

No. 76
JOURNAL OF THE HOUSE

House Chamber, Lansing, Wednesday, October 8, 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	Emerson—present	Kaza—present	Price—present
Alley—present	Fitzgerald—present	Kelly—present	Profit—present
Anthony—present	Frank—present	Kilpatrick—present	Prusi—present
Baade—present	Freeman—present	Kukuk—present	Quarles—present
Baird—present	Gagliardi—present	LaForge—present	Raczkowski—present
Bankes—present	Galloway—present	Law—present	Rhead—present
Basham—present	Geiger—present	Leland—present	Richner—present
Birkholz—present	Gernaat—present	LeTarte—present	Rison—excused
Bobier—present	Gilmer—present	Llewellyn—present	Rocca—present
Bodem—present	Gire—present	London—present	Schauer—present
Bogardus—present	Godchaux—present	Lowe—present	Schermesser—present
Brackenridge—present	Goschka—present	Mans—present	Schroer—present
Brater—present	Green—present	Martinez—present	Scott—present
Brewer—present	Griffin—present	Mathieu—present	Scranton—present
Brown—present	Gubow—present	McBryde—present	Sikkema—present
Byl—present	Gustafson—present	McManus—present	Stallworth—present
Callahan—present	Hale—present	McNutt—present	Tesanovich—present
Cassis—present	Hammerstrom—present	Middaugh—present	Thomas—present
Cherry—present	Hanley—present	Middleton—present	Varga—present
Ciaramitaro—present	Harder—present	Murphy—present	Vaughn—present
Crissman—present	Hertel—present	Nye—present	Voorhees—present
Cropsey—present	Hood—present	Olshove—present	Walberg—present
Curtis—present	Horton—excused	Owen—present	Wallace—present
Dalman—present	Jansen—present	Oxender—present	Wetters—present
DeHart—present	Jaye—present	Palamara—present	Whyman—present
DeVuyst—present	Jelinek—present	Parks—present	Willard—present
Dobb—present	Jellema—present	Perricone—present	Wojno—present
Dobronski—present	Johnson—present		

e/d/s = entered during session

Rep. Ed Vaughn, from the 4th District, offered the following invocation:

“May the great spirit of the human family provide and protect us as we deliberate the people’s business. Hold fast to dreams, for if dreams die, life is a broken winged bird that cannot fly. Hold fast to dreams, for if dreams go, life is a barren field frozen with snow. Amen.”

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

Rep. Hammerstrom moved that Rep. Horton be excused from today’s session.
The motion prevailed.

Notices

October 8, 1997

In accordance with House Rule 10, I hereby designate Representative Eileen DeHart, to be the Presiding Officer for all, or part of today’s session.

Sincerely,
Curtis Hertel
Speaker of the House

October 8, 1997

In accordance with House Rule 10, I hereby designate Representative Michael Hanley, to be the Presiding Officer for all, or part of today’s session.

Sincerely,
Curtis Hertel
Speaker of the House

The Speaker called Acting Speaker DeHart to the Chair.

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

The Speaker laid before the House

House Bill No. 4642, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4a (MCL 205.54a), as amended by 1996 PA 435.

(The bill was received from the Senate on July 9, with substitute (S-8), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until July 10, see House Journal No. 66, p. 1835.)

The question being on concurring in the adoption of the substitute (S-8) made to the bill by the Senate,

Rep. Profit moved to substitute (H-1) the Senate substitute (S-8).

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

The question being on concurring in the substitute (S-8) made to the bill by the Senate,

The substitute (S-8), as substituted (H-1), was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 814**Yeas—75**

Alley	Fitzgerald	Kaza	Palamara
Baird	Frank	Kilpatrick	Parks
Bankes	Gagliardi	Kukuk	Perricone
Birkholz	Galloway	Law	Price
Bobier	Geiger	Llewellyn	Profit
Bodem	Gernaat	London	Rackowski
Bogardus	Gilmer	Lowe	Rhead
Brackenridge	Godchaux	Mans	Richner
Brater	Goschka	Martinez	Rocca
Brewer	Green	Mathieu	Schauer
Brown	Griffin	McBryde	Scranton
Cassis	Gustafson	McManus	Sikkema
Crissman	Hammerstrom	McNutt	Thomas
Cropsey	Hanley	Middaugh	Vaughn
Curtis	Harder	Middleton	Voorhees
Dalman	Jansen	Nye	Walberg
DeVuyst	Jelinek	Olshove	Wallace
Dobb	Jellema	Owen	Whyman
Dobronski	Johnson	Oxender	

Nays—30

Agee	DeHart	Kelly	Schermesser
Anthony	Emerson	LaForge	Schroer
Baade	Freeman	Leland	Scott
Basham	Gire	LeTarte	Stallworth
Byl	Gubow	Murphy	Tesanovich
Callahan	Hale	Prusi	Willard
Cherry	Hood	Quarles	Wojno
Ciaramitaro	Jaye		

In The Chair: DeHart

The Speaker laid before the House

House Bill No. 4643, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 1996 PA 436. (The bill was received from the Senate on July 9, with substitute (S-5), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until July 10, see House Journal No. 66, p. 1835.)

The question being on concurring in the adoption of the substitute (S-5) made to the bill by the Senate,

Rep. Profit moved to substitute (H-1) the bill.

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

The question being on concurring in the substitute (S-5) made to the bill by the Senate,

The substitute (S-5), as substituted (H-1), was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 815**Yeas—74**

Alley	Fitzgerald	Kaza	Palamara
Baird	Frank	Kukuk	Perricone
Bankes	Gagliardi	Law	Price

Birkholz	Galloway	Llewellyn	Profit
Bobier	Geiger	London	Raczkowski
Bodem	Gernaat	Lowe	Rhead
Bogardus	Gilmer	Mans	Richner
Brackenridge	Goschka	Martinez	Rocca
Brater	Green	Mathieu	Schauer
Brown	Griffin	McBryde	Scranton
Byl	Gustafson	McManus	Sikkema
Cassis	Hammerstrom	McNutt	Stallworth
Crissman	Hanley	Middaugh	Thomas
Cropsey	Harder	Middleton	Vaughn
Curtis	Hertel	Nye	Voorhees
Dalman	Jansen	Olshove	Walberg
DeVuyst	Jelinek	Owen	Wallace
Dobb	Jellema	Oxender	Whyman
Dobronski	Johnson		

Nays—30

Agee	Emerson	Kelly	Quarles
Anthony	Freeman	Kilpatrick	Schermesser
Baade	Gire	LaForge	Schroer
Basham	Godchaux	Leland	Scott
Callahan	Gubow	LeTarte	Tesanovich
Cherry	Hale	Parks	Willard
Ciaramitaro	Hood	Prusi	Wojno
DeHart	Jaye		

In The Chair: DeHart

The Speaker resumed the Chair.

Second Reading of Bills

Senate Bill No. 277, entitled

A bill to amend 1964 PA 183, entitled “An act creating the state building authority with power to acquire, construct, furnish, equip, own, improve, enlarge, operate, mortgage, and maintain facilities for the use of the state or any of its agencies; to act as a developer or co-owner of facilities as a condominium project for the use of the state or any of its agencies; to authorize the execution of leases pertaining to those facilities by the building authority with the state or any of its agencies; to authorize the payment of true rentals by the state; to provide for the issuance of revenue obligations by the building authority to be paid from the true rentals to be paid by the state and other resources and security provided for and pledged by the building authority; to authorize the creation of funds; to authorize the conveyance of lands by the state or any of its agencies for the purposes authorized in this act; to authorize the appointment of a trustee for bondholders; to permit remedies for the benefit of parties in interest; to provide for other powers and duties of the authority; and to provide for other matters in relation to the authority and its obligations,” by amending section 8 (MCL 830.418), as amended by 1994 PA 252.

The bill was read a second time.

Rep. Jaye moved to amend the bill as follows:

1. Amend page 19, following line 17, by inserting:

“(24) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT, NONE OF THE \$700,000,000.00 INCREASE IN BONDING AUTHORITY PROVIDED IN THE AMENDATORY ACT THAT ADDED THIS SUBSECTION SHALL BE USED TO PLAN OR CONSTRUCT THE HALL OF JUSTICE. ANY AMOUNT THAT WAS TO BE USED TO PLAN OR CONSTRUCT THE HALL OF JUSTICE SHALL BE USED FOR ROAD CONSTRUCTION OR ROAD IMPROVEMENTS IN THIS STATE.”.

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 13, line 17, after “than” by striking out “\$2,700,000,000.00” and inserting “\$2,300,000,000.00”.
2. Amend page 16, line 13, after “the” by striking out “\$2,700,000,000.00” and inserting “\$2,300,000,000.00”.

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 19, following line 17, by inserting:

“Enacting section 1. This amendatory act does not take effect unless submitted to the qualified electors of the state at the general election to be held November 3, 1998, in the same manner as provided by law for proposed amendments to the state constitution of 1963, and approved by a majority of the electors voting on the question. If approved by the electors in the manner prescribed in this section, this amendatory act takes effect December 3, 1998.”.

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 19, following line 17, by inserting:

“(24) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT, ALL REVENUES FROM THE \$700,000,000.00 INCREASE IN BONDING AUTHORITY PROVIDED IN THE AMENDATORY ACT THAT ADDED THIS SUBSECTION SHALL BE DEDICATED TO ROAD CONSTRUCTION AND ROAD IMPROVEMENTS IN THIS STATE.”.

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

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.

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

Senate Bill No. 277, entitled

A bill to amend 1964 PA 183, entitled “An act creating the state building authority with power to acquire, construct, furnish, equip, own, improve, enlarge, operate, mortgage, and maintain facilities for the use of the state or any of its agencies; to act as a developer or co-owner of facilities as a condominium project for the use of the state or any of its agencies; to authorize the execution of leases pertaining to those facilities by the building authority with the state or any of its agencies; to authorize the payment of true rentals by the state; to provide for the issuance of revenue obligations by the building authority to be paid from the true rentals to be paid by the state and other resources and security provided for and pledged by the building authority; to authorize the creation of funds; to authorize the conveyance of lands by the state or any of its agencies for the purposes authorized in this act; to authorize the appointment of a trustee for bondholders; to permit remedies for the benefit of parties in interest; to provide for other powers and duties of the authority; and to provide for other matters in relation to the authority and its obligations,” by amending section 8 (MCL 830.418), as amended by 1994 PA 252.

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

Roll Call No. 816

Yeas—88

Agee	Dobb	Jansen	Oxender
Alley	Dobronski	Jelinek	Palamara
Anthony	Fitzgerald	Jellema	Parks
Baade	Frank	Johnson	Price
Baird	Freeman	Kelly	Profit
Bankes	Gagliardi	Kilpatrick	Prusi
Basham	Galloway	Kukuk	Quarles
Birkholz	Geiger	LaForge	Raczkowski
Bobier	Gernaat	Law	Richner
Bodem	Gilmer	Leland	Rocca

Bogardus	Gire	LeTarte	Schauer
Brackenridge	Godchaux	London	Schroer
Brater	Goschka	Mans	Scott
Brown	Griffin	Martinez	Scranton
Byl	Gubow	Mathieu	Sikkema
Cassis	Gustafson	McBryde	Tesanovich
Cherry	Hale	McManus	Thomas
Ciaramitaro	Hammerstrom	Middaugh	Varga
Crissman	Hanley	Middleton	Vaughn
Curtis	Harder	Murphy	Voorhees
Dalman	Hertel	Olshove	Walberg
DeVuyst	Hood	Owen	Wallace

Nays—18

Brewer	Jaye	Nye	Wetters
Callahan	Kaza	Perricone	Whyman
Cropsey	Llewellyn	Rhead	Willard
DeHart	Lowe	Schermesser	Wojno
Green	McNutt		

In The Chair: Hertel

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 Speaker called Acting Speaker Hanley to the Chair.

Second Reading of Bills

House Bill No. 4669, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39c.
 Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Tax Policy,

The substitute (H-2) 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 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. 4669, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39c.
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 817**Yeas—106**

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

Nays—1

LeTarte

In The Chair: Hanley

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.

Reps. Alley, Anthony, Baade, Baird, Birkholz, Bodem, Brackenridge, Byl, Cherry, Ciaramitaro, Crissman, Dalman, DeHart, Dobb, Frank, Gagliardi, Galloway, Gernaat, Godchaux, Goschka, Green, Hale, Hammerstrom, Harder, Jansen, Jelinek, Jellema, Kelly, Kukuk, Law, London, Mans, Martinez, McBryde, Middaugh, Middleton, Oxender, Raczkowski, Richner, Rocca, Schauer, Schermesser, Schroer, Scott, Scranton, Tesanovich, Thomas, Varga, Vaughn, Voorhees and Wojno were named co-sponsors of the bill.

Second Reading of Bills**Senate Bill No. 414, entitled**

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending sections 132, 151, 209, 212, 217, 301, 302, 303, 336, 344, 345, 404, 415, 421, 472, 489, 491a, 528, 551, 564a, 564b, 567, 602, 611, 631, 641, 701, 703a, 706, 707, 712, 724, 735, 751, 753, 762, 801, 805, 811, 817, 842a, 855a, 1011, 1041, 1042, and 1062 (MCL 450.1132, 450.1151, 450.1209, 450.1212, 450.1217, 450.1301, 450.1302, 450.1303, 450.1336, 450.1344, 450.1345, 450.1404,

450.1415, 450.1421, 450.1472, 450.1489, 450.1491a, 450.1528, 450.1551, 450.1564a, 450.1564b, 450.1567, 450.1602, 450.1611, 450.1631, 450.1641, 450.1701, 450.1703a, 450.1706, 450.1707, 450.1712, 450.1724, 450.1735, 450.1751, 450.1753, 450.1762, 450.1801, 450.1805, 450.1811, 450.1817, 450.1842a, 450.1855a, 450.2011, 450.2041, 450.2042, and 450.2062), sections 132, 212, 217, 301, 302, 303, 404, 415, 567, 602, 701, 706, 707, 762, 801, 817, and 1041 as amended and sections 336, 489, 491a, 564a, 703a, 724, and 855a as added by 1989 PA 121, sections 209, 344, 345, 472, 528, 551, 564b, 631, 712, 735, 753, 805, 811, 842a, 1042, and 1062 as amended by 1993 PA 91, and section 641 as amended by 1982 PA 407, and by adding sections 406, 488, and 736; and to repeal acts and parts of acts.

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.

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

Senate Bill No. 414, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending sections 132, 151, 209, 212, 217, 301, 302, 303, 336, 344, 345, 404, 415, 421, 472, 489, 491a, 528, 551, 564a, 564b, 567, 602, 611, 631, 641, 701, 703a, 706, 707, 712, 724, 735, 751, 753, 762, 801, 805, 811, 817, 842a, 855a, 1011, 1041, 1042, and 1062 (MCL 450.1132, 450.1151, 450.1209, 450.1212, 450.1217, 450.1301, 450.1302, 450.1303, 450.1336, 450.1344, 450.1345, 450.1404, 450.1415, 450.1421, 450.1472, 450.1489, 450.1491a, 450.1528, 450.1551, 450.1564a, 450.1564b, 450.1567, 450.1602, 450.1611, 450.1631, 450.1641, 450.1701, 450.1703a, 450.1706, 450.1707, 450.1712, 450.1724, 450.1735, 450.1751, 450.1753, 450.1762, 450.1801, 450.1805, 450.1811, 450.1817, 450.1842a, 450.1855a, 450.2011, 450.2041, 450.2042, and 450.2062), sections 132, 212, 217, 301, 302, 303, 404, 415, 567, 602, 701, 706, 707, 762, 801, 817, and 1041 as amended and sections 336, 489, 491a, 564a, 703a, 724, and 855a as added by 1989 PA 121, sections 209, 344, 345, 472, 528, 551, 564b, 631, 712, 735, 753, 805, 811, 842a, 1042, and 1062 as amended by 1993 PA 91, and section 641 as amended by 1982 PA 407, and by adding sections 406, 488, and 736; and to repeal acts and parts of acts.

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

Roll Call No. 818

Yeas—104

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

DeVuyst
Dobb
Dobronski

Jellema
Johnson
Kaza

Palamara
Parks
Perricone

Whyman
Willard
Wojno

Nays—0

In The Chair: Hanley

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

“An act to provide for the organization and regulation of corporations; to prescribe their duties, rights, powers, immunities and liabilities; to provide for the authorization of foreign corporations within this state; to prescribe the functions of the administrator of this act; to prescribe penalties for violations of this act; and to repeal certain acts and parts of acts.”

The House agreed to the full 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. 4452, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 46503, 46506, 46507, and 46508 (MCL 324.46503, 324.46506, 324.46507, and 324.46508), as added by 1995 PA 57.

The bill was read a second time.

Rep. Prusi moved to amend the bill as follows:

1. Amend page 2, line 7, after “PERSON” by striking out “PLACING” and inserting “SETTING, PLACING, ERECTING, USING, OR REMOVING”.

2. Amend page 2, line 10, after “PLACING,” by striking out “OR ERECTING” and inserting “ERECTING, USING, OR REMOVING”.

3. Amend page 2, line 11, after “PLACING,” by striking out “OR ERECTING” and inserting “ERECTING, USING, OR REMOVING”.

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

Rep. Prusi 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.

Rep. Whyman moved that Rep. Jaye 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. 4452, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 46503, 46506, 46507, and 46508 (MCL 324.46503, 324.46506, 324.46507, and 324.46508), as added by 1995 PA 57.

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

Roll Call No. 819

Yeas—104

Agee
Alley

Dobronski
Emerson

Kelly
Kilpatrick

Price
Profit

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

Nays—1

Ciaramitaro

In The Chair: Hanley

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

Pending the second reading of
Senate Bill No. 374, entitled
A bill to amend 1991 PA 179, entitled “Michigan telecommunications act,” by amending sections 102 and 304b (MCL 484.2102 and 484.2304b), section 102 as amended and section 304b as added by 1995 PA 216.
Rep. Gagliardi moved that the bill be re-referred to the Committee on Constitutional and Civil Rights.
The motion prevailed.

Pending the second reading of
House Bill No. 4855, entitled
A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4g (MCL 205.54g), as amended by 1996 PA 576.
Rep. Gagliardi moved that the bill be re-referred to the Committee on Tax Policy.
The motion prevailed.

Rep. Gagliardi 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

Reports of Standing Committees

The Committee on Tourism, by Rep. Baade, Chair, reported

House Bill No. 5080, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1284b.

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 5080 To Report Out:

Yeas: Reps. Baade, Vaughn, Bodem, Brackenridge, Lowe,

Nays: Reps. Brewer, Wetters, Willard.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, October 8, 1997, at 9:00 a.m.,

Present: Reps. Baade, Brewer, Vaughn, Wetters, Willard, Bodem, Brackenridge, Lowe,

Absent: Rep. Horton,

Excused: Rep. Horton.

The Committee on Consumer Protection, by Rep. Brater, Chair, reported

House Bill No. 5018, entitled

A bill to require certain credit reporting agencies to disclose certain information to certain consumers.

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 5018 To Report Out:

Yeas: Reps. Brater, DeHart, Brown, Freeman, Gire, Cropsey,

Nays: Reps. Crissman, Perricone.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Brater, Chair of the Committee on Consumer Protection, was received and read:

Meeting held on: Wednesday, October 8, 1997, at 9:00 a.m.,

Present: Reps. Brater, DeHart, Brown, Freeman, Gire, Crissman, Cropsey, Perricone,

Absent: Rep. Law,

Excused: Rep. Law.

The Committee on Judiciary, by Rep. Wallace, Chair, reported

House Bill No. 4065, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7212, 7401, and 7403 (MCL 333.7212, 333.7401, and 333.7403), section 7212 as amended by 1993 PA 25 and sections 7401 and 7403 as amended by 1996 PA 249, and by adding section 7401a.

With the recommendation that the substitute (H-7) 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 4065 To Report Out:

Yeas: Reps. Wallace, Baird, Freeman, Gubow, Kilpatrick, Schauer, Wojno, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 7, 1997, at 9:00 a.m.,

Present: Reps. Wallace, Baird, Freeman, Gubow, Kilpatrick, Schauer, Wojno, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner,

Absent: Reps. Curtis, Vaughn, Willard,

Excused: Reps. Curtis, Vaughn, Willard.

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

House Bill No. 4736, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 1608 (MCL 324.1608), as added by 1995 PA 60.

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

1. Amend page 2, following line 14, by inserting:

"(3) AS USED IN THIS SECTION, "PEACE OFFICER" MEANS THAT TERM AS DEFINED IN SECTION 81C OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.81C."

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

Favorable Roll Call

HB 4736 To Report Out:

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

Nays: None.

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

House Bill No. 5092, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 14801, 14802, 14804, 14805, and 14808 (MCL 324.14801, 324.14802, 324.14804, 324.14805, and 324.14808), as added by 1996 PA 132.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5092 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Kilpatrick, Mans, Schermesser, Wetters, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

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

House Bill No. 5093, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 14809 (MCL 324.14809), as added by 1996 PA 132.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5093 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Kilpatrick, Mans, Schermesser, Wetters, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

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

House Resolution No. 128.

A resolution to urge the Governor to approve the designation of the Thunder Bay National Marine Sanctuary only if the federal program does not restrict recreational activities.

(For text of resolution, see House Journal No. 64, p. 1690.)

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 128 To Report Out:

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

Nays: None.

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

House Concurrent Resolution No. 53.

A concurrent resolution to urge the Governor to approve the designation of the Thunder Bay National Marine Sanctuary only if the federal program does not restrict recreational activities.

(For text of resolution, see House Journal No. 64, p. 1691.)

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 53 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Kilpatrick, LaForge, Mans, Schermesser, Wetters, Basham, Middaugh, Birkholz, 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, October 8, 1997, at 10:30 a.m.,

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, October 8, 1997, at 9:00 a.m.,

Present: Reps. Griffin, Thomas, Mans, Olshove, Schermesser, Varga, Gernaat, Kaza, Kukuk, Rhead, Richner, Walberg,

Absent: Reps. Alley, Callahan, Murphy, Palamara, Jaye,

Excused: Reps. Alley, Callahan, Murphy, Palamara, Jaye.

Messages from the Senate

House Bill No. 4091, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38c (MCL 208.38c), as amended by 1994 PA 231.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1975 PA 228, entitled "An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation," (MCL 208.1 to 208.145) by adding section 38f.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Senate Concurrent Resolution No. 36.

A concurrent resolution to memorialize the Congress of the United States to provide for the distribution of the Leaking Underground Storage Tank Trust Fund's proceeds to the states for cleanup projects determined by the states.

Whereas, In 1986, Congress created the Leaking Underground Storage Tank Trust Fund through legislation amending the Resource Recovery and Conservation Act. The fund was financed through a 0.1 cent tax on each gallon of motor fuel sold. The tax levy, which was reauthorized in 1990, expired on December 31, 1995. The fund has approximately \$1.5 billion in it; and

Whereas, The purpose of the money generated by the Leaking Underground Storage Tank Trust Fund is two-fold. It seeks to enforce corrective actions where the owner of a leaking tank is known and cleanup activities where the owner is not known or is unable or unwilling to pay. The fund's proceeds are distributed to the states on a formula based on criteria determined by federal officials. Factors include levels of contamination, the number of leaking tanks, the number of cleanup efforts, and danger to drinking supplies; and

Whereas, Over the years, not enough money from the trust fund has gone to fighting the effects of leaking underground storage tanks. Almost all of the fund's proceeds go toward administration and enforcing the program. It is estimated that only 1 percent of fund money spent each year goes to clean up orphan tanks; and

Whereas, In an effort to increase cleanup initiatives and to deal with a problem that gets worse with the passage of time, Congress is considering legislation to revamp the manner in which the money in the Leaking Underground Storage Tank Trust Fund is distributed. The legislative proposals offer a more pragmatic approach by providing for the Environmental Protection Agency to distribute the money to the states with more authority for the states. The states are in far better positions to determine how best to meet the aims of cleanup and enforcement. With a formula for distributing the funds based on what the states contributed to the fund, a far greater positive impact can be made in cleaning up our environment; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to provide for the distribution of the Leaking Underground Storage Tank Trust Fund's proceeds to the states for cleanup projects determined by the states; and be it further

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

The has Senate adopted the concurrent resolution.

Reps. Rhead, Voorhees, McManus, McBryde, Varga, Gernaat, Bodem, Dalman, Richner, Prusi, Kukuk, Jansen, Jelinek, Tesanovich, Profit, Gilmer, Goschka, Green, Geiger, Anthony, Llewellyn, Galloway, Dobb, London, Cherry, Scranton, Hammerstrom, Birkholz, Lowe, Wetters, Middleton and LaForge were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Conservation, Environment and Recreation.

Senate Concurrent Resolution No. 41.

A concurrent resolution to urge the U.S. Army Corps of Engineers to restore the original harbor of refuge at Grand Marais, Michigan.

Whereas, At the request of the Michigan Sea Grant College Program, Professor Guy A. Meadows, Director, Ocean Engineering Lab, Department of Naval Architecture and Marine Engineering, the University of Michigan College of Engineering, provided an independent engineering evaluation of the continuing deterioration of the Grand Marais

harbor. Professor Meadows reviewed Michigan Department of Environmental Quality historical records and aerial photography, previous reports and studies commissioned by the U.S. Army Corps of Engineers, and historical records of harbor modification and maintenance and visited the site; and

Whereas, The evaluation found the Grand Marais harbor to be a rare example of a natural Great Lakes deep water harbor, worthy of preservation in its own right. The harbor was authorized by the River and Harbor Acts of June 14, 1880, and May 17, 1950, to serve as a harbor of refuge. The authorized project consists of parallel jetties providing access between Lake Superior and the natural deep-water embayment at Grand Marais as well as a 5,770-foot-long, timber-pile breakwater. A federal navigation channel is located between the parallel jetties. This harbor of refuge long served commercial as well as private vessels as the sole harbor of its type along 90 miles of coastline; and

Whereas, Prior to the construction and stabilization of the inlet, the section of shoreline east of the navigation channel was naturally stable. The basin depth reported was 55 ft. The original 1896 design concept of two parallel jetties and an associated timber-pile breakwater was excellent, providing a stable and effective coastal engineering structure from approximately 1896 through 1943. During the war, maintenance of the timber-pile breakwater was abandoned. Unfortunately, maintenance of this component was never resumed. This has led to its total destruction. Extensive sediment deposits are filling the embayment at an alarming rate. The maximum basin depth found today is only 25 ft; and

Whereas, The independent evaluation coordinated by Professor Meadows recommended that the U.S. Army Corps of Engineers quickly reestablish the timber-pile breakwater. Further, it was indicated that restoring the Grand Marais harbor would attract new commerce to the region and reestablish a necessary harbor of refuge along this exposed Lake Superior coastline. The benefits of a restored harbor of refuge reach far beyond the immediate Grand Marais region and would serve commercial vessels as well as private interests. The review found no known MDNR/DEQ environmental opposition to reestablishment of the original harbor of refuge design; and

Whereas, The overwhelming support of the residents of Grand Marais for action on the harbor was demonstrated in the November 1996 election, when a majority of electors voted for a 5-year millage increase of 1/4 mill for the purpose of funding activity to restore and develop the Grand Marais harbor; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the U.S. Army Corps of Engineers to restore and maintain the original harbor of refuge at Grand Marais; and be it further

Resolved, That copies of this resolution be transmitted to the U.S. Army Corps of Engineers.

The has Senate adopted the concurrent resolution.

Reps. Rhead, Voorhees, McManus, McBryde, Martinez, Gernaat, Bodem, Dalman, Prusi, Kukuk, Jelinek, Tesanovich, Profit, Goschka, Green, Anthony, Llewellyn, Galloway, Dobb, London, Cherry, Scranton, Hammerstrom, Birkholz, Lowe, Raczkowski and LaForge were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Marine Affairs and Port Development.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, October 1, for his approval of the following bill:

Enrolled Senate Bill No. 165 at 12:31 p.m.

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, October 2, for his approval of the following bill:

Enrolled Senate Bill No. 174 at 2:56 p.m.

The Clerk announced that the following joint resolution had been printed and placed upon the files of the members, Monday, October 6:

House Joint Resolution BB

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, October 8:

House Bill Nos. 5228 5229 5230 5231 5232 5233 5234 5235

The Clerk announced that the following Senate bills had been received on Wednesday, October 8:

Senate Bill Nos. 705 706 707 717

Communications from State Officers

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

Notices of Filing
Administrative Rules

September 12, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:55 A.M. this date, administrative rule (97-9-1) for the Department of Environmental Quality, Drinking Water and Radiological Protection Division, entitled "*Radioactive Material Transportation*", effective 15 days hereafter.

September 17, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:05 P.M. this date, administrative rule (97-9-2) for the Department of Consumer and Industry Services, Public Service Commission, entitled "*Electrical Supply and Communication Lines and Associated Equipment*", effective 15 days hereafter.

September 25, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:00 P.M. this date, administrative rule (97-9-3) for the Department of Treasury, entitled "*Michigan Education Trust-Amendments and Rescissions*", effective 15 days hereafter.

September 25, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:02 P.M. this date, administrative rule (97-9-4) for the Department of Community Health, Legislation and Policy Development, entitled "*Blood Lead Analysis Reporting*", effective 15 days hereafter.

September 25, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:04 P.M. this date, administrative rule (97-9-5) for the Department of Community Health, Health Legislation and Policy Development, entitled "*General Rules*", effective 15 days hereafter.

September 25, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:06 P.M. this date, administrative rule (97-9-6) for the Department of Transportation, Bureau of Highways, entitled "*Advertising Adjacent to Highways*", effective 15 days hereafter.

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

The communications were referred to the Clerk.

Introduction of Bills

Rep. Gustafson introduced
House Bill No. 5242, entitled

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

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

Rep. Gustafson introduced

House Bill No. 5243, entitled

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

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

Rep. Gustafson introduced

House Bill No. 5244, entitled

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

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

Reps. Alley, Brater, Dobronski, McNutt, Cropsey, Middleton, Whyman and Llewellyn introduced

House Bill No. 5245, entitled

A bill to restructure the electric utility industry; to deregulate certain aspects of the industry and replace with competitive generation markets; to regulate and insure the availability of certain utility services; to provide retail customers with competitive direct access to electric generation; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties.

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

Reps. Prusi, Gagliardi, Anthony, Tesanovich, Alley, Middaugh, Kelly, Rhead and Agee introduced

House Bill No. 5246, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 63101 (MCL 324.63101), as added by 1995 PA 57, and by adding sections 63103a, 63103b, 63103c, and 63103d.

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

Reps. Profit, Olshove, Harder and Palamara introduced

House Bill No. 5247, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding chapter 10a.

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

Reps. Profit and Harder introduced

House Bill No. 5248, entitled

A bill to amend 1913 PA 271, entitled "An act to create the Michigan historical commission; to provide for the appointment of members of the commission; to fix their terms of office, prescribe their powers and duties; to prescribe the powers and duties of certain state agencies and officers; to make an appropriation to carry out the provisions of this act; to provide for the distribution of certain revenue; to provide for the listing and destruction of useless documents, books and papers; and to repeal all acts and parts of acts inconsistent herewith," by amending section 4 (MCL 399.4), as amended by 1992 PA 190, and by adding section 4b.

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

Reps. DeHart and Schermesser introduced

House Bill No. 5249, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 803k (MCL 257.803k), as amended by 1994 PA 104.

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

Reps. Ciaramitaro and Nye introduced

House Bill No. 5250, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending section 217 (MCL 38.2217), as amended by 1996 PA 525.

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

Reps. Nye and Ciaramitaro introduced

House Bill No. 5251, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 821a.

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

Reps. Alley, Middaugh, Kilpatrick and Griffin introduced

House Bill No. 5252, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4h.

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

Reps. Alley and Kilpatrick introduced

House Bill No. 5253, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 831.

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

Reps. Alley and Kilpatrick introduced

House Bill No. 5254, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 503 and 509 (MCL 324.503 and 324.509), section 503 as amended by 1996 PA 133.

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

Reps. Kilpatrick, Stallworth, Thomas, Hale, Parks, Scott and Vaughn introduced

House Bill No. 5255, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by adding section 90.

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

Reps. Brown, Cropsey, Schermesser, Bogardus, Hale, Gire, Tesanovich, DeHart, Wetters, Willard, Callahan, Wojno, Goschka, Scott, Hood, McBryde and Richner introduced

House Bill No. 5256, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 219 (MCL 750.219) and by adding sections 219e, 219f, and 219g.

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

Reps. Brown, Cropsey, Schermesser, Bogardus, Hale, Gire, Tesanovich, DeHart, Wetters, Callahan, Goschka, Scott, Hood, McBryde and Richner introduced

House Bill No. 5257, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 1996 PA 327.

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

Reps. Perricone, Llewellyn, Hammerstrom, Lowe, Raczkowski, Cropsey, Dobb, McBryde, DeVuyst, Walberg, Nye, Jansen, Rocca, Whyman, London and Voorhees introduced

House Bill No. 5258, entitled

A bill to amend 1993 PA 331, entitled "State education tax act," by amending section 3 (MCL 211.903), as amended by 1994 PA 187, and by adding section 3a.

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

Reps. Law, Varga, Voorhees, Gire, London, Walberg and Nye introduced

House Bill No. 5259, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16909 (MCL 333.16909), as amended by 1996 PA 536.

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

Reps. Law, Llewellyn, Gire, Voorhees, Walberg, Griffin and Nye introduced

House Bill No. 5260, entitled

A bill to provide for a mandated benefits review panel; to prescribe the powers and duties of the mandated benefits review panel; to require certain documentation to accompany certain proposed legislation; and to provide for certain powers and duties of certain state officers, agencies, and persons.

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

Rep. Prusi moved that the House adjourn.

The motion prevailed, the time being 4:00 p.m.

Acting Speaker Hanley declared the House adjourned until Thursday, October 9, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

