, 252d, 321a, 674, 675, 742, 803d, 803e, 803f, 803h, 803i, 803j, 803k, 803l, 803n, and 803o (MCL 257.19a, 257.39a, 257.67b, 257.252d, 257.321a, 257.674, 257.675, 257.742, 257.803d, 257.803e, 257.803f, 257.803h, 257.803i, 257.803j, 257.803k, 257.803l, 257.803n, and 257.803o), section 19a as amended by 1996 PA 198, section 675 as amended by 1994 PA 432, section 39a as added by 1987 PA 257, sections 67b, 674, 803e, 803f, 803i, 803j, 803k, 803l, 803n, and 803o as amended by 1994 PA 104, sections 252d and 742 as amended by 1989 PA 89, section 321a as amended by 1996 PA 493, section 803d as amended by 1984 PA 175, and section 803h as added by 1988 PA 419.

The Senate has passed the bill.

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

**Senate Joint Resolution I, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 8 of article VIII, to change the term "handicapped" to "disabled".

The Senate has adopted the joint resolution by a 2/3 vote.

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

**Communications from State Officers**

The following communications from the Auditor General were received and read:

May 9, 1997

Enclosed is a corrected copy of the Executive Digest for the Financial Audit Including the Provisions of the Single Audit Act of the Department of Natural Resources which was previously mailed to you on May 8, 1997.

We discovered, after mailing, that a very small number of the audit reports for the Department of Natural Resources audit included the Executive Digest for the Department of State Police audit. You may have received one of those reports. If so, please remove the Department of State Police Executive Digest from the front of the audit report and insert the enclosed Executive Digest for the Department of Natural Resources into the report.

We apologize for any inconvenience this may have caused.

Sincerely,  
John R. Suckow, C.P.A.  
Director of Administration

May 12, 1997

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

Performance and Financial Related Audit of  
Consent Decrees  
Department of Corrections  
May 1997

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

The communications were referred to the Clerk and the accompanying reports referred to the Committee on House Oversight and Ethics.

**Introduction of Bills**

Reps. Bogardus, McBryde, Wetters, Raczkowski, Goschka, Anthony, Johnson, Willard, Martinez, Dalman, Gire, Schroer, Dobb, Bodem, Baird, Sikkema, Leland, Jellema, Oxender, Quarles, Alley, Gustafson and Palamara introduced **House Bill No. 4779, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21053d.

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

Reps. Palamara, McBryde, Wetters, Goschka, Raczkowski, Anthony, Johnson, Willard, Martinez, Dalman, Gire, Schroer, Dobb, Bodem, Baird, Sikkema, Leland, Jellema, Oxender, Quarles, Alley and Gustafson introduced

**House Bill No. 4780, entitled**

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

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

Reps. Bankes, Sikkema, McBryde, Wetters, Goschka, Raczkowski, Anthony, Johnson, Willard, Martinez, Dalman, Gire, Schroer, Dobb, Bodem, Baird, Leland, Jellema, Oxender, Quarles, Alley, Gustafson, Crissman, Palamara and Perricone introduced

**House Bill No. 4781, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 401f.

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

Rep. Voorhees introduced

**House Bill No. 4782, entitled**

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 8 (MCL 15.268), as amended by 1996 PA 464.

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

Reps. Schroer and Profit introduced

**House Bill No. 4783, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 265 (MCL 206.265), as added by 1993 PA 128.

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

Reps. Schroer, Brater, Profit and Mans introduced

**House Bill No. 4784, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2211.

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

Reps. Quarles, DeHart, Varga, Curtis, LaForge, Brewer, Cherry, Rison, Murphy, Bogardus, Schermesser, Godchaux, Parks, Hale, Scott and Martinez introduced

**House Bill No. 4785, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 22210 (MCL 333.22210), as amended by 1993 PA 88.

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

Reps. Price, Profit, Mans, LaForge, Hanley, Martinez, Baird, Hale, DeHart, Parks, Schauer, Palamara and Brater introduced

**House Bill No. 4786, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57k.

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

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Rep. Bobier moved that the House adjourn.

The motion prevailed, the time being 4:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, May 15, at 10:00 a.m.

MARY KAY SCULLION  
Clerk of the House of Representatives.