

**No. 79**  
**JOURNAL OF THE HOUSE**

---

House Chamber, Lansing, Wednesday, October 15, 1997.

2:00 p.m.

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

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—present
Bobier—present	Gilmer—present	Llewellyn—excused	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—e/d/s
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—present	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. Ken Sikkema, from the 74th District, offered the following invocation:

“Our Father, We thank You for the blessings of this beautiful fall day. We thank You for the opportunities, not only to live in a democracy and a free land, but the opportunity to serve. We ask as we go about the business of the people today, for an extra measure of wisdom, courage and understanding. This we ask in Your name. Amen.”

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

Rep. Mathieu asked and obtained an excuse from tomorrow’s session.

Rep. Gilmer asked and obtained an excuse from tomorrow’s session.

The Speaker assumed the Chair.

### Notices

October 15, 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

By unanimous consent the House returned to the order of  
**Reports of Standing Committees**

The Speaker laid before the House  
**House Concurrent Resolution No. 59.**

A concurrent resolution to disapprove Executive Order 1997-13 on executive reorganization.

(For text of resolution, see House Journal No. 71, p. 1943.)

(The concurrent resolution was reported by the Committee on Health Policy on September 30, consideration of which was postponed until October 1 under the rules.)

The question being on the adoption of the concurrent resolution,

Rep. Gagliardi moved that the concurrent resolution be re-referred to the Committee on Health Policy.

The motion prevailed.

The Speaker laid before the House  
**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.)

(The resolution was reported by the Committee on Conservation, Environment, and Recreation on October 8, consideration of which was postponed until October 9 under the rules.)

The question being on the adoption of the resolution,

Rep. Bodem moved to substitute (H-1) the resolution as follows:

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 or the authority of the state or local units to regulate activities unrelated to the preservation of underwater cultural resources.

Whereas, In 1972, Congress authorized the National Marine Sanctuary Program to designate and manage areas of our marine environment with special scientific, historical, recreational, aesthetic, or cultural significance. The National Oceanic and Atmospheric Administration is considering the Thunder Bay area for designation in this program. Thunder Bay is an area with exceptional historical interest through the more than 160 shipwrecks already located there. This would be the first federal marine sanctuary in the Great Lakes; and

Whereas, The process of designating a National Marine Sanctuary includes review and communications with local citizens and officials. Following extensive review, the National Oceanic and Atmospheric Administration and the Governor must agree before final designation is made; and

Whereas, In considering the impact of sanctuary status, it is imperative that the designation not impose restrictions on activities in the waters of the sanctuary. People are concerned that the protections of the sanctuary may also include policies that have adverse economic results. Specifically, citizens and groups are worried about restrictions on fishing or other water-related activities. Federal actions to protect this area are very welcome, but only to the extent that the new designation does not interfere with tourism and the entire economy of the region; now, therefore, be it

Resolved by the House of Representatives, That we urge the Governor to approve the designation of the Thunder Bay National Marine Sanctuary only if the federal program does not restrict recreational activities or the authority of the state and local units to regulate activities unrelated to the preservation of underwater cultural resources; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor.

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

The question being on the adoption of the resolution,

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

The Speaker laid before the House

**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 concurrent resolution, see House Journal No. 64, p. 1691.)

(The resolution was reported by the Committee on Conservation, Environment, and Recreation on October 8, consideration of which was postponed until October 9 under the rules.)

The question being on the adoption of the concurrent resolution,

Rep. Bodem moved to substitute (H-1) the concurrent resolution as follows:

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 or the authority of the state or local units to regulate activities unrelated to the preservation of underwater cultural resources.

Whereas, In 1972, Congress authorized the National Marine Sanctuary Program to designate and manage areas of our marine environment with special scientific, historical, recreational, aesthetic, or cultural significance. The National Oceanic and Atmospheric Administration is considering the Thunder Bay area for designation in this program. Thunder Bay is an area with exceptional historical interest through the more than 160 shipwrecks already located there. This would be the first federal marine sanctuary in the Great Lakes; and

Whereas, The process of designating a National Marine Sanctuary includes review and communications with local citizens and officials. Following extensive review, the National Oceanic and Atmospheric Administration and the Governor must agree before final designation is made; and

Whereas, In considering the impact of sanctuary status, it is imperative that the designation not impose restrictions on activities in the waters of the sanctuary. People are concerned that the protections of the sanctuary may also include policies that have adverse economic results. Specifically, citizens and groups are worried about restrictions on fishing or other water-related activities. Federal actions to protect this area are very welcome, but only to the extent that the new designation does not interfere with tourism and the entire economy of the region; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Governor to approve the designation of the Thunder Bay National Marine Sanctuary only if the federal program does not restrict recreational activities or the authority of the state and local units to regulate activities unrelated to the preservation of underwater cultural resources; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor.

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

The question being on the adoption of the concurrent resolution,

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

The Speaker laid before the House

**House Concurrent Resolution No. 54.**

A concurrent resolution to request the United States Army Corps of Engineers to restore and maintain the harbor of refuge at Grand Marais.

(For text of resolution, see House Journal No. 65, p. 1766.)

(The concurrent resolution was reported by the Committee on Marine Affairs and Port Development on October 14, 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.

**Third Reading of Bills****House Bill No. 5228, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1279 (MCL 380.1279), as amended by 1997 PA 25, and by adding section 1279a.

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

**Roll Call No. 832****Yeas—100**

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

**Nays—6**

Horton	Raczkowski	Walberg	Whyman
Jaye	Voorhees		

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.

Reps. Anthony, Baird, Basham, Brown, Cassis, Ciaramitaro, Curtis, DeHart, Dobronski, Frank, Freeman, Gagliardi, Gilmer, Godchaux, Gubow, Harder, Jellema, Kelly, Mans, McBryde, McNutt, Nye, Owen, Palamara, Parks, Prusi, Scott, Tesanovich, Varga and Vaughn were named co-sponsors of the bill.

**House Bill No. 5229, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 104a (MCL 388.1704a), as amended by 1997 PA 24.

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

**Roll Call No. 833****Yeas—102**

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

**Nays—4**

Horton	Jaye	Rackowski	Voorhees
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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.

Reps. Baird, Basham, Brewer, Brown, Cassis, Crissman, Curtis, DeHart, Frank, Freeman, Gagliardi, Godchaux, Gubow, Harder, Kelly, McBryde, McNutt, Middleton, Nye, Olshove, Prusi, Scott, Tesanovich, Varga and Vaughn were named co-sponsors of the bill.

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Rep. Stallworth entered the House Chambers.

**House Bill No. 5230, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1279f (MCL 380.1279f), as added by 1996 PA 169.

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

**Roll Call No. 834****Yeas—105**

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

**Nays—3**

Horton	Jaye	Voorhees
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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.

Reps. Baird, Bankes, Brater, Cassis, Crissman, Curtis, DeHart, Frank, Gilmer, Godchaux, Gubow, Johnson, Kelly, LaForge, Law, McBryde, Olshove, Prusi, Tesanovich and Vaughn were named co-sponsors of the bill.

**House Bill No. 5231, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1525 (MCL 380.1525), as amended by 1995 PA 289.

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

**Roll Call No. 835****Yeas—103**

Agee	Dobb	Jellema	Perricone
Alley	Dobronski	Johnson	Price

Anthony	Emerson	Kaza	Profit
Baade	Fitzgerald	Kelly	Prusi
Baird	Frank	Kilpatrick	Quarles
Bankes	Freeman	Kukuk	Raczkowski
Basham	Gagliardi	LaForge	Rhead
Birkholz	Galloway	Law	Richner
Bobier	Geiger	Leland	Rison
Bodem	Gernaat	LeTarte	Rocca
Bogardus	Gilmer	London	Schauer
Brackenridge	Gire	Lowe	Schermesser
Brater	Godchaux	Mans	Schroer
Brewer	Goschka	Martinez	Scott
Brown	Griffin	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	Hertel	Nye	Wallace
Curtis	Hood	Owen	Wetters
Dalman	Jansen	Oxender	Willard
DeHart	Jaye	Palamara	Wojno
DeVuyst	Jelinek	Parks	

**Nays—5**

Green	Voorhees	Walberg	Whyman
Horton			

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.

Reps. Anthony, Baird, Bankes, Brewer, Cassis, Dalman, DeHart, Frank, Freeman, Gagliardi, Gubow, Hale, Harder, Johnson, Parks, Prusi, Scott and Vaughn were named co-sponsors of the bill.

**House Bill No. 5232, entitled**

A bill to amend 1996 PA 160, entitled "Postsecondary enrollment options act," by amending section 3 (MCL 388.513).

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

**Roll Call No. 836****Yeas—98**

Agee	Dobb	Jellema	Palamara
Alley	Dobronski	Johnson	Parks
Anthony	Emerson	Kaza	Perricone
Baird	Fitzgerald	Kelly	Price
Bankes	Frank	Kilpatrick	Profit
Basham	Freeman	Kukuk	Prusi
Birkholz	Gagliardi	LaForge	Raczkowski
Bobier	Galloway	Law	Rhead

Bodem	Geiger	Leland	Richner
Bogardus	Gernaat	LeTarte	Rison
Brackenridge	Gilmer	London	Rocca
Brater	Gire	Lowe	Schauer
Brewer	Godchaux	Mans	Schermesser
Brown	Goschka	Martinez	Schroer
Byl	Green	Mathieu	Scott
Callahan	Griffin	McBryde	Scranton
Cassis	Gubow	McManus	Sikkema
Cherry	Gustafson	McNutt	Tesanovich
Ciaramitaro	Hale	Middaugh	Thomas
Crissman	Hammerstrom	Middleton	Vaughn
Cropsey	Hanley	Murphy	Wallace
Curtis	Harder	Nye	Wetters
Dalman	Hertel	Owen	Willard
DeHart	Hood	Oxender	Wojno
DeVuyst	Jansen		

**Nays—5**

Horton	Voorhees	Walberg	Whyman
Jaye			

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.

Reps. Baird, Bankes, Bogardus, Brown, Callahan, Cassis, Crissman, DeHart, Frank, Freeman, Gubow, Harder, Kelly, Law, Palamara, Profit, Scott, Tesanovich and Vaughn were named co-sponsors of the bill.

**House Bill No. 5233, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1277 (MCL 380.1277), as amended by 1995 PA 289.

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

**Roll Call No. 837****Yeas—101**

Agee	Emerson	Johnson	Perricone
Alley	Fitzgerald	Kaza	Price
Anthony	Frank	Kelly	Profit
Baird	Freeman	Kilpatrick	Prusi
Bankes	Gagliardi	Kukuk	Quarles
Basham	Galloway	LaForge	Raczkowski
Birkholz	Geiger	Law	Rhead
Bobier	Gernaat	Leland	Richner
Bodem	Gilmer	LeTarte	Rison
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	Hale	McManus	Sikkema
Cassis	Hammerstrom	McNutt	Stallworth
Cherry	Hanley	Middaugh	Tesanovich
Ciaramitaro	Harder	Middleton	Thomas
Crissman	Hertel	Murphy	Varga
Curtis	Hood	Nye	Vaughn
Dalman	Jansen	Owen	Wallace
DeHart	Jaye	Oxender	Wetters
DeVuyst	Jelinek	Palamara	Willard
Dobb	Jellema	Parks	Wojno
Dobronski			

**Nays—5**

Gustafson	Voorhees	Walberg	Whyman
Horton			

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.

Reps. Anthony, Baird, Bankes, Basham, Brown, Cassis, DeHart, Frank, Freeman, Gilmer, Godchaux, Gubow, Harder, Johnson, Kelly, Mans, Parks, Prusi, Scott, Vaughn and Wallace were named co-sponsors of the bill.

**House Bill No. 5234, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1280 (MCL 380.1280), as amended by 1995 PA 289.

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

**Roll Call No. 838****Yeas—104**

Agee	Dobronski	Jellema	Perricone
Alley	Emerson	Johnson	Price
Anthony	Fitzgerald	Kaza	Profit
Baade	Frank	Kelly	Prusi
Baird	Freeman	Kilpatrick	Quarles
Bankes	Gagliardi	Kukuk	Raczkowski
Basham	Galloway	LaForge	Rhead
Birkholz	Geiger	Law	Richner
Bobier	Gernaat	Leland	Rison
Bodem	Gilmer	LeTarte	Rocca
Bogardus	Gire	London	Schauer
Brackenridge	Godchaux	Lowe	Schermesser
Brater	Goschka	Mans	Schroer
Brewer	Green	Martinez	Scott
Brown	Griffin	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	Hertel	Nye	Wallace
Curtis	Hood	Owen	Wetters
Dalman	Jansen	Oxender	Whyman
DeHart	Jaye	Palamara	Willard
Dobb	Jelinek	Parks	Wojno

#### Nays—4

DeVuyst	Horton	Voorhees	Walberg
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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.

Reps. Alley, Anthony, Baird, Bankes, Callahan, Cassis, Curtis, DeHart, Gilmer, Goschka, Hale, Harder, Johnson, Kelly, Mans, McBryde, McNutt, Prusi, Scott and Vaughn were named co-sponsors of the bill.

#### House Bill No. 5235, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1282 (MCL 380.1282), as amended by 1993 PA 335.

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 for the day.

The motion prevailed.

#### Second Reading of Bills

#### House Bill No. 4561, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 266.

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

The substitute (H-1) 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.

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

By unanimous consent the House returned to the order of

#### Third Reading of Bills

#### House Bill No. 4561, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 266.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Richner moved to amend the bill as follows:

1. Amend page 1, line 7, after "LESS," by striking out the balance of the line through "(B)" on page 2, line 1, and inserting "IF".

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. 839****Yeas—67**

Agee	DeHart	Kukuk	Quarles
Alley	Dobronski	LaForge	Rhead
Anthony	Emerson	Law	Richner
Baade	Frank	Leland	Rison
Baird	Freeman	LeTarte	Schauer
Banks	Gagliardi	London	Schermesser
Basham	Gire	Mans	Scott
Birkholz	Goschka	Martinez	Stallworth
Bodem	Griffin	Mathieu	Tesanovich
Bogardus	Gubow	Middaugh	Thomas
Brater	Hale	Murphy	Varga
Brewer	Hanley	Owen	Vaughn
Brown	Harder	Palamara	Wallace
Callahan	Hertel	Parks	Wetters
Cherry	Hood	Price	Willard
Ciaramitaro	Kelly	Profit	Wojno
Curtis	Kilpatrick	Prusi	

**Nays—39**

Bobier	Galloway	Jelinek	Oxender
Brackenridge	Geiger	Jellema	Perricone
Byl	Gernaat	Johnson	Rackowski
Cassis	Gilmer	Kaza	Rocca
Crissman	Godchaux	Lowe	Scranton
Cropsey	Green	McBryde	Sikkema
Dalman	Gustafson	McManus	Voorhees
DeVuyst	Horton	McNutt	Walberg
Dobb	Jansen	Middleton	Whyman
Fitzgerald	Jaye	Nye	

In The Chair: Gire

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. Anthony, Frank, Gagliardi, Kukuk, Scott, Stallworth, Vaughn and Wallace were named co-sponsors of the bill.

**Second Reading of Bills****House Bill No. 4993, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3104 (MCL 500.3104), as amended by 1980 PA 445.

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. Gubow 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.

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 The Speaker resumed the Chair.

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

**House Bill No. 4993, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3104 (MCL 500.3104), as amended by 1980 PA 445.

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

**Roll Call No. 840**

**Yeas—56**

Agee	DeHart	Kilpatrick	Rison
Alley	Emerson	LaForge	Schauer
Anthony	Frank	Leland	Schermesser
Baade	Freeman	Mans	Schroer
Baird	Gagliardi	Martinez	Scott
Basham	Gire	Mathieu	Stallworth
Bogardus	Goschka	Murphy	Tesanovich
Brater	Gubow	Olshove	Thomas
Brewer	Hale	Owen	Varga
Brown	Hanley	Palamara	Vaughn
Callahan	Harder	Parks	Wallace
Cherry	Hertel	Price	Wetters
Ciaramitaro	Hood	Prusi	Willard
Curtis	Kelly	Quarles	Wojno

**Nays—51**

Bankes	Fitzgerald	Jellema	Nye
Birkholz	Galloway	Johnson	Oxender
Bobier	Geiger	Kaza	Perricone
Bodem	Gernaat	Kukuk	Rackowski
Brackenridge	Gilmer	Law	Rhead
Byl	Godchaux	LeTarte	Richner
Cassis	Green	London	Rocca
Crissman	Gustafson	Lowe	Scranton
Cropsey	Hammerstrom	McBryde	Sikkema
Dalman	Horton	McManus	Voorhees
DeVuyst	Jansen	McNutt	Walberg
Dobb	Jaye	Middaugh	Whyman
Dobronski	Jelinek	Middleton	

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.

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

“Mr. Speaker and members of the House:

In a unanimous 1990 opinion the Michigan Supreme Court held the Michigan Catastrophic Claims Association (MCCA) “was created as a private association, not a state agency...Taken as a whole, The characteristics of the MCCA lead to recognition as a private association.”

Abolishing the mandatory no-fault system of automobile insurance would do more to benefit Michigan motorists than this bill, which treats an entity recognized by the Supreme Court as “a private association” as a government body.”

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

“Mr. Speaker and members of the House:

MCCA has been found to be a private, not a public/state agency by the Michigan Supreme Court. Adding 4 members of the public to a private agency opens up a precedence leading to politicizing the decision-making process. Furthermore, its primary purpose is to protect small insurers from potential catastrophic repercussions of no-fault law. The MCCA, a private unincorporated nonprofit association, currently functions as it was meant to.”

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

“Mr. Speaker and members of the House:

The M.C.C.A. should not be politicized by putting political chronies of a Governor (either Democate or Republican) running this catastrophic fund. It is solvent and allows our insurance companies to operate in the State of Michigan, we have life time benefits. It is important that we not mix private corporate laws with open governmental functions. We must protect the fund for future injured citizens of Michigan.”

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

“Mr. Speaker and members of the House:

I voted no on this bill because it is a blatant attempt to politicize operations of the MCCA. Politicizing this entity will ultimately hurt the injury victims of this state by making it more difficult for companies to receive favorable credit ratings. The Michigan Supreme Court ruled in 1990 that the MCCA is not a state agency. As such, it should not be subject to public input.”

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

“Mr. Speaker and members of the House:

I voted no on HB 4993 because I believe it is WRONG for government to impose requirements generally associated with public agencies upon the private sector. The Michigan Supreme Court ruled that the MCCA is, in fact, a private entity established primarily for private not public benefit. These bills establish a precedent I am unwilling to support.”

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

“Mr. Speaker and members of the House:

I voted no on this bill because the MCCA is private entity, not public. Why should the public have a voice? The MCCA is a RE insurance for auto insurance companies. It is needed because of the high costs of law suits in Michigan. We have an un-limited medical provision. Next year the MCCA charge will be \$5. We need people on the MCCA Board who have insurance companies in mind and be experienced in long term medical costs.”

## Second Reading of Bills

### House Bill No. 4994, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3104 (MCL 500.3104), as amended by 1980 PA 445.

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

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

Rep. Voorhees moved to amend the bill as follows:

1. Amend page 11, following line 6, by inserting:

“(d) House Bill No. 5076.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not 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. 4994, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3104 (MCL 500.3104), as amended by 1980 PA 445.

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

#### Roll Call No. 841

#### Yeas—62

Agee	Emerson	LaForge	Quarles
Alley	Frank	Leland	Rison
Anthony	Freeman	Lowe	Schauer
Baade	Gagliardi	Mans	Schermesser
Baird	Gire	Martinez	Schroer
Basham	Goschka	Mathieu	Scott
Bogardus	Griffin	McBryde	Tesanovich
Brater	Gubow	Murphy	Thomas
Brewer	Hale	Olshove	Varga
Brown	Hanley	Owen	Vaughn
Callahan	Harder	Palamara	Walberg
Cherry	Hertel	Parks	Wallace
Ciaramitaro	Hood	Price	Wetters
Curtis	Jellema	Profit	Willard
DeHart	Kelly	Prusi	Wojno
Dobronski	Kilpatrick		

#### Nays—47

Bankes	Fitzgerald	Jelinek	Oxender
Birkholz	Galloway	Johnson	Perricone
Bobier	Geiger	Kaza	Rackowski
Bodem	Gernaat	Kukuk	Rhead
Brackenridge	Gilmer	Law	Richner
Byl	Godchaux	LeTarte	Rocca
Cassis	Green	London	Scranton
Crissman	Gustafson	McManus	Sikkema
Cropsey	Hammerstrom	McNutt	Stallworth
Dalman	Horton	Middaugh	Voorhees
DeVuyst	Jansen	Middleton	Whyman
Dobb	Jaye	Nye	

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.

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

“Mr. Speaker and members of the House:

I voted no on this bill because it does not subscribe to the principle of equality as found in our state constitution. This bill requires an annual audit for the Michigan Catastrophic Claims Association. I offered an amendment to implement equality by making Health Care Corporations also subject annual auditing. As my amendment was not adopted, I cannot support this bill.”

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

“Mr. Speaker and members of the House:

I voted no on HB 4994 because I believe it is WRONG for government to impose requirements generally associated with public agencies upon the private sector. The Michigan Supreme Court ruled that the MCCA is, in fact, a private entity established primarily for private not public benefit. These bills establish a precedent I am unwilling to support.”

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

“Mr. Speaker and members of the House:

I rise in opposition to this bill because I cannot support any legislation which has the potential to increase insurance rates or decrease the capacity of the MCCA. I agree with House Bills 4995, 4994 and 4996 because they provide an opportunity for the insurance industry to obtain valuable information on their claimants as well as educate the public on the importance and operation of the catastrophic claims fund. But an audit serves no purpose unless the intent is to grant the legislature some control over management of the fund. This would be a terrible mistake. The MCCA serves as a resource or reinsurance mechanism for catastrophic claims. It is capitalized through premium payments by policyholders. Any surplus will help attract small auto insurance carriers to Michigan because they can include the fund in their reserve exposure which is very attractive to credit markets such as A.M. Best and Standard & Poor’s which evaluate the solvency and risk exposure of insurance carriers.

There should be more public information available on how rates are established for all lines of insurance coverage, but this body must be careful not to merge the operations of the private sector with public management in a manner which will only be self-destructive for consumers in the long run.

Therefore Mr. Speaker, although the intent of this bill is honorable, I would ask my colleagues who believe in protection of the MCCA.”

### **Second Reading of Bills**

#### **House Bill No. 4995, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 134 and 3104 (MCL 500.134 and 500.3104), section 134 as amended by 1990 PA 256 and section 3104 as amended by 1980 PA 445.

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

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

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

1. Amend page 12, line 20, after “CASE” by striking out “OR” and inserting a comma.
2. Amend page 12, line 21, after “CASE” by inserting a comma and “OR INFORMATION CONCERNING POTENTIAL FUTURE INVESTMENTS TO BE MADE BY THE ASSOCIATION”.

The motion prevailed and the amendments were 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. 4995, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 134 and 3104 (MCL 500.134 and 500.3104), section 134 as amended by 1990 PA 256 and section 3104 as amended by 1980 PA 445.

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

**Roll Call No. 842****Yeas—59**

Agee	Dobronski	Kelly	Rison
Alley	Emerson	Kilpatrick	Schauer
Anthony	Frank	LaForge	Schermesser
Baade	Freeman	Leland	Schroer
Baird	Gagliardi	Mans	Scott
Basham	Gire	Martinez	Stallworth
Bogardus	Goschka	Mathieu	Tesanovich
Brater	Griffin	Murphy	Thomas
Brewer	Gubow	Olshove	Varga
Brown	Hale	Owen	Vaughn
Callahan	Hanley	Palamara	Wallace
Cherry	Harder	Parks	Wetters
Ciaramitaro	Hertel	Price	Willard
Curtis	Hood	Prusi	Wojno
DeHart	Jaye	Quarles	

**Nays—50**

Bankes	Galloway	Kaza	Oxender
Birkholz	Geiger	Kukuk	Perricone
Bobier	Gernaat	Law	Profit
Bodem	Gilmer	LeTarte	Raczkowski
Brackenridge	Godchaux	London	Rhead
Byl	Green	Lowe	Richner
Cassis	Gustafson	McBryde	Rocca
Crissman	Hammerstrom	McManus	Scranton
Cropsey	Horton	McNutt	Sikkema
Dalman	Jansen	Middaugh	Voorhees
DeVuyst	Jelinek	Middleton	Walberg
Dobb	Jellema	Nye	Whyman
Fitzgerald	Johnson		

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.

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

“Mr. Speaker and members of the House:

The state freedom of information and open meetings acts apply to government bodies, not private entities.

This bill would apply the FOIA to the Michigan Supreme Court held the MCCA “was created as a private association, not a state agency...Taken as a whole, the characteristics of the MCCA lead to recognition as a private association.”

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

“Mr. Speaker and members of the House:

I voted no on HB 4995 because I believe it is WRONG for government to impose requirements generally associated with public agencies upon the private sector. The Michigan Supreme Court ruled that the MCCA is, in fact, a private entity established primarily for private not public benefit. These bills establish a precedent I am unwilling to support.”



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

“Mr. Speaker and members of the House:

I voted not for these bills because the Michigan Catastrophic Claims Association is a private nonprofit association and not a public entity as ruled by the Michigan Supreme Court. The MCCA is constantly dealing with the private and sensitive medical information of injury victims - information that should not be heard or obtained by the public. Furthermore, this bill is again absent of equity. My amendment to subject Health Care Corporations to Open Meetings and FOIA stipulations was not adopted, therefore I cannot support the bill.”

### Second Reading of Bills

#### House Bill No. 4996, entitled

A bill to amend 1976 PA 267, entitled “Open meetings act,” by amending sections 2 and 3 (MCL 15.262 and 15.263), section 3 as amended by 1988 PA 278.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Insurance (for amendment, see House Journal No. 77, p. 2082),

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

Rep. Perricone moved to amend the bill as follows:

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

“(iii) THE MICHIGAN EDUCATION SPECIAL SERVICES ADMINISTRATION OPERATING PURSUANT TO THE THIRD PARTY ADMINISTRATOR ACT, 1984 PA 218, MCL 550.901 TO 550.962.”.

2. Amend page 4, following line 21, by inserting:

“(G) THE MICHIGAN EDUCATION SPECIAL SERVICES ADMINISTRATION OPERATING PURSUANT TO THE THIRD PARTY ADMINISTRATOR ACT, 1984 PA 218, MCL 550.901 TO 550.962.”.

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

Rep. Perricone demanded the yeas and nays.

The demand was supported.

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

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

#### Roll Call No. 843

#### Yeas—48

Bankes	Dobb	Horton	Middaugh
Basham	Fitzgerald	Jansen	Middleton
Birkholz	Frank	Jaye	Nye
Bobier	Galloway	Jellema	Oxender
Bodem	Geiger	Johnson	Perricone
Brackenridge	Gernaat	Kaza	Raczkowski
Byl	Gilmer	LeTarte	Rhead
Cassis	Godchaux	London	Richner
Crissman	Goschka	Lowe	Rocca
Cropsey	Griffin	McBryde	Scranton
Dalman	Gustafson	McManus	Sikkema
DeVuyst	Hammerstrom	McNutt	Voorhees

#### Nays—50

Agee	Freeman	Mans	Schauer
Alley	Gagliardi	Mathieu	Schroer
Anthony	Gire	Murphy	Scott
Baade	Gubow	Olshove	Stallworth
Baird	Hale	Owen	Tesanovich

Bogardus	Hanley	Palamara	Thomas
Brater	Hertel	Parks	Varga
Brewer	Hood	Price	Vaughn
Callahan	Kelly	Profit	Wallace
Cherry	Kilpatrick	Prusi	Wetters
Ciaramitaro	Kukuk	Quarles	Willard
DeHart	LaForge	Rison	Wojno
Dobronski	Leland		

In The Chair: Hertel

Reps. Voorhees and Goschka moved to amend the bill as follows:

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

“(iii) A HEALTH CARE CORPORATION OPERATING PURSUANT TO THE NONPROFIT HEALTH CARE CORPORATION REFORM ACT, 1980 PA 350, MCL 550.1101 TO 550.1704.”.

2. Amend page 4, following line 21, by inserting:

“(G) A HEALTH CARE CORPORATION OPERATING PURSUANT TO THE NONPROFIT HEALTH CARE CORPORATION REFORM ACT, 1980 PA 350, MCL 550.1101 TO 550.1704.”.

The question being on the adoption of the amendments offered by Reps. Voorhees and Goschka,

Rep. Voorhees demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Voorhees and Goschka,

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

#### Roll Call No. 844

#### Yeas—52

Banks	Galloway	Jellema	Nye
Birkholz	Geiger	Johnson	Oxender
Bobier	Gernaat	Kaza	Perricone
Bodem	Gilmer	Kukuk	Raczkowski
Brackenridge	Godchaux	Law	Rhead
Byl	Goschka	LeTarte	Richner
Cassis	Green	London	Rocca
Crissman	Gustafson	Lowe	Scranton
Cropsey	Hammerstrom	McBryde	Sikkema
Dalman	Horton	McManus	Voorhees
DeVuyst	Jansen	McNutt	Walberg
Dobb	Jaye	Middaugh	Whyman
Fitzgerald	Jelinek	Middleton	Willard

#### Nays—53

Agee	Dobronski	LaForge	Quarles
Anthony	Frank	Leland	Rison
Baade	Freeman	Mans	Schauer
Baird	Gagliardi	Martinez	Schermesser
Basham	Gire	Mathieu	Schroer
Bogardus	Gubow	Murphy	Scott
Brater	Hale	Olshove	Stallworth
Brewer	Hanley	Owen	Tesanovich
Brown	Harder	Palamara	Thomas
Callahan	Hertel	Parks	Varga

Cherry	Hood	Price	Vaughn
Ciaramitaro	Kelly	Profit	Wallace
Curtis	Kilpatrick	Prusi	Wojno
DeHart			

In The Chair: Hertel

Reps. Voorhees and Goschka moved to amend the bill as follows:

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

“(iii) A NONPROFIT DENTAL CARE CORPORATION OPERATING PURSUANT TO 1963 PA 125, MCL 550.351 TO 550.373.”.

2. Amend page 4, following line 21, by inserting:

“(G) A NONPROFIT DENTAL CARE CORPORATION OPERATING PURSUANT TO 1963 PA 125, MCL 550.351 TO 550.373.”.

The question being on the adoption of the amendments offered by Reps. Voorhees and Goschka, Rep. Voorhees demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Voorhees and Goschka,

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

#### Roll Call No. 845

#### Yeas—52

Bankes	Fitzgerald	Jelinek	Middleton
Birkholz	Galloway	Jellema	Nye
Bobier	Geiger	Johnson	Oxender
Bodem	Gernaat	Kaza	Perricone
Brackenridge	Gilmer	Kukuk	Raczkowski
Brewer	Godchaux	Law	Rhead
Byl	Goschka	LeTarte	Richner
Cassis	Green	London	Rocca
Crissman	Gustafson	Lowe	Scranton
Cropsey	Hammerstrom	McBryde	Sikkema
Dalman	Horton	McManus	Voorhees
DeVuyst	Jansen	McNutt	Walberg
Dobb	Jaye	Middaugh	Whyman

#### Nays—55

Agee	Emerson	Leland	Schauer
Alley	Frank	Mans	Schermesser
Anthony	Freeman	Martinez	Schroer
Baade	Gagliardi	Mathieu	Scott
Baird	Gire	Murphy	Stallworth
Basham	Gubow	Olshove	Tesanovich
Bogardus	Hale	Owen	Thomas
Brater	Hanley	Palamara	Varga
Brown	Harder	Parks	Vaughn
Callahan	Hertel	Price	Wallace
Ciaramitaro	Hood	Profit	Wetters
Curtis	Kelly	Prusi	Willard
DeHart	Kilpatrick	Quarles	Wojno
Dobronski	LaForge	Rison	

In The Chair: Hertel

Rep. Scott 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. 4996, entitled**

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending sections 2 and 3 (MCL 15.262 and 15.263), section 3 as amended by 1988 PA 278.

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

**Roll Call No. 846**

**Yeas—56**

Agee	DeHart	Kilpatrick	Rison
Alley	Emerson	LaForge	Schauer
Anthony	Frank	Leland	Schermesser
Baade	Freeman	Mans	Schroer
Baird	Gagliardi	Martinez	Scott
Basham	Gire	Mathieu	Stallworth
Bogardus	Goschka	Murphy	Tesanovich
Brater	Gubow	Olshove	Thomas
Brewer	Hale	Owen	Varga
Brown	Hanley	Palamara	Vaughn
Callahan	Harder	Parks	Wallace
Cherry	Hertel	Price	Wetters
Ciaramitaro	Hood	Prusi	Willard
Curtis	Kelly	Quarles	Wojno

**Nays—52**

Bankes	Fitzgerald	Jellema	Nye
Birkholz	Galloway	Johnson	Oxender
Bobier	Geiger	Kaza	Perricone
Bodem	Gernaat	Kukuk	Profit
Brackenridge	Gilmer	Law	Rackowski
Byl	Godchaux	LeTarte	Rhead
Cassis	Green	London	Richner
Crissman	Gustafson	Lowe	Rocca
Cropsey	Hammerstrom	McBryde	Scranton
Dalman	Horton	McManus	Sikkema
DeVuyst	Jansen	McNutt	Voorhees
Dobb	Jaye	Middaugh	Walberg
Dobronski	Jelinek	Middleton	Whyman

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.

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

“Mr. Speaker and members of the House:

The state freedom of information and open meetings acts apply to government bodies, not private entities.

This bill would apply the OMA to the Michigan Catastrophic Claims Association (MCCA).

In a unanimous 1990 opinion the Michigan Supreme Court held the MCCA “was created as a private association, not a state agency...Taken as a whole, the characteristics of the MCCA lead to recognition as a private association.”

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

“Mr. Speaker and members of the House:

I voted no on HB 4996 because I believe it is WRONG for government to impose requirements generally associated with public agencies upon the private sector. The Michigan Supreme Court ruled that the MCCA is, in fact, a private entity established primarily for private not public benefit. These bills establish a precedent I am unwilling to support.”

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

“Mr. Speaker and members of the House:

This bill would open all MCCA meetings to the ‘Open Meetings Act’. On it’s face, this is a great idea, although an in-depth look into this bill would show that the cases that are reviewed by the MCCA are grotesque as well as private. If we open these meetings, the victims of accidents will lose their privacy and again be hurt by public disclosure. We need to take a stand for individual privacy rights—and this is a start.”

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

“Mr. Speaker and members of the House:

I voted not for these bills because the Michigan Catastrophic Claims Association is a private nonprofit association and not a public entity as ruled by the Michigan Supreme Court. The MCCA is constantly dealing with the private and sensitive medical information of injury victims - information that should not be heard or obtained by the public. Furthermore, this bill is again absent of equity. My amendment to subject Health Care Corporations to Open Meetings and FOIA stipulations was not adopted, therefore I cannot support the bill.”

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The Speaker called Acting Speaker DeHart to the Chair.

### Second Reading of Bills

#### House Bill No. 5076, 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.

Reps. Voorhees and Goschka moved to amend the bill as follows:

1. Amend page 2, following line 9, by inserting:

“(3) THE AUDITOR GENERAL OR A CERTIFIED PUBLIC ACCOUNTANT APPOINTED BY THE AUDITOR GENERAL SHALL CONDUCT AND REMIT TO THE SENATE AND HOUSE OF REPRESENTATIVES STANDING COMMITTEES ON INSURANCE ISSUES A PERFORMANCE AUDIT OF THE HEALTH CARE CORPORATION BY MARCH 1, 1999 AND EVERY 4 YEARS THEREAFTER. IN CONDUCTING THE AUDIT, THE AUDITOR GENERAL OR APPOINTED CERTIFIED PUBLIC ACCOUNTANT SHALL HAVE ACCESS TO ALL RECORDS OF THE HEALTH CARE CORPORATION. EACH AUDIT REQUIRED BY THIS SUBSECTION SHALL INCLUDE A DETERMINATION OF WHETHER THE HEALTH CARE CORPORATION IS LIKELY TO BE ABLE TO CONTINUE TO MEET ITS OBLIGATIONS.”.

The question being on the adoption of the amendment offered by Reps. Voorhees and Goschka,

Rep. Voorhees demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Voorhees and Goschka,

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

**Roll Call No. 847****Yeas—37**

Bankes	Geiger	Johnson	Raczkowski
Birkholz	Gernaat	Kaza	Rhead
Bobier	Goschka	Kukuk	Richner
Bodem	Green	London	Rocca
Byl	Gustafson	Lowe	Scranton
Cassis	Horton	McBryde	Sikkema
Cropsey	Jansen	McManus	Voorhees
Dalman	Jaye	Nye	Walberg
DeVuyst	Jellema	Oxender	Whyman
Fitzgerald			

**Nays—66**

Agee	Dobronski	Kilpatrick	Prusi
Alley	Frank	LaForge	Quarles
Anthony	Freeman	Leland	Rison
Baade	Gagliardi	LeTarte	Schauer
Baird	Galloway	Mans	Schermesser
Basham	Gilmer	Martinez	Schroer
Bogardus	Gire	Mathieu	Scott
Brackenridge	Godchaux	McNutt	Stallworth
Brater	Gubow	Middaugh	Tesanovich
Brewer	Hale	Middleton	Thomas
Brown	Hammerstrom	Olshove	Varga
Callahan	Hanley	Owen	Vaughn
Cherry	Harder	Palamara	Wallace
Crissman	Hertel	Perricone	Wetters
Curtis	Hood	Price	Willard
DeHart	Jelinek	Profit	Wojno
Dobb	Kelly		

In The Chair: DeHart

Reps. Voorhees and Goschka moved to amend the bill as follows:

1. Amend page 2, following line 9, by inserting:

“(3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT, THE BUSINESS THAT THE HEALTH CARE CORPORATION MAY PERFORM SHALL BE CONDUCTED AT A PUBLIC MEETING OF THE BOARD HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

(4) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT, A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR RETAINED BY THE HEALTH CARE CORPORATION IN THE PERFORMANCE OF AN OFFICIAL FUNCTION IS SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246. HOWEVER, INFORMATION AS TO A MEMBER’S CLAIM OR CASE OR INFORMATION THAT WOULD LEAD TO INFORMATION THAT IDENTIFIES A MEMBER’S CLAIM OR CASE IS EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.”.

The question being on the adoption of the amendment offered by Reps. Voorhees and Goschka,

Rep. Voorhees demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Voorhees and Goschka,

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

**Roll Call No. 848****Yeas—41**

Bankes	Galloway	Jellema	Nye
Birkholz	Geiger	Johnson	Oxender
Bobier	Gernaat	Kaza	Rackowski
Bodem	Gire	Kukuk	Rhead
Brewer	Godchaux	Law	Richner
Byl	Goschka	London	Rocca
Cassis	Green	Lowe	Scranton
Cropsey	Gustafson	McBryde	Sikkema
Dalman	Horton	McManus	Voorhees
DeVuyst	Jansen	Middleton	Walberg
Fitzgerald			

**Nays—62**

Agee	Dobb	Kilpatrick	Profit
Alley	Dobronski	LaForge	Prusi
Anthony	Frank	Leland	Quarles
Baade	Freeman	LeTarte	Schauer
Baird	Gagliardi	Mans	Schermesser
Basham	Gilmer	Martinez	Schroer
Bogardus	Gubow	Mathieu	Scott
Brackenridge	Hale	McNutt	Stallworth
Brater	Hammerstrom	Middaugh	Tesanovich
Brown	Hanley	Murphy	Thomas
Callahan	Harder	Owen	Vaughn
Cherry	Hertel	Palamara	Wallace
Ciaramitaro	Hood	Parks	Wetters
Crissman	Jaye	Perricone	Willard
Curtis	Jelinek	Price	Wojno
DeHart	Kelly		

In The Chair: DeHart

Rep. Gubow 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. 5076, 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.

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

**Roll Call No. 849****Yeas—105**

Agee	Dobronski	Johnson	Price
Alley	Fitzgerald	Kaza	Profit
Anthony	Frank	Kelly	Prusi

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

### Nays—0

In The Chair: DeHart

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. Hanley asked and obtained an excuse from tomorrow's session.

### Second Reading of Bills

#### House Bill No. 5135, 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 second time.

Rep. Hammerstrom moved to amend the bill as follows:

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

"Sec. 436. The commissioner may suspend, revoke, or limit the certificate of authority of an insurer if he or she determines that any of the following conditions exist:

(a) The insurer no longer meets the requirements of this act respecting capital, surplus, deposits, or assets.

(b) The insurer's condition is such that it is no longer safe, reliable, or entitled to public confidence or is unsound, or the insurer is using financial methods and practices in the conduct of its business that render further transaction of insurance by the insurer in this state hazardous to policyholders, creditors, or the public.

(c) The insurer's certificate of authority to transact business in its state of domicile, or in the case of an alien insurer, in its state of entry, has been suspended or revoked.

(d) The insurer has failed, after written request by the commissioner, to remove or discharge an officer or director whose record of business conduct does not satisfy the requirements of section 436a(1)(k) or 1315(1)(f) or who has been convicted of any crime involving fraud, dishonesty, or like moral turpitude.



(e) The insurer fails to promptly comply with sections 222 or 438.

(f) The insurer has failed for an unreasonable period to pay any final judgment rendered against it in this state on any policy, bond, recognizance, or undertaking issued or guaranteed by it.

(g) The insurer has failed, within 30 days after notice of delinquency from the commissioner, to cure its failure to pay the taxes, fees, assessments, or expenses required by this act.

(H) THE INSURER HAS USED A SHORT-TERM OR 1-TIME LIMITED DURATION POLICY OR CERTIFICATE OF NO LONGER THAN 6 MONTHS TO AVOID THE REQUIREMENTS OF SECTION 3406F.

(I) ~~(H)~~ The insurer has violated any other provision of this act that provides for suspension or revocation of its certificate of authority.

Sec. 2005a. An unfair method of competition and an unfair or deceptive act or practice in the business of insurance includes all of the following:

(a) Knowingly making any misleading representation or incomplete or fraudulent comparison of any insurance policies, certificates, or contracts of insurers, health care corporations, or health maintenance organizations for the purpose of inducing, or tending to induce, any person to lapse, forfeit, surrender, terminate, retain, pledge, assign, borrow on, or convert any insurance policy, certificate, or contract or to take out a policy, certificate, or contract with another insurer, health care corporation, or health maintenance organization.

(b) Employing any method of marketing having the effect of or tending to induce the purchase of insurance through force, fright, or threat, whether explicit or implied, or undue pressure.

(c) Making use directly or indirectly of any method of marketing that fails to disclose in a conspicuous manner that a purpose of the method of marketing is solicitation of insurance and that contact will be made by an insurance agent or insurance company.

(D) USING A SHORT-TERM OR 1-TIME LIMITED DURATION POLICY OR CERTIFICATE OF NO LONGER THAN 6 MONTHS TO AVOID THE REQUIREMENTS OF SECTION 3406F.

Sec. 2213b. (1) Except as provided in this section, an insurer that delivers, issues for delivery, or renews in this state an expense-incurred hospital, medical, or surgical individual policy under chapter 34 shall renew or continue in force the policy at the option of the individual.

(2) Except as provided in this section, an insurer that delivers, issues for delivery, or renews in this state an expense-incurred hospital, medical, or surgical group policy or certificate under chapter 36 shall renew or continue in force the policy or certificate at the option of the sponsor of the plan.

(3) Guaranteed renewal is not required in cases of fraud, intentional misrepresentation of material fact, lack of payment, if the insurer no longer offers that particular type of coverage in the market, or if the individual or group moves outside the service area.

(4) THIS SECTION DOES NOT APPLY TO A SHORT-TERM OR 1-TIME LIMITED DURATION POLICY OR CERTIFICATE OF NO LONGER THAN 6 MONTHS.

(5) FOR THE PURPOSES OF THIS SECTION AND SECTION 3406F, A SHORT-TERM OR 1-TIME LIMITED DURATION POLICY OR CERTIFICATE OF NO LONGER THAN 6 MONTHS IS AN INDIVIDUAL HEALTH POLICY THAT MEETS ALL OF THE FOLLOWING:

(A) IS ISSUED TO PROVIDE COVERAGE FOR A PERIOD OF 185 DAYS OR LESS, EXCEPT THAT THE HEALTH POLICY MAY PERMIT A LIMITED EXTENSION OF BENEFITS AFTER THE DATE THE POLICY ENDED SOLELY FOR EXPENSES ATTRIBUTABLE TO A CONDITION FOR WHICH A COVERED PERSON INCURRED EXPENSES DURING THE TERM OF THE POLICY.

(B) IS NONRENEWABLE, PROVIDED THAT THE HEALTH INSURER MAY PROVIDE COVERAGE FOR 1 OR MORE SUBSEQUENT PERIODS THAT SATISFY SUBDIVISION (A).

(C) DOES NOT COVER ANY PREEXISTING CONDITIONS.

(D) IS AVAILABLE WITH AN IMMEDIATE EFFECTIVE DATE UPON RECEIPT BY THE INSURER OF A COMPLETED APPLICATION INDICATING ELIGIBILITY UNDER THE HEALTH INSURER'S ELIGIBILITY REQUIREMENTS, EXCEPT THAT COVERAGE THAT INCLUDES OPTIONAL BENEFITS MAY BE OFFERED ON A BASIS THAT DOES NOT MEET THIS REQUIREMENT.

(6) AN INSURER USING A SHORT-TERM OR 1-TIME LIMITED DURATION POLICY OR CERTIFICATE OF NO LONGER THAN 6 MONTHS TO AVOID THE REQUIREMENTS OF SECTION 3406F IS IN VIOLATION OF SECTIONS 436 AND 2005A.”.

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### Point of Order

Rep. Gubow requested a ruling of the Chair as to whether or not the amendment offered by Rep. Hammerstrom is germane.

The Chair ruled the amendment is not germane pursuant to House Rule 64. As it was introduced, HB 5135 was a single section bill related to access to care in emergency rooms. The proposed amendment will add new sections which are not germane to the subject matter of the bill as it was originally introduced and as it is currently before the House.

Rep. Crissman 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. 5135, entitled**

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

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

**Roll Call No. 850**

**Yeas—103**

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

**Nays—0**

In The Chair: DeHart

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. 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

**Motions and Resolutions**

Reps. Brater, Hanley, Crissman, Gubow, Hale, Wojno, Cherry, Prusi, Tesanovich, DeHart, Kelly, Dobronski, Baird, Mans, Bogardus, Birkholz, Scranton, Richner, Fitzgerald, Godchaux, Jansen, Martinez, Lowe, Oxender, Cassis, Hammerstrom, Wetters, LaForge, Parks, Murphy, Bodem, Goschka, Gire, Brackenridge, Harder, Scott, Anthony, Kilpatrick and Profit offered the following resolution:

**House Resolution No. 156.**

A resolution honoring the Ann Arbor District Library on being named "1997 Library of the Year".

Whereas, The Ann Arbor District Library was named "1997 Library of the Year" by Gale Research; and

Whereas, The Ann Arbor District Library has reinvented itself as an independent public agency for the present and future of this age of information technology requiring the creation and reworking of all the internal operations of the library while maintaining uninterrupted services; and

Whereas, The Ann Arbor District Library strives to provide "open access to information resources, and services that support and enrich the lives of the communities it services," and will provide expanding opportunities to enrich and inform users' lives; and

Whereas, One of the first changes made at the Ann Arbor District Library was the purchase of a T-1 line which provided all the branches access to the World Wide Web and the Internet. Along with a CD-ROM, local area networks bring in new information sources, including a special youth section featuring safe places for kids to "surf the web"; and

Whereas, The Ann Arbor District Library has established a "Welcome to the Library" packet aimed at parents of children at risk. Developed with the Ann Arbor Public Schools, the packet includes a bookmark listing of titles for reading to children and information on community classes and services. The library has also restructured the Outreach Department to improve services to seniors by promoting movable displays to promote books in senior centers; and

Whereas, The Ann Arbor District Library celebrated African-American History month with storytelling, art, and theater, drawing more than 1,000 people, forty percent of whom had never been to the library. The "log on the library day" series drew more than 1,000 people, where the T-1 line, the World Wide Web, and the Internet connections were featured. Also sponsored was World Literacy Day, Homeless Week, and the Family Reading Program; now, therefore, be it

Resolved by the House of Representatives, That we offer our congratulations to the Ann Arbor District Library on being named the "1997 Library of the Year" and wish the staff and Board of Directors ongoing success in their future endeavors on behalf of their patrons; and be it further

Resolved, That copies of this resolution be transmitted to the staff and members of the board upon this honor.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. Mans and Schermesser offered the following resolution:

**House Resolution No. 157.**

A resolution to memorialize the Congress of the United States to enact legislation to safeguard privacy rights specific to new and emerging communications and other technologies.

Whereas, Our country is built on respect for individual rights, including the right to privacy. The level of security citizens enjoy is under new threats from technologies that were unimaginable only a few short years ago. As more and more information is converted to digital formats, there are increasing challenges to our ability to keep information out of the hands of others; and

Whereas, Remarkable advances in cable television, computers, the Internet, and wireless communications have made it possible to monitor virtually any activity a person undertakes. The ability to store massive amounts of data and to manipulate it has an impact on how we work, handle our finances, express ourselves, and spend our time and energy. This information is already used by businesses as they aim their marketing; and

Whereas, The new technologies extend beyond money and the workplace. Breakthroughs in genetic engineering will likely soon make it possible to predict who will develop certain illnesses in the years to come. This holds serious ramifications for society. Decisions on employment, insurance, and access to health care could be made on the basis of genetic materials gathered, stored, and manipulated; and

Whereas, Before the new technologies become so widespread that they are a source of concern rather than tools for progress, it is essential that our laws reaffirm the rights of privacy for Americans; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to safeguard privacy rights specific to new and emerging communications and other technologies; 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 resolution was referred to the Committee on Advanced Technology and Computer Development.

Reps. Mans, Wojno, Kaza, Schermesser, Parks, Hale, Profit, Voorhees and Varga offered the following concurrent resolution:

**House Concurrent Resolution No. 68.**

A concurrent resolution to memorialize the Congress of the United States to enact legislation to safeguard privacy rights specific to new and emerging communications and other technologies.

Whereas, Our country is built on respect for individual rights, including the right to privacy. The level of security citizens enjoy is under new threats from technologies that were unimaginable only a few short years ago. As more and more information is converted to digital formats, there are increasing challenges to our ability to keep information out of the hands of others; and

Whereas, Remarkable advances in cable television, computers, the Internet, and wireless communications have made it possible to monitor virtually any activity a person undertakes. The ability to store massive amounts of data and to manipulate it has an impact on how we work, handle our finances, express ourselves, and spend our time and energy. This information is already used by businesses as they aim their marketing; and

Whereas, The new technologies extend beyond money and the workplace. Breakthroughs in genetic engineering will likely soon make it possible to predict who will develop certain illnesses in the years to come. This holds serious ramifications for society. Decisions on employment, insurance, and access to health care could be made on the basis of genetic materials gathered, stored, and manipulated; and

Whereas, Before the new technologies become so widespread that they are a source of concern rather than tools for progress, it is essential that our laws reaffirm the rights of privacy for Americans; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to enact legislation to safeguard privacy rights specific to new and emerging communications and other technologies; 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 concurrent resolution was referred to the Committee on Advanced Technology and Computer Development.

Reps. Palamara, Hertel, Wallace, Schauer, Mans, Wojno, DeHart, Thomas, Profit, Goschka, LaForge, Cherry, McNutt, Schermesser, Gubow, Hood, Parks, Freeman, McBryde, Hale, Basham, Owen, Varga, Leland, Voorhees, Richner, Tesanovich, Vaughn, Scott, Murphy, Alley, Dobronski, Hanley and London offered the following concurrent resolution:

**House Concurrent Resolution No. 69.**

A concurrent resolution to urge the President of the United States to designate the Detroit River as an American Heritage River.

Whereas, On September 11, 1997, the President of the United States established the American Heritage Rivers initiative through an Executive Order. The initiative has three objectives: natural resource and environmental protection, economic revitalization, and historic and cultural preservation. The program will provide assistance to community-led waterfront projects seeking to build upon resources that are vital to our economy, our heritage, and our future; and

Whereas, The process of selecting the first ten rivers for the program will start with nominations by local communities. The key to the success of this entire concept will be strong cooperation among local units, private and public interests, and state government. Another important element of the initiative is that it creates no new regulatory authority and will not interfere with state, local, or tribal jurisdiction; and

Whereas, Few rivers more aptly fit the profile of the American Heritage Rivers initiative than the Detroit River. As the link to the upper Great Lakes, the Detroit River is a thoroughfare for commerce and travel that has shaped the lives and fortunes of generations. From the canoes of Indians and voyageurs to the mighty lake freighters, the Detroit River has been the lifeblood of the entire region; and

Whereas, The Detroit River was the catalyst for the heartland's earliest industry, the fur trade. It transported the riches of the mines of Michigan and Minnesota, and the fortunes of the lumber era. It brought the people who came to the interior of the continent to build some of America's greatest cities, including Detroit, Chicago, and Milwaukee. It helped in the birth and growth of the automobile. The development of the Midwest region as an agricultural and

industrial center for the world would have been impossible without the access to markets provided by the Detroit River; and

Whereas, The Detroit River is also unique in its geography as part of the world's most peaceful international boundary. Along its shores are two countries that symbolize the spirit of cooperation and shared values, including a strong appreciation for this mighty waterway; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the President of the United States to designate the Detroit River as an American Heritage River; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States and to the American Heritage Rivers Interagency Committee.

The concurrent resolution was referred to the Committee on House Oversight and Ethics.

Reps. Alley, Middaugh, LeTarte, Sikkema, Griffin, Rhead, London, Richner, Birkholz, Kelly, Schermesser, Kilpatrick, Palamara, Walberg, Thomas, Callahan, McManus, Varga, Wetters, Mans, Geiger, Wojno and Bodem offered the following concurrent resolution:

**House Concurrent Resolution No. 70.**

A concurrent resolution to urge the President of the United States to reject any agreement on limiting greenhouse gas emissions that apply restrictions only to developed nations and exempt other nations.

Whereas, The United States government is involved in United Nations negotiations aimed at reducing greenhouse gas emissions in the post-2000 period; and

Whereas, These negotiations are expected to culminate in an agreement by the end of 1997, which will legally bind the United States to reduce energy usage; and

Whereas, The "Berlin Mandate Decision" already specifically exempts all developing countries from emission reduction requirements, which will preclude meaningful progress worldwide to stabilize carbon dioxide concentrations; and

Whereas, The United Nations negotiating parties made a fundamental error when they agreed to negotiate legally binding carbon restrictions on the United States and other industrialized countries but agreed to exempt high-growth developing countries like China, Mexico, Brazil, and Korea from any new carbon reduction commitments; and

Whereas, As much as 60 percent of global carbon emissions are expected to come from developing countries in the next few decades; and

Whereas, The exclusion of new commitments by developing nations will create a powerful incentive to export jobs and capital from the United States, shift greenhouse gas emissions to other countries, and do little or nothing to stabilize atmospheric concentrations of carbon; and

Whereas, Such an uneven playing field will cause the loss of high-paying United States jobs in mining, manufacturing, energy, transport, and other sectors; and

Whereas, Carbon taxes, or equivalent programs, will raise electricity, gasoline, and other energy prices significantly to consumers and are highly regressive and most harmful to citizens who live on fixed incomes or work at poverty-level wages; and

Whereas, The United States government has not completed a thorough economic analysis of the effects of a treaty on the United States economy, even though United States negotiators have been at the bargaining table for over eighteen months and have agreed to a December 1997 deadline for finalizing this far-reaching treaty or protocol; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the President of the United States to reject any agreement, in Kyoto in December 1997 or later, on limiting greenhouse gas emissions that apply restrictions only to developed nations and exempt other nations, or that adversely affect the people, prosperity, or employment stability of the United States or any region or sector; and be it further

Resolved, That a copy of this resolution be transmitted to the office of the President of the United States.

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

### Reports of Standing Committees

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

**House Bill No. 4972, entitled**

A bill to amend 1990 PA 48, entitled "An act to prohibit the use of a facsimile machine to transmit unsolicited advertising messages; to prescribe the powers and duties of certain state agencies and officials; and to provide remedies and prescribe penalties," by amending section 6 (MCL 445.1776).

With the recommendation that the bill pass.

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

## Favorable Roll Call

**HB 4972** To Report Out:

Yeas: Reps. Brater, DeHart, Brown, Gire, Crissman, Law,  
Nays: None.

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

**House Bill No. 5216, entitled**

A bill to regulate certain practices relating to telemarketing, sweepstakes promotions, and buying clubs; and to provide for remedies and penalties.

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 5216** To Report Out:

Yeas: Reps. Brater, DeHart, Brown, Gire, Crissman, Law,  
Nays: None.

## 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 15, 1997, at 9:00 a.m.,

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

Absent: Rep. Freeman,

Excused: Rep. Freeman.

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

**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.

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 5246** To Report Out:

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

Nays: None.

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

**Senate Bill No. 706, 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

**SB 706** To Report Out:

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

Nays: None.

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

**Senate Bill No. 707, 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

**SB 707** To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brown, Mans, Schermesser, 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 15, 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.

The Committee on Mental Health, by Rep. Baird, Chair, reported

**Senate Bill No. 181, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 476 and 525 (MCL 330.1476 and 330.1525), as amended by 1995 PA 290.

With the recommendation that the bill pass.

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

Favorable Roll Call

**SB 181** To Report Out:

Yeas: Reps. Baird, Brater, LaForge, Wallace, Scranton, Cassis, Green, Hammerstrom,

Nays: None.

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, October 15, 1997, at 12:00 Noon,

Present: Reps. Baird, Brater, LaForge, Wallace, Scranton, Cassis, Green, Hammerstrom,

Absent: Rep. Gubow,

Excused: Rep. Gubow.

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

**House Bill No. 4910, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 52 (MCL 208.52).

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

1. Amend page 1, line 10, after "1," by striking out "1997" and inserting "1998".

2. Amend page 2, line 1, after "1," by striking out "1997" and inserting "1998".

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

Favorable Roll Call

**HB 4910** To Report Out:

Yeas: Reps. Profit, Quarles, Freeman, Hanley, Palamara, Wallace, Wetters, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton, Whyman,

Nays: Rep. Agee.

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

**House Bill No. 5048, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 1996 PA 476.

With the recommendation that the bill pass.

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

Favorable Roll Call

**HB 5048** To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Hanley, Palamara, Wallace, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton, Whyman,

Nays: None.

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

**House Bill No. 5110, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 10e (MCL 211.10e), as added by 1986 PA 223.

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 5110** To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Hanley, Palamara, Wallace, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Middleton, Whyman,

Nays: None.

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

**Senate Bill No. 717, 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.

With the recommendation that the bill pass.

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

Favorable Roll Call

**SB 717** To Report Out:

Yeas: Reps. Profit, Quarles, Hanley, Palamara, Wallace, Wetters, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton,

Nays: Rep. Agee.

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, October 15, 1997, at 9:00 a.m.,

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

Absent: Rep. Gubow,

Excused: Rep. Gubow.

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

**House Bill No. 4801, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1230b (MCL 380.1230b), as added by 1996 PA 189.

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 4801** To Report Out:

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

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

**House Bill No. 5215, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1531 (MCL 380.1531), as amended by 1995 PA 289.

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 5215** To Report Out:

Yeas: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, LaForge, Schauer, Scott, Dalman, Crissman, Cropsy, 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, October 15, 1997, at 12:00 Noon,

Present: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, Kilpatrick, LaForge, Schauer, Scott, Dalman, Crissman, Cropsy, Jelinek, LeTarte, McNutt, Middleton.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Vaughn, Chair of the Committee on Constitutional and Civil Rights, was received and read:

Meeting held on: Tuesday, October 14, 1997, at 3:30 p.m.,

Present: Reps. Vaughn, Freeman, Baird, Wallace, McManus, Kaza, Whyman,

Absent: Reps. Dobronski, Llewellyn,

Excused: Reps. Dobronski, Llewellyn.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cherry, Chair of the Committee on Colleges and Universities, was received and read:

Meeting held on: Wednesday, October 15, 1997, at 10:30 a.m.,

Present: Reps. Cherry, Brown, Brater, Curtis, Quarles, LeTarte, Dalman, Scranton, Walberg.

**Messages from the Senate****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.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title of the bill.

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

**Senate Bill No. 549, entitled**

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending the title and sections 105, 159, and 179 (MCL 32.505, 32.559, and 32.579).

The Senate has passed the bill.

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

**Senate Bill No. 567, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 744a.

The Senate has passed the bill.

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

**Senate Bill No. 623, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 40.

The Senate has passed the bill.

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

**Senate Bill No. 633, entitled**

A bill to authorize certain interceptions of communications and the use of interception devices for certain offenses; to provide for and regulate the application, issuance, and execution of interception orders; to prescribe the powers and duties of certain agencies, officers, and employees; to regulate the use and disclosure of communications and evidence intercepted or obtained under this act; to provide remedies and exemptions from liability; to prescribe penalties; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

**House Concurrent Resolution No. 66.**

A concurrent resolution providing for a joint convention of the House of Representatives and the Senate.

(For text of resolution, see House Journal No. 75, p. 2040.)

The has Senate adopted the concurrent resolution.

The concurrent resolution was referred to the Clerk for record.

### 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, October 6:

**Senate Bill Nos. 708 709 712 713 714 715 718 720**

The Clerk announced the enrollment printing and presentation to the Governor on Monday, October 13, for his approval of the following bills:

**Enrolled Senate Bill No. 118 at 3:00 p.m.**

**Enrolled Senate Bill No. 119 at 3:02 p.m.**

**Enrolled Senate Bill No. 120 at 3:04 p.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, October 13:

**Senate Bill Nos. 732 733 734 735 736 737 738 739 740 742**

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

**House Bill Nos. 5261 5262 5263 5264**

The Clerk announced that the following Senate bill had been approved and signed by the Governor:

**Enrolled Senate Bill No. 165 - Public Act No. 116**

The Clerk announced that the following Senate bill had been approved and signed by the Governor and have line item vetoes:

**Enrolled Senate Bill No. 174 - Public Act No. 117**

By unanimous consent the House returned to the order of  
**Notices**

October 15, 1997

Pursuant to the passage of House Concurrent Resolution 34, introduced and sponsored by Representative George Mans, I would like to appoint the following two members to the Special Committee on Campaign Finance:

Representative Patrick Gagliardi, Co-Chair  
 Representative Deb Cherry

The charge for the Special Committee is to study and make recommendations regarding Michigan's campaign finance laws.

Thank you for your time and consideration in this matter.

Speaker Curtis Hertel

October 9, 1997

I am appointing the following Republican House members to the Commission on Campaign Finance Reform:

Representative Bill Bobier  
 Representative Andrew Richner

If you have any questions, please do not hesitate to contact me.

Respectfully Yours,  
 Ken Sikkema  
 House Republican Leader

#### Public Hearing

Committee on Agriculture

Date: Monday, October 20, 1997

Time: 6:30 p.m.

Place: French town Township hall, 2744 Vivian Road, Monroe, Michigan

Rep. Wetters  
 Chair

Agenda: House Bill No. 4337 - Drains; code; revisions; provide for and any/or all business properly before the committee

#### Introduction of Bills

Reps. Dobronski, Wallace, Gire, Brackenridge, Kelly, Schermesser, Wojno, Bogardus, Kaza, Martinez, Olshove, Wetters, Hale, Willard, Profit, Jelinek, Goschka, Ciaramitaro, Scott, Brater, Hood, Thomas and Dobb introduced

**House Bill No. 5280, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 202a.

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

Rep. Scranton introduced

**House Bill No. 5281, entitled**

A bill to amend 1879 PA 228, entitled "Single business tax act," by amending section 4 (MCL 208.4), as amended by 1995 PA 285.

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

Reps. Rhead, Llewellyn, Law, Gernaat, Griffin, Hammerstrom, Thomas, Green, Palamara, McNutt, Jaye, Hale, Perricone and Raczkowski introduced

**House Bill No. 5282, entitled**

A bill to amend 1879 PA 237, entitled "An act to provide for the execution, acknowledgment, and recording of contracts for the sale of land," (MCL 565.351 to 565.355) by adding sections 6, 7, 8, 9, 10, and 11; and to repeal acts and parts of acts.

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

Reps. DeHart, Schermesser and Brater introduced

**House Bill No. 5283, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 312c.

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

Rep. Alley introduced

**House Bill No. 5284, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11502, 11503, 11504, 11506, 11507a, 11509, 11511, 11512, 11516, 11517, 11519, 11529, 11532, 11533, 11534, 11535, 11536, and 11538 (MCL 324.11502, 324.11503, 324.11504, 324.11506, 324.11507a, 324.11509, 324.11511, 324.11512, 324.11516, 324.11517, 324.11519, 324.11529, 324.11532, 324.11533, 324.11534, 324.11535, 324.11536, and 324.11538), sections 11502 and 11504 as amended and section 11507a as added by 1996 PA 359, section 11506 as amended by 1996 PA 392, and sections 11509, 11511, 11512, 11516, 11517, 11519, and 11529 as amended by 1996 PA 358, and by adding sections 11508a, 11511a, 11511b, 11511c, 11511d, 11531a, 11531b, 11534a, and 11551; and to repeal acts and parts of acts.

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

Reps. Richner, Walberg, Goschka, Horton and Voorhees introduced

**House Bill No. 5285, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1279 (MCL 380.1279), as amended by 1997 PA 25.

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

Reps. Richner, Walberg, Goschka, Horton and Voorhees introduced

**House Bill No. 5286, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 104a (MCL 388.1704a), as amended by 1997 PA 24.

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

Reps. Quarles, Wallace, DeHart, Griffin, Thomas, Hale, Price, Scott, Palamara, Profit, Goschka, Kilpatrick, Schermesser, Basham and Parks introduced

**House Bill No. 5287, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86.

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

Reps. Quarles, Profit, Palamara, Wallace, Griffin, Thomas, Hale, DeHart, Price, Scott, Goschka, Schauer, Brown, Cherry, Kilpatrick, Schermesser, Bogardus, Rison, Varga, LaForge and Parks introduced

**House Bill No. 5288, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86; and to repeal acts and parts of acts.

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

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Rep. Jansen moved that the House adjourn.

The motion prevailed, the time being 5:05 p.m.

Acting Speaker DeHart declared the House adjourned until Thursday, October 16, at 10:00 a.m.

MARY KAY SCULLION  
Clerk of the House of Representatives.