

No. 47
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House Chamber, Lansing, Tuesday, May 19, 1998.

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

e/d/s = entered during session

Rev. David Hansen, from Immanuel Baptist Church in Roscommon, offered the following invocation:

“Our Heavenly Father, we thank You for the opportunity to be Americans. As I look at events across the world, all the time I am so glad to be an American. We fly our flag, we log the 4th of July. We go to places like Gettysburg and Stones River and we talk about things like the Revolutionary War. We have a relatively young country, and that country for over two hundred years has been filled with people with different ideas, different opinions, but a country that has communicated, when other countries have fallen and stumbled long before that. For that we are grateful. Dear God, as I stand here today, I am very honored to be able to ask You to help these men and these women. So many times we hear people talk about the two things that I and these people are involved in, religion and politics, they want nothing to do with them. But no one who knows history can deny that our country does not have a rich heritage of both. We’re grateful for that. Today as these men and women carry their business on, which is the business of all the millions of people in this state, and even business that affects our country, I pray You give them wisdom. I pray that God Almighty will be their help, their aid. I pray that they would seek Your wisdom from the pages of the Holy Bible. And I pray that these men and women make a difference for God and for good in this great state. I’m so glad to be a person who was born here, who’s lived here, who’s served here. Lord I love my state, I love my country, that means that these men and women are very special. Help them today, bless them. For each one of these men who are married, who leave a wife and a family at home, I pray that You would bless their families today. For each lady who is here, who is married and has a husband and a family, I pray that You would bless her family today. May all things be done decently and in order. May God be praised. Thank you for our country and thank You for our state. Bless this day. In Jesus’ Name we pray. Amen.”

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

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

Rep. Bogardus moved that Rep. Schauer be excused temporarily from today’s session.
The motion prevailed.

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

Messages from the Senate

The Speaker laid before the House

House Bill No. 4060, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 502 (MCL 324.502), as amended by 1996 PA 272, and by adding section 502a.

(The bill was received from the Senate on April 28, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until April 29, see House Journal No. 38, p. 809.)

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

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

Roll Call No. 415

Yeas—95

Agee	Dobb	Johnson	Price
Alley	Dobronski	Kaza	Profit
Anthony	Fitzgerald	Kelly	Prusi
Baade	Frank	Kilpatrick	Rhead

Baird	Freeman	Kukuk	Richner
Bankes	Gagliardi	LaForge	Rison
Basham	Geiger	Law	Rocca
Birkholz	Gernaat	Leland	Sanborn
Bobier	Gilmer	LeTarte	Schroer
Bodem	Gire	Llewellyn	Scott
Bogardus	Godchaux	London	Scranton
Brackenridge	Goschka	Lowe	Sikkema
Brater	Green	Mans	Tesanovich
Brewer	Gubow	Martinez	Thomas
Brown	Gustafson	Mathieu	Varga
Byl	Hale	McBryde	Vaughn
Callahan	Hammerstrom	McNutt	Voorhees
Cassis	Hanley	Middaugh	Walberg
Cherry	Harder	Middleton	Wallace
Ciaramitaro	Hertel	Nye	Wetters
Cropsey	Horton	Owen	Whyman
Dalman	Jansen	Oxender	Willard
DeHart	Jelinek	Palamara	Wojno
DeVuyst	Jellema	Perricone	

Nays—0

In The Chair: Gire

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 4061, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 503 and 2132 (MCL 324.503 and 324.2132), section 503 as amended by 1996 PA 133 and section 2132 as added by 1995 PA 60, and by adding part 610.

(The bill was received from the Senate on April 28, with substitute (S-4), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until April 29, see House Journal No. 38, p. 809.)

The question being on concurring in the adoption of the substitute (S-4) made to the bill by the Senate,

The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 416**Yeas—96**

Agee	Dobb	Jellema	Perricone
Alley	Dobronski	Johnson	Price
Anthony	Emerson	Kaza	Profit
Baade	Fitzgerald	Kelly	Prusi
Baird	Frank	Kilpatrick	Rhead
Bankes	Freeman	Kukuk	Richner
Basham	Gagliardi	LaForge	Rison
Birkholz	Geiger	Law	Rocca
Bobier	Gernaat	Leland	Sanborn
Bodem	Gilmer	LeTarte	Schroer
Bogardus	Gire	Llewellyn	Scott

Brackenridge	Godchaux	London	Scranton
Brater	Goschka	Lowe	Sikkema
Brewer	Green	Mans	Tesanovich
Brown	Gubow	Martinez	Thomas
Byl	Gustafson	Mathieu	Varga
Callahan	Hale	McBryde	Vaughn
Cassis	Hammerstrom	McNutt	Voorhees
Cherry	Hanley	Middaugh	Walberg
Ciaramitaro	Harder	Middleton	Wallace
Cropsey	Hertel	Nye	Wetters
Dalman	Horton	Olshove	Whyman
DeHart	Jansen	Owen	Willard
DeVuyst	Jelinek	Oxender	Wojno

Nays—0

In The Chair: Gire

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 4259, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 61503c.

(The bill was received from the Senate on April 28, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until April 29, see House Journal No. 38, p. 809.)

The question being on concurring in the adoption of the substitute (S-2) made to the bill by the Senate,

Rep. Anthony moved to amend the Senate substitute (S-2) as follows:

1. Amend page 1, line 3, after "THAN" by striking out "\$1,000.00" and inserting "\$10,000.00".

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 417**Yeas—95**

Agee	Dobb	Jellema	Perricone
Alley	Dobronski	Johnson	Price
Anthony	Emerson	Kaza	Profit
Baade	Fitzgerald	Kelly	Prusi
Baird	Frank	Kilpatrick	Rhead
Banks	Freeman	Kukuk	Richner
Basham	Gagliardi	LaForge	Rison
Birkholz	Geiger	Law	Rocca
Bobier	Gernaat	Leland	Sanborn
Bodem	Gilmer	LeTarte	Schroer
Bogardus	Godchaux	Llewellyn	Scott
Brackenridge	Goschka	London	Sikkema
Brater	Green	Lowe	Tesanovich
Brewer	Griffin	Mans	Thomas
Brown	Gubow	Martinez	Varga

Byl	Gustafson	Mathieu	Vaughn
Callahan	Hale	McBryde	Voorhees
Cassis	Hammerstrom	McNutt	Walberg
Cherry	Hanley	Middaugh	Wallace
Ciaramitaro	Harder	Middleton	Wetters
Cropsey	Hertel	Nye	Whyman
Dalman	Horton	Olshove	Willard
DeHart	Jansen	Owen	Wojno
DeVuyst	Jelinek	Oxender	

Nays—0

In The Chair: Gire

The House agreed to the full title.

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Rep. Quarles entered the House Chambers.

The Speaker laid before the House

House Bill No. 4846, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221, 16226, 16245, 16247, and 16248 (MCL 333.16221, 333.16226, 333.16245, 333.16247, and 333.16248), sections 16221 and 16226 as amended by 1996 PA 594, section 16245 as amended by 1993 PA 87, and sections 16247 and 16248 as amended by 1993 PA 79, and by adding section 16274.

(The bill was received from the Senate on April 28, with substitute (S-1) and title amendment given by the Senate, consideration of which, under the rules, was postponed until April 29, see House Journal No. 38, p. 810.)

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

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

Roll Call No. 418**Yeas—88**

Agee	Dobronski	Jellema	Perricone
Alley	Emerson	Johnson	Price
Anthony	Fitzgerald	Kaza	Profit
Baade	Frank	Kelly	Prusi
Bankes	Freeman	Kukuk	Quarles
Basham	Gagliardi	Law	Rhead
Birkholz	Geiger	Leland	Richner
Bobier	Gernaat	LeTarte	Rison
Bodem	Gilmer	Llewellyn	Rocca
Bogardus	Gire	London	Sanborn
Brackenridge	Goschka	Lowe	Scott
Brown	Green	Mans	Sikkema
Byl	Griffin	Mathieu	Tesanovich
Callahan	Gustafson	McBryde	Thomas
Cassis	Hale	McNutt	Varga
Cherry	Hammerstrom	Middaugh	Vaughn
Ciaramitaro	Hanley	Middleton	Voorhees
Cropsey	Harder	Nye	Walberg

Dalman	Hertel	Olshove	Wallace
DeHart	Horton	Owen	Whyman
DeVuyst	Jansen	Oxender	Willard
Dobb	Jelinek	Palamara	Wojno

Nays—10

Baird	Godchaux	LaForge	Schroer
Brater	Gubow	Martinez	Scranton
Brewer	Kilpatrick		

In The Chair: Gire

The House agreed to the title as amended.

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

Rep. Hood entered the House Chambers.

The Speaker laid before the House

House Bill No. 4962, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 430a. (The bill was received from the Senate on April 28, with substitute (S-1) and full title inserted by the Senate, consideration of which, under the rules, was postponed until April 29, see House Journal No. 38, p. 810.)

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

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

Roll Call No. 419**Yeas—85**

Alley	Emerson	Jellema	Price
Anthony	Fitzgerald	Johnson	Profit
Baade	Frank	Kaza	Prusi
Bankes	Freeman	Kelly	Quarles
Basham	Gagliardi	Kukuk	Raczkowski
Birkholz	Geiger	Law	Rhead
Bobier	Gernaat	Leland	Richner
Bodem	Gilmer	LeTarte	Rison
Bogardus	Gire	Llewellyn	Rocca
Brackenridge	Goschka	London	Sanborn
Brown	Green	Lowe	Schauer
Byl	Griffin	Mans	Scott
Callahan	Gustafson	Mathieu	Sikkema
Cassis	Hale	McBryde	Tesanovich
Cherry	Hammerstrom	McNutt	Vaughn
Ciaramitaro	Hanley	Middaugh	Voorhees
Cropsey	Harder	Middleton	Walberg
Dalman	Hertel	Nye	Wallace
DeHart	Horton	Olshove	Whyman
DeVuyst	Jansen	Oxender	Willard
Dobb	Jelinek	Perricone	Wojno
Dobronski			

Nays—14

Baird	Gubow	Martinez	Thomas
Brater	Hood	Schroer	Varga
Brewer	Kilpatrick	Scranton	Wetters
Godchaux	LaForge		

In The Chair: Gire

The House agreed to the full title.

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

Reps. Murphy, Parks and Galloway entered the House Chambers.

The Speaker laid before the House

House Bill No. 5261, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 61503b.

(The bill was received from the Senate on April 28, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until April 29, see House Journal No. 38, p. 810.)

The question being on concurring in the adoption of the substitute (S-2) made to the bill by the Senate,

Rep. Anthony moved to amend the Senate substitute (S-2) as follows:

1. Amend page 1, line 7, after the first "THE" by striking out the balance of the subsection and inserting "ITEMS THE LEASE EXPLICITLY AND SPECIFICALLY PROVIDES FOR. THE LESSEE SHALL FOLLOW A STANDARD OF CONDUCT HONORING ALL COVENANTS IMPLIED IN OIL AND GAS LEASES WITH THE LESSOR, REQUIRING THE LESSEE TO ACT IN GOOD FAITH AND FAIR DEALING WITH THE LESSOR AT ALL TIMES, INCLUDING THE LESSEE'S CONDUCT TO THE LESSOR IN HONORING THE IMPLIED COVENANT TO MARKET, AND REQUIRING THE LESSEE TO FOLLOW THE PRUDENT OPERATOR STANDARD IN HIS OR HER RELATIONSHIP WITH THE LESSOR FOR THEIR MUTUAL BENEFIT."

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

"(3) IF A PERSON WHO HAS ENTERED INTO A GAS LEASE AS A LESSEE PRIOR TO OR AFTER THE EFFECTIVE DATE OF THIS SECTION CHARGES THE LESSOR FOR ANY PORTION OF POSTPRODUCTION COSTS, THE LESSEE SHALL PROVIDE THE LESSOR, IN WRITING, A SPECIFIC ITEMIZED EXPLANATION OF ALL POSTPRODUCTION COSTS TO BE ASSESSED, IN THE MONTHLY REVENUE STATEMENT WHERE SUCH COSTS ARE DEDUCTED."

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

Rep. DeVuyst demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 420**Yeas—60**

Agee	Emerson	Kelly	Prusi
Alley	Frank	Kilpatrick	Quarles
Anthony	Freeman	LaForge	Rison
Baade	Gagliardi	Leland	Rocca
Baird	Gire	Lowe	Schauer
Basham	Goschka	Mans	Schroer

Bogardus	Green	Martinez	Scott
Brater	Griffin	Mathieu	Tesanovich
Brewer	Gubow	Murphy	Thomas
Brown	Hale	Nye	Vaughn
Callahan	Hanley	Olshove	Wallace
Cherry	Harder	Palamara	Wetters
Ciaramitaro	Hertel	Parks	Whyman
Cropsey	Hood	Price	Willard
DeHart	Kaza	Profit	Wojno

Nays—43

Banks	Galloway	Johnson	Oxender
Birkholz	Geiger	Kukuk	Perricone
Bobier	Gernaat	Law	Raczkowski
Bodem	Gilmer	LeTarte	Rhead
Brackenridge	Godchaux	Llewellyn	Richner
Byl	Gustafson	London	Sanborn
Cassis	Hammerstrom	McBryde	Scranton
Dalman	Horton	McNutt	Sikkema
DeVuyst	Jansen	Middaugh	Voorhees
Dobb	Jelinek	Middleton	Walberg
Fitzgerald	Jellema	Owen	

In The Chair: Gire

The question being on concurring in the substitute (S-2), made to the bill by the Senate,

The substitute (S-2), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 421**Yeas—99**

Agee	Frank	Kelly	Price
Alley	Freeman	Kilpatrick	Profit
Anthony	Gagliardi	Kukuk	Prusi
Baade	Galloway	LaForge	Quarles
Banks	Geiger	Law	Raczkowski
Basham	Gernaat	Leland	Rhead
Birkholz	Gilmer	LeTarte	Richner
Bobier	Gire	Llewellyn	Rison
Bodem	Godchaux	London	Rocca
Bogardus	Goschka	Lowe	Sanborn
Brackenridge	Green	Mans	Schauer
Brater	Griffin	Martinez	Schroer
Brewer	Gubow	Mathieu	Scott
Brown	Gustafson	McBryde	Sikkema
Byl	Hale	McNutt	Tesanovich
Callahan	Hammerstrom	Middaugh	Thomas
Cassis	Harder	Middleton	Vaughn
Cherry	Hertel	Murphy	Voorhees
Ciaramitaro	Hood	Nye	Walberg
Cropsey	Horton	Olshove	Wallace
Dalman	Jansen	Owen	Wetters
DeHart	Jelinek	Oxender	Whyman

DeVuyst
Dobb
Dobronski

Jellema
Johnson
Kaza

Palamara
Parks
Perricone

Willard
Wojno

Nays—0

In The Chair: Gire

The House agreed to the full title.

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

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 421 because of a possible conflict of interest.”

The Speaker laid before the House

House Bill No. 5262, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 61503a.

(The bill was received from the Senate on April 28, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until April 29, see House Journal No. 38, p. 810.)

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

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

Roll Call No. 422

Yeas—97

Agee
Alley
Anthony
Baird
Banks
Basham
Birkholz
Bobier
Bodem
Bogardus
Brackenridge
Brater
Brewer
Brown
Byl
Callahan
Cassia
Cherry
Ciaramitaro
Cropsey
Dalman
DeHart
DeVuyst
Dobb
Dobronski

Fitzgerald
Frank
Gagliardi
Galloway
Geiger
Gernaat
Gilmer
Gire
Godchaux
Goschka
Green
Gubow
Gustafson
Hale
Hammerstrom
Hanley
Harder
Hertel
Hood
Horton
Jansen
Jelinek
Jellema
Johnson

Kaza
Kelly
Kilpatrick
Kukuk
LaForge
Law
Leland
LeTarte
Llewellyn
London
Lowe
Mans
Mathieu
McBryde
McNutt
Middaugh
Middleton
Nye
Olshove
Oxender
Palamara
Parks
Perricone
Price

Profit
Prusi
Quarles
Raczkowski
Rhead
Richner
Rocca
Sanborn
Schauer
Schroer
Scott
Scranton
Sikkema
Tesanovich
Thomas
Varga
Vaughn
Voorhees
Walberg
Wallace
Wetters
Whyman
Willard
Wojno

Nays—0

In The Chair: Gire

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 5316, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 61501 and 61517 (MCL 324.61501 and 324.61517), as added by 1995 PA 57.

(The bill was received from the Senate on April 28, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until April 29, see House Journal No. 38, p. 811.)

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

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

Roll Call No. 423**Yeas—101**

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

Nays—0

In The Chair: Gire

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 5317, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 61513 (MCL 324.61513), as added by 1995 PA 57.

(The bill was received from the Senate on April 28, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until April 29, see House Journal No. 38, p. 811.)

The question being on concurring in the adoption of the substitute (S-1) made to the bill by the Senate,
Rep. Lowe moved to amend the bill as follows:

1. Amend page 6, line 26, by striking out all of subsection (9) and inserting:

"(9) THE DEPARTMENT SHALL DEVELOP AND MAKE AVAILABLE INFORMATION ABOUT OIL AND GAS LEASES. THE LESSEE SHALL PROVIDE THIS INFORMATION TO THE LESSOR PRIOR TO SIGNING AN OIL AND GAS LEASE. THE INFORMATION SHALL INCLUDE ALL OF THE FOLLOWING:

(A) THE OIL AND GAS PRODUCTION PROCESS.

(B) THE LEASING OF MINERAL RIGHTS INCLUDING THE POTENTIAL TO NEGOTIATE THE TERMS OF THE LEASE SUCH AS A NONDEVELOPMENT CLAUSE FOR SMALLER PARCELS.

(C) THE COMPULSORY POOLING PROCESS."

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

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

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

Roll Call No. 424

Yeas—105

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

Nays—0

In The Chair: Gire

The House agreed to the full title.

The Speaker laid before the House

House Bill No. 5475, entitled

A bill to prohibit the expenditure of state funds to clone a human being or to conduct or to support research on the cloning of human beings.

(The bill was received from the Senate on April 28, with substitute (S-1) and title amendment, consideration of which, under the rules, was postponed until April 29, see House Journal No. 38, p. 811.)

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

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

Roll Call No. 425

Yeas—96

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

Nays—7

Brater	Godchaux	Martinez	Thomas
Brewer	Gubow	Schroer	

In The Chair: Gire

The House agreed to the title as amended.

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

Second Reading of Bills

House Bill No. 5465, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 31 (MCL 42.31).

The bill was read a second time.

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

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

House Bill No. 5327, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 5101, 5102, 5103, 5104, 5105, 5106, 5107, 5108, 5109, 5110, 5111, 5112, 5113, 5114, 5115, 5116, and 5117 (MCL 440.5101, 440.5102, 440.5103, 440.5104, 440.5105, 440.5106, 440.5107, 440.5108, 440.5109, 440.5110, 440.5111, 440.5112, 440.5113, 440.5114, 440.5115, 440.5116, and 440.5117), section 5114 as amended by 1987 PA 16.

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

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

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

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

House Bill No. 5643, entitled

A bill to regulate certain transfers of property to minors; to make uniform the law regulating certain transfers of property to minors; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Commerce (for amendment, see House Journal No. 30, p. 541),

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

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

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

House Bill No. 5644, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 1105, 9203, and 9402 (MCL 440.1105, 440.9203, and 440.9402), section 1105 as amended by 1992 PA 101, section 9203 as amended by 1987 PA 16, and section 9402 as amended by 1989 PA 216; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Commerce (for amendment, see House Journal No. 30, p. 541),

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

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

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

House Bill No. 5645, entitled

A bill to prescribe the duties of a trustee in investing and managing trust assets; to prescribe the prudent investor rule; and to repeal acts and parts of acts.

The bill was read a second time.

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

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

House Bill No. 5647, entitled

A bill to amend 1988 PA 418, entitled "Uniform statutory rule against perpetuities," by amending section 2 (MCL 554.72).

The bill was read a second time.

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

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

House Bill No. 5708, entitled

A bill to define and regulate fraudulent transfers and conveyances; to set aside and modify certain transfers and conveyances; to make uniform the law of fraudulent transfers; and to repeal acts and parts of acts.

The bill was read a second time.

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

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

Senate Bill No. 299, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 1105, 1206, 4104, 5114, 8101, 8102, 8103, 8104, 8105, 8106, 8107, 8108, 8201, 8202, 8203, 8204, 8205, 8206, 8207, 8208, 8301, 8302, 8303, 8304, 8305, 8306, 8307, 8401, 8402, 8403, 8404, 8405, 8406, 8407, 9103, 9105, 9106, 9203, 9301, 9302, 9303, 9304, 9305, 9306, 9309, 9312, and 9994 (MCL 440.1105, 440.1206, 440.4104, 440.5114, 440.8101, 440.8102, 440.8103, 440.8104, 440.8105, 440.8106, 440.8107, 440.8108, 440.8201, 440.8202, 440.8203, 440.8204, 440.8205, 440.8206,

440.8207, 440.8208, 440.8301, 440.8302, 440.8303, 440.8304, 440.8305, 440.8306, 440.8307, 440.8401, 440.8402, 440.8403, 440.8404, 440.8405, 440.8406, 440.8407, 440.9103, 440.9105, 440.9106, 440.9203, 440.9301, 440.9302, 440.9303, 440.9304, 440.9305, 440.9306, 440.9309, 440.9312, and 440.9994), section 1105 as amended by 1992 PA 101, section 4104 as amended by 1993 PA 130, sections 5114, 8102, 8103, 8104, 8105, 8106, 8107, 8201, 8202, 8203, 8204, 8205, 8206, 8207, 8208, 8301, 8302, 8304, 8305, 8306, 8307, 8401, 8402, 8403, 8404, 8405, 8406, 9103, 9203, 9304, 9305, 9309, and 9312 as amended and sections 8108 and 8407 as added by 1987 PA 16, section 9105 as amended by 1988 PA 130, section 9301 as amended by 1984 PA 170, and section 9302 as amended by 1996 PA 72, and by adding sections 8109, 8110, 8111, 8112, 8113, 8114, 8115, 8116, 8210, 8501, 8502, 8503, 8504, 8505, 8506, 8507, 8508, 8509, 8510, 8511, 8601, 9115, and 9116; and to repeal acts and parts of acts.

The bill was read a second time.

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

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

Senate Bill No. 553, entitled

A bill to amend 1965 PA 203, entitled "Michigan law enforcement officers training council act of 1965," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, and 15 (MCL 28.601, 28.602, 28.603, 28.604, 28.605, 28.606, 28.607, 28.608, 28.609, 28.610, 28.611, 28.612, 28.614, and 28.615), section 2 as amended by 1995 PA 204, section 3 as amended by 1996 PA 545, section 9 as amended by 1994 PA 155, and section 11 as amended by 1985 PA 15, and by adding sections 9a, 9b, 9c, and 9d.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Judiciary (for amendments, see House Journal No. 33, p. 647),

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

Rep. McNutt moved to amend the bill as follows:

1. Amend page 4, line 2, after "village," by striking out "or".

2. Amend page 4, line 3, after "state," by inserting "OR OF A STATE UNIVERSITY OR COMMUNITY COLLEGE".

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

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

The motion prevailed.

House Bill No. 4942, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 6 (MCL 205.56), as amended by 1993 PA 325.

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.

Reps. Crissman and Profit moved to substitute (H-2) the bill.

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

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

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

House Bill No. 5313, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 4f and 6 (MCL 205.94f and 205.96), as amended by 1993 PA 326.

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.

Reps. Crissman and Profit moved to substitute (H-2) the bill.

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

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

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

House Bill No. 4119, entitled

A bill to provide for adoption of an official song and designation of other melodies that represent the musical heritage of this state; to create a commission and prescribe the powers and duties of the commission; and to prescribe the powers and duties of certain state officials.

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

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

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

1. Amend page 3, line 4, after "compensation." by striking out "However, members" and inserting "Members".
2. Amend page 3, line 7, after "commission." by inserting "However, members shall not be reimbursed for any of the following:

- (a) Expenses for out-of-state travel.

- (b) Expenses for in-state travel outside the city of Lansing."

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

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

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

House Bill No. 4160, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 50 (MCL 169.250), as added by 1994 PA 385.

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

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

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

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

House Bill No. 5032, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 262a.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4396, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 28c (MCL 36.28c), as amended by 1992 PA 133.

(The bill was considered on Third Reading, motion made to refer the bill to the Committee on Regulatory Affairs, demand made for yeas and nays and bill postponed temporarily, see House Journal No. 34, p. 692.)

The question being on the motion made previously by Rep. Gubow,

Rep. Gubow withdrew the motion.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

Senate Bill No. 74, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2246.

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. 37, p. 782),

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

Reps. Gubow and Llewellyn moved to amend the bill as follows:

1. Amend page 2, line 25, after the first "WHO" by striking out "RESIDES OR HAS RESIDED WITH OR WHO" and inserting "IS A SPOUSE OR FORMER SPOUSE OF, HAS OR HAS HAD A DATING RELATIONSHIP WITH, RESIDES OR HAS RESIDED WITH, OR".

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

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

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

Senate Bill No. 75, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21072. 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. 37, p. 782),

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

Reps. Gubow and Llewellyn moved to amend the bill as follows:

1. Amend page 2, line 1, after the first "WHO" by striking out "RESIDES OR HAS RESIDED WITH OR WHO" and inserting "IS A SPOUSE OR FORMER SPOUSE OF, HAS OR HAS HAD A DATING RELATIONSHIP WITH, RESIDES OR HAS RESIDED WITH, OR".

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

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

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

Senate Bill No. 76, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 401 (MCL 550.1401), as amended by 1984 PA 66.

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. 37, p. 782),

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

Reps. Gubow and Llewellyn moved to amend the bill as follows:

1. Amend page 3, line 2, after the first "WHO" by striking out "RESIDES OR HAS RESIDED WITH OR WHO" and inserting "IS A SPOUSE OR FORMER SPOUSE OF, HAS OR HAS HAD A DATING RELATIONSHIP WITH, RESIDES OR HAS RESIDED WITH, OR".

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

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

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

Senate Bill No. 434, 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 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. 37, p. 783),

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

Reps. Gubow and Llewellyn moved to amend the bill as follows:

1. Amend page 2, line 7, after the first "WHO" by striking out "RESIDES OR HAS RESIDED WITH OR WHO" and inserting "IS A SPOUSE OR FORMER SPOUSE OF, HAS OR HAS HAD A DATING RELATIONSHIP WITH, RESIDES OR HAS RESIDED WITH, OR".

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

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

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

The Speaker assumed the Chair.

Senate Bill No. 483, entitled

A bill to amend 1941 PA 205, entitled "An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the receipt and expenditure of funds generated from the facilities," by amending section 2 (MCL 252.52), as amended by 1995 PA 93.

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

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

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

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

Senate Bill No. 484, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 676a (MCL 257.676a), as amended by 1995 PA 92.

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

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

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

The motion prevailed.

Messages from the Governor

The following veto message from the Governor was received and read:

Executive Office, Lansing, May 14, 1998

Michigan House of Representatives
State Capitol Building
Lansing, MI 48913

Ladies and Gentlemen:

Today I have vetoed and am returning to you herewith, Enrolled House Bill 5358.

The legislature created the State Real Estate Transfer Tax Act (MCL 207.521-207.537) as part of the school finance reform proposal known as Proposal A. The state real estate transfer tax is a tax levied on transfer of property. Proceeds from this tax fund K-12 public education.

Enrolled House Bill 5358 would permit the exemption of a religious society from having to pay the state real estate transfer tax on the sale of property. To narrowly carve out a special exemption to the State Real Estate Transfer Tax Act would set a precedent and invite other interests to seek similar special treatment. Such action only serves to erode the real estate transfer tax base.

For this reason, I am returning Enrolled House Bill 5358 without signature.

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding,

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

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Voorhees moved that the Committee on Labor and Occupational Safety be discharged from further consideration of **Senate Bill No. 805**.

(For first notice see House Journal No. 46, p. 1031.)

The question being on the motion by Rep. Voorhees,

After debate,

Rep. Palamara demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

The question being on the motion by Rep. Voorhees,

The motion did not prevail, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 426**Yeas—47**

Bankes	Galloway	Kaza	Oxender
Birkholz	Geiger	Kukuk	Perricone
Bobier	Gernaat	Law	Rackowski
Bodem	Gilmer	LeTarte	Rhead
Brackenridge	Godchaux	Llewellyn	Richner
Byl	Green	London	Sanborn
Cassis	Gustafson	Lowe	Scranton
Cropsey	Hammerstrom	McBryde	Sikkema

Dalman	Horton	McNutt	Voorhees
DeVuyst	Jansen	Middaugh	Walberg
Dobb	Jelinek	Middleton	Whyman
Fitzgerald	Jellema	Nye	

Nays—56

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

In The Chair: Hertel

Second Reading of Bills

The House returned to the consideration of

Senate Bill No. 484, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 676a (MCL 257.676a), as amended by 1995 PA 92.

(The bill was considered earlier today, see today’s Journal, p. 1061.)

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

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

The House returned to the consideration of

Senate Bill No. 553, entitled

A bill to amend 1965 PA 203, entitled “Michigan law enforcement officers training council act of 1965,” by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, and 15 (MCL 28.601, 28.602, 28.603, 28.604, 28.605, 28.606, 28.607, 28.608, 28.609, 28.610, 28.611, 28.612, 28.614, and 28.615), section 2 as amended by 1995 PA 204, section 3 as amended by 1996 PA 545, section 9 as amended by 1994 PA 155, and section 11 as amended by 1985 PA 15, and by adding sections 9a, 9b, 9c, and 9d.

(The bill was considered earlier today, see today’s Journal, p. 1058.)

Rep. Callahan moved to amend the bill as follows:

1. Amend page 11, line 18, after “TOWNSHIP,” by striking out the balance of the subdivision and inserting “OR VILLAGE.”.

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

Rep. McNutt moved to amend the bill as follows:

1. Amend page 1, line 3, after “ON” by striking out “POLICE” and inserting “LAW ENFORCEMENT”.

2. Amend page 2, line 9, after “ON” by striking out “POLICE” and inserting “LAW ENFORCEMENT”.

3. Amend page 2, line 25, after “ON” by striking out “POLICE” and inserting “LAW ENFORCEMENT”.

4. Amend page 4, line 16, by striking out “POLICE” and inserting “LAW ENFORCEMENT”.

5. Amend page 5, line 26, by striking out “POLICE” and inserting “LAW ENFORCEMENT”.

6. Amend page 8, line 23, after “of” by striking out “police” and inserting “LAW ENFORCEMENT”.

7. Amend page 18, line 15, after “to” by striking out “police” and inserting “LAW ENFORCEMENT”.

8. Amend page 18, line 20, after the first “of” by striking out “police” and inserting “LAW ENFORCEMENT”.

9. Amend page 18, line 23, after “of” by striking out “police” and inserting “LAW ENFORCEMENT”.

10. Amend page 18, line 26, after “for” by striking out “police” and inserting “LAW ENFORCEMENT”.
11. Amend page 20, line 6, after “OF” by striking out “POLICE” and inserting “LAW ENFORCEMENT”.
12. Amend page 20, line 22, after “FOR” by striking out “POLICE” and inserting “LAW ENFORCEMENT”.
- The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.
- Rep. Gagliardi moved that the bill be placed on the order of Third Reading of Bills.
- The motion prevailed, a majority of the members voting therefor.

Rep. Gagliardi moved that 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. Llewellyn, Kukuk, Anthony, Dobronski, DeHart, Dobb, Cherry, Baade, Perricone, Richner, Cassis, Fitzgerald, Dalman, London, Freeman, LaForge, Vaughn, Voorhees, Hammerstrom, McNutt, McBryde, Jelinek, Birkholz, Bodem, Baird, Rhead, Horton, Hale, Jansen, Scott, Wojno, Kilpatrick, Profit, Geiger, Bankes, Parks, Goschka, Hanley, Raczkowski, Galloway, Green, Jellema and Olshove offered the following resolution:

House Resolution No. 297.

A resolution to acknowledge the valiant effort of Mr. Oscar G. Johnson during World War II.

Whereas, Mr. Oscar G. Johnson, serving during World War II, received the Medal of Honor on July 19, 1945, for practically single-handedly protecting the left flank of Company B’s offensive position to break the German’s Gothic line; and

Whereas, Oscar G. Johnson, as a United States Army Sergeant, served in World War II as part of Company B, 363rd Infantry, 91st Infantry Division; and

Whereas, On September 16, 1944, Sergeant Johnson’s Company B was on the extreme left assault unit of the corps when the advance was stopped by heavy fire from Monticelli Ridge, and the company took cover behind an embankment. Sergeant Johnson, as leader of a squad and a mortar gunner, was ordered to establish a combat post to cover the company’s exposed flank, and after intense artillery, mortar and machine gun fire from the Germans was the only member of his squad not killed or wounded; and

Whereas, Sergeant Johnson collected weapons and ammunition from his fallen comrades and in the face of hostile fire held his exposed position throughout the night of September 16, 1944, while inflicting heavy casualties upon the Germans. At times, German soldiers came close enough to Sergeant Johnson’s position to throw hand grenades; and

Whereas, Sergeant Johnson, despite mortar fire which crashed about him and machine-gun bullets which whipped the crest of his shallow trench, stood erect and repulsed attack with grenade and small-arms fire. On the night of September 17, 1944, Sergeant Johnson had so frustrated all attempts of infiltrating Company B, that 25 German soldiers surrendered to him; and

Whereas, Sergeant Johnson continued to provide artillery support after two men sent to reinforce him were caught in a devastating mortar and artillery barrage. With no thought of his own safety, Sergeant Johnson rushed to the shell-hole where they lay half buried and seriously wounded, covered their position by his fire, and assisted a Medical Corpsman in rendering aid and securing the removal of the wounded soldiers to the rear. He continued to secure his post all night on September 18, 1944, until his company was relieved; and

Whereas, Sergeant Johnson played a significant role in ensuring that five companies of German paratroop regiment failed in their attack on Company B and later it was found that around Sergeant Johnson there laid twenty dead German soldiers; and

Whereas, Sergeant Johnson’s heroic stand and disregard for personal safety, was responsible for the German’s failed attempts to infiltrate and destroy Company B during September 16-18, 1944; now, therefore, be it

Resolved by the House of Representatives, That tribute and respect be bestowed upon Mr. Oscar G. Johnson for his courage and valiant effort in the midst of fatal danger during World War II. May we honor Mr. Oscar G. Johnson as a model soldier and as a citizen of the State of Michigan; and be it further

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

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. Llewellyn, Kukuk, Anthony, Dobronski, DeHart, Dobb, Cherry, Baade, Perricone, Richner, Cassis, Fitzgerald, Dalman, London, Freeman, LaForge, Vaughn, Voorhees, Hammerstrom, McNutt, McBryde, Jelinek, Birkholz, Bodem, Baird, Rhead, Horton, Hale, Jansen, Scott, Wojno, Kilpatrick, Profit, Geiger, Bankes, Parks, Goschka, Hanley, Raczkowski, Galloway, Green, Jellema and Olshove offered the following resolution:

House Resolution No. 298.

A resolution to acknowledge the valiant effort of Mr. Robert E. Simanek during the Korean War.

Whereas, Mr. Robert E. Simanek is being recognized for his conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty for which he received the Medal of Honor while serving in the United States Marine Corps during the Korean War; and

Whereas, Private First Class Simanek served in the Korean War and was part of Company F, 2nd Battalion, 5th Marines, 1st Marine Division; and

Whereas, Private Simanek, accompanying a patrol of fellow Marines en route to occupy a combat outpost, was ambushed by intense concentration of enemy mortar and small-arms fire. He, along with the patrol, was forced to seek cover in a nearby trench line; and

Whereas, Private Simanek determined to save his comrades threw himself on a deadly grenade missile that had been hurled into their trench. His body absorbed the shattering violence of the exploding charge and shielded his fellow Marines from serious injury or death. Private Simanek was gravely wounded as a result of his heroic action; and

Whereas, Private Simanek's exhibited a high degree of courage and a resolute spirit of self-sacrifice in protecting the lives of his fellow Marines. Private Simanek's willingness to risk his life above and beyond the call of duty reflects the highest credit upon Private Simanek as an American, as a soldier, as a gentleman; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body commend Mr. Robert E. Simanek for his courage and valiant effort in the midst of fatal danger during the Korean War. We honor Mr. Robert E. Simanek as a model soldier and as a citizen of the State of Michigan; and be it further

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

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. Geiger, Kukuk, Anthony, Dobronski, Dobb, Cherry, Perricone, Richner, Cassis, Fitzgerald, Dalman, London, Freeman, LaForge, Vaughn, Voorhees, Hammerstrom, McNutt, McBryde, Godchaux, Jelinek, Birkholz, Bodem, Rhead, Horton, Hale, Schroer, Jansen, Scott, Kilpatrick, Profit, Bankes, Parks, Goschka, Hanley, Raczkowski, Galloway, Green and Jellema offered the following resolution:

House Resolution No. 299.

A resolution to recognize the efforts of Court Appointed Special Advocates (CASA) volunteers.

Whereas, Court Appointed Special Advocates are dedicated citizen volunteers, committed to ensuring that abused and neglected children involved in child protective proceedings, will have an independent voice in Michigan's family courts until a safe, permanent placement is found for each one; and

Whereas, The latest statistics indicate that more than 21,000 of Michigan's children are confirmed victims of abuse and neglect and that one third of these child victims are under 4 years of age. Approximately 16,855 of these children live in foster care or with a relative because it is unsafe to return home; and

Whereas, The ability of the family courts to make decisions in the best interest of children in the foster care system is dependent upon having access to thorough and reliable information on the children's circumstances, the services being provided to the family, and the progress that parents are making in addressing the circumstances that lead to the removal of the child; and

Whereas, High quality Court Appointed Special Advocates have been shown to be an effective way to assure that family courts have at their disposal, the kinds of information necessary to make decisions that are in the best interest of the children in the foster care system to obtain a permanent, safe placement; and

Whereas, The ability of communities to develop and sustain CASA programs is dependent upon readily available and high quality technical assistance in such areas as program design, funding strategies, and the recruitment, screening, training and ongoing support of CASA volunteers; and

Whereas, The Michigan House of Representatives recognizes the efforts of CASA volunteers and supports the collaborative efforts of the Michigan Association of CASA and Children's Charter of the Courts of Michigan in the expansion of CASA programs across Michigan and the development of program standards to strengthen programs and assure high caliber CASA volunteers for every child that needs one; now, therefore, be it

Resolved by the House of Representatives, That Wednesday, May 20, 1998 be recognized as CASA Day at the Capitol.

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. Profit, Kukuk, Dobronski, DeHart, Cherry, Baade, Richner, Fitzgerald, Dalman, London, Freeman, LaForge, Vaughn, Jelinek, Birkholz, Bodem, Baird, Oxender, Hale, Schroer, Scott, Kilpatrick, Quarles, Murphy, Parks, Goschka, Hood, Hanley, Raczkowski and Olshove offered the following resolution:

House Resolution No. 300.

A resolution honoring John H. Reurink.

Whereas, It is a great pleasure for the members of the Michigan House of Representatives to join in commending John H. Reurink as he brings his career in state government to a close after more than three decades of service. He is deserving of our gratitude and praise for his contributions within the Michigan Departments of Management and Budget, Commerce and Education; and

Whereas, Mr. Reurink, a graduate of Grand Rapids Christian High School, earned a bachelors degree at Calvin College in general studies and a masters degree at Michigan State University in political science. His education was excellent preparation for his early career positions where he served more than seven years in the Budget Division of the Department of Management and Budget. From there he moved upward in the ranks of leadership in the Department of Commerce, gaining respect for his effective abilities as the Director of Management Services for twenty years. Mr. Reurink was then promoted to the position of Deputy Director of the Department of Commerce, and in 1995 he was asked to become Special Advisor to the Superintendent of Public Instruction in the Department of Education. Mr. Reurink finished his career in state government as the Associate Superintendent of Public Instruction for the Michigan Department of Education, a position which he held for two years; and

Whereas, Mr. Reurink utilized his educational background and political experience to assist in shaping the response of state government to better meet the needs of its citizens. His wisdom, professionalism, and generosity have earned him widespread acclaim and our deepest appreciation; now, therefore, be it

Resolved by the House of Representatives, That we hereby commend John H. Reurink and his efforts to improve state government with his distinguished service. May he know of our admiration and warmest wishes for happiness in his retirement; and be it further

Resolved, That a copy of this resolution is transmitted to Mr. Reurink as evidence of our appreciation for his efforts.

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. Wojno, Kukuk, Dobronski, DeHart, Cherry, Thomas, Baade, Richner, Fitzgerald, London, Freeman, LaForge, Vaughn, Bogardus, Jelinek, Bodem, Baird, Hale, Schroer, Scott, Kilpatrick, Profit, Murphy, Parks, Goschka, Hanley, Raczkowski, Galloway and Olshove offered the following resolution:

House Resolution No. 301.

A resolution honoring Claudelle Ackerman.

Whereas, That it is a great pleasure to commend Claudelle Ackerman of Miller Elementary School for providing valuable guidance to her students through participation in the Drug Abuse Resistance Education (D.A.R.E.) program. This is an excellent program that assists young people in resisting drug abuse—a most worthwhile goal. Today, D.A.R.E. graduation ceremonies are held for the students of Miller Elementary School. We join with others in offering our congratulations to Claudelle Ackerman for all her efforts in teaching the principals of D.A.R.E. to the students of Miller Elementary; and

Whereas, D.A.R.E. is an effective awareness program designed to help students recognize and resist peer pressure to experiment with drugs. It is a rigorous and comprehensive course that deals with self-esteem, assertiveness, and alternatives to drug abuse. This is a successful method of fighting a war that is taking a sad toll on our most precious resource—our children. The parents, teachers, and administrators of Miller Elementary School are deserving of our praise for their involvement in and enthusiastic support of the D.A.R.E. program; and

Whereas, Under the excellent guidance of their teacher Claudelle Ackerman and Center Line Public Safety Officer Mitzi Houghtaling, the students of Miller Elementary School worked diligently and learned a great deal through this program. Their conscientious efforts will have a positive impact in the future for them. It is hoped that, in the years ahead, each and every student will remember the D.A.R.E. message—and heed it; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body honor Claudelle Ackerman of Miller Elementary School for instructing and guiding her students through the D.A.R.E. program. We encourage Claudelle to continue to demonstrate the D.A.R.E. message and help students use it to successfully solve problems; and be it further

Resolved, That a copy of this resolution be transmitted to Claudelle as a token of our esteem for her fine work.

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. Wojno, Kukuk, Dobronski, DeHart, Cherry, Thomas, Baade, Richner, Fitzgerald, London, Freeman, LaForge, Vaughn, Bogardus, Jelinek, Bodem, Baird, Hale, Schroer, Scott, Kilpatrick, Profit, Murphy, Parks, Goschka, Hanley, Raczkowski, Galloway and Olshove offered the following resolution:

House Resolution No. 302.

A resolution honoring Stacy Cronin.

Whereas, It is a great pleasure to commend Stacy Cronin of Miller Elementary School for providing valuable guidance to her students through participation in the Drug Abuse Resistance Education (D.A.R.E.) program. This is an excellent program that assists young people in resisting drug abuse—a most worthwhile goal. Today, D.A.R.E. graduation ceremonies are held for the students of Miller Elementary School. We join with others in offering our congratulations to Stacy Cronin for all her efforts in teaching the principals of D.A.R.E. to the students of Miller Elementary; and

Whereas, D.A.R.E. is an effective awareness program designed to help students recognize and resist peer pressure to experiment with drugs. It is a rigorous and comprehensive course that deals with self-esteem, assertiveness, and alternatives to drug abuse. This is a successful method of fighting a war that is taking a sad toll on our most precious resource—our children. The parents, teachers, and administrators of Miller Elementary School are deserving of our praise for their involvement in and enthusiastic support of the D.A.R.E. program; and

Whereas, Under the excellent guidance of their teacher Stacy Cronin and Center Line Public Safety Officer Mitzi Houghtaling, the students of Miller Elementary School worked diligently and learned a great deal through this program. Their conscientious efforts will have a positive impact in the future for them. It is hoped that, in the years ahead, each and every student will remember the D.A.R.E. message—and heed it; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body salute Stacy Cronin of Miller Elementary School for instructing and guiding her students through the D.A.R.E. program. We encourage Stacy to continue to demonstrate the D.A.R.E. message and help students use it to successfully solve problems; and be it further

Resolved, That a copy of this resolution be transmitted to Stacy as a token of our esteem for her fine work.

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. Wojno, Kukuk, Dobronski, DeHart, Cherry, Thomas, Baade, Richner, Fitzgerald, London, Freeman, LaForge, Vaughn, Bogardus, Jelinek, Bodem, Baird, Hale, Schroer, Scott, Kilpatrick, Profit, Murphy, Parks, Goschka, Hanley, Raczkowski, Galloway and Olshove offered the following resolution:

House Resolution No. 303.

A resolution honoring Dorothy Sefcovic.

Whereas, It is a great pleasure to commend Dorothy Sefcovic of St. Clement Elementary School for providing valuable guidance to her students through participation in the Drug Abuse Resistance Education (D.A.R.E.) program. This is an excellent program that assists young people in resisting drug abuse—a most worthwhile goal. Today, D.A.R.E. graduation ceremonies are held for the students of St. Clement Elementary School. We join with others in offering our congratulations to Dorothy Sefcovic for all her efforts in teaching the principals of D.A.R.E. to the students of St. Clement Elementary; and

Whereas, D.A.R.E. is an effective awareness program designed to help students recognize and resist peer pressure to experiment with drugs. It is a rigorous and comprehensive course that deals with self-esteem, assertiveness, and alternatives to drug abuse. This is a successful method of fighting a war that is taking a sad toll on our most precious resource—our children. The parents, teachers, and administrators of St. Clement Elementary School are deserving of our praise for their involvement in and enthusiastic support of the D.A.R.E. program; and

Whereas, Under the excellent guidance of their teacher Dorothy Sefcovic and Center Line Public Safety Officer Mitzi Houghtaling, the students of St. Clement Elementary School worked diligently and learned a great deal through this program. Their conscientious efforts will have a positive impact in the future for them. It is hoped that, in the years ahead, each and every student will remember the D.A.R.E. message—and heed it; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body salute Dorothy Sefcovic of St. Clement Elementary School for instructing and guiding her students through the D.A.R.E. program. We encourage Dorothy to continue to demonstrate the D.A.R.E. message and help students use it to successfully solve problems; and be it further

Resolved, That a copy of this resolution be transmitted to Dorothy as a token of our esteem for her fine work.

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. Wojno, Kukuk, Dobronski, DeHart, Cherry, Thomas, Baade, Richner, Fitzgerald, London, Freeman, LaForge, Vaughn, Bogardus, Jelinek, Bodem, Baird, Hale, Schroer, Scott, Kilpatrick, Profit, Murphy, Parks, Goschka, Hanley, Raczkowski, Galloway and Olshove offered the following resolution:

House Resolution No. 304.

A resolution honoring Shelly Anding.

Whereas, It is a great pleasure to commend Shelly Anding of St. Clement Elementary School for providing valuable guidance to her students through participation in the Drug Abuse Resistance Education (D.A.R.E.) program. This is an excellent program that assists young people in resisting drug abuse—a most worthwhile goal. Today, D.A.R.E. graduation ceremonies are held for the students of St. Clement Elementary School. We join with others in offering our congratulations to Shelly Anding for all her efforts in teaching the principals of D.A.R.E. to the students of St. Clement Elementary; and

Whereas, D.A.R.E. is an effective awareness program designed to help students recognize and resist peer pressure to experiment with drugs. It is a rigorous and comprehensive course that deals with self-esteem, assertiveness, and alternatives to drug abuse. This is a successful method of fighting a war that is taking a sad toll on our most precious resource—our children. The parents, teachers, and administrators of St. Clement Elementary School are deserving of our praise for their involvement in and enthusiastic support of the D.A.R.E. program; and

Whereas, Under the excellent guidance of their teacher Shelly Anding and Center Line Public Safety Officer Mitzi Houghtaling, the students of St. Clement Elementary School worked diligently and learned a great deal through this program. Their conscientious efforts will have a positive impact in the future for them. It is hoped that, in the years ahead, each and every student will remember the D.A.R.E. message—and heed it; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body salute Shelly Anding of St. Clement Elementary School for instructing and guiding her students through the D.A.R.E. program. We encourage Shelly to continue to demonstrate the D.A.R.E. message and help students use it to successfully solve problems; and be it further

Resolved, That a copy of this resolution be transmitted to Shelly as a token of our esteem for her fine work.

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. Wojno, Kukuk, Dobronski, DeHart, Cherry, Thomas, Baade, Richner, Fitzgerald, London, Freeman, LaForge, Vaughn, Bogardus, Jelinek, Bodem, Baird, Hale, Schroer, Jansen, Scott, Kilpatrick, Profit, Bankes, Murphy, Parks, Goschka, Hanley, Raczkowski, Galloway and Olshove offered the following resolution:

House Resolution No. 305.

A resolution honoring Officer Mitzi Houghtaling.

Whereas, It is a great pleasure to commend Officer Mitzi Houghtaling for providing valuable guidance to the students of Center Line through her leadership and guidance in the Drug Abuse Resistance Education (D.A.R.E.) program. This is an excellent program that assists young people in resisting drug abuse—a most worthwhile goal. D.A.R.E. graduation ceremonies will be held for the students of Miller and St. Clement Elementary schools on May 20 and 27, 1998. We join with others in offering our congratulations to Officer Mitzi Houghtaling for all her efforts in teaching the principals of D.A.R.E. to the students of Center Line; and

Whereas, D.A.R.E. is an effective awareness program designed to help students recognize and resist peer pressure to experiment with drugs. It is a rigorous and comprehensive course that deals with self-esteem, assertiveness, and alternatives to drug abuse. This is a successful method of fighting a war that is taking a sad toll on our most precious resource—our children. The parents, teachers, and administrators of Miller and St. Clement Elementary School are deserving of our praise for their involvement in and enthusiastic support of the D.A.R.E. program; and

Whereas, Under the excellent guidance of Center Line Public Safety Officer Mitzi Houghtaling and their teachers, the students of Miller and St. Clement Elementary School worked diligently and learned a great deal through this program. Their conscientious efforts will have a positive impact in the future for them. It is hoped that, in the years ahead, each and every student will remember the D.A.R.E. message—and heed it; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body salute Mitzi Houghtaling of the Center Line Department of Public Safety who successfully completed the D.A.R.E. program. We encourage Mitzi to continue to demonstrate the D.A.R.E. message and help students use it to successfully solve problems; and be it further

Resolved, That a copy of this resolution be transmitted to Officer Houghtaling as a token of our esteem for her fine work.

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. Stallworth, Bogardus, Basham, Scott, Kukuk, Dobronski, DeHart, Vaughn, Goschka, Kilpatrick, Hale, Scranton, Profit and Parks offered the following concurrent resolution:

House Concurrent Resolution No. 103.

A concurrent resolution to memorialize the Congress of the United States and the Department of Defense to add a representative of the National Guard to the Joint Chiefs of Staff and to remove impediments to service in the National Guard.

Whereas, The National Guard is a vital element of our national defense. Its nearly 500,000 members help protect our citizens from a wide range of threats, ranging from local emergencies to combat situations and combat support anywhere in the world. Maintaining and encouraging a strong National Guard is part of our American heritage and a central feature of our national approach to defense; and

Whereas, The current administrative structure of the Armed Forces does not adequately reflect the National Guard's role, nor does it reflect this role in the process of making budgetary, administrative, or strategic decisions; and

Whereas, Federal regulations regarding employment and standards of conduct for those affiliated with the Department of Defense sometimes serve as restrictions for those in the National Guard. The Joint Ethics Regulation is applied to members of the Guard not only when called to federal service, but also when under the command of the governors or even when not on military status; and

Whereas, Current applications of the Joint Ethics Regulation hinder Guard members in professional pursuits ranging from practicing law to holding elective office, because such professional activities can be judged a conflict of interest. National Guard members are subject to state standards of conduct and the ethical standards of respective military statutes. The Department of Defense must consider the unique constitutional dual command status of the National Guard in peacetime; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States and the Department of Defense to add a representative of the National Guard to the Joint Chiefs of Staff and to remove impediments to service in the National Guard; 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, the members of the Michigan congressional delegation, and the Secretary of Defense.

The concurrent resolution was referred to the Committee on Senior Citizens and Veterans Affairs.

Reps. Stallworth, Bogardus, Basham, Scott, Anthony, Dobronski, DeHart, Vaughn, Kilpatrick, Hale, Profit and Parks offered the following concurrent resolution:

House Concurrent Resolution No. 104.

A concurrent resolution to memorialize the Congress of the United States to refrain from any actions or enactments that would abridge the authority and rights of the states with regard to settlements of legal actions against tobacco companies.

Whereas, Forty-one states, including Michigan, have been pursuing legal actions against the tobacco companies to recoup health care costs caused by smoking; and

Whereas, In June 1997, a major settlement was announced by the attorneys general of the states and officials in the tobacco industry; and

Whereas, Recently, however, the Congress has taken up legislative measures to implement the states' agreements in federal law. Federal agencies, including the Health Care Financing Administration, have recently notified states that the federal agencies expect to claim a substantial portion of the states' settlement or judgment awards; and

Whereas, Until this year, the states have been the sole participants in the battle with the tobacco industry and have taken on this challenge with virtually no assistance from the federal government; and

Whereas, With its start of efforts to recoup settlement funds, the federal government is in jeopardy of violating states rights as affirmed by the United States Supreme Court in New York v. United States and Printz v. United States; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to refrain from any actions or enactments that would abridge the authority and rights of the states with regard to settlements of legal actions against tobacco companies; 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 House Oversight and Ethics.

Reps. Stallworth, Bogardus, Basham, Scott, Anthony, Dobronski, DeHart, Cherry, Vaughn, Goschka, Kilpatrick, Hale, Profit, Parks and Hood offered the following concurrent resolution:

House Concurrent Resolution No. 105.

A concurrent resolution to memorialize the Congress of the United States to refrain from shifting more of the burden for disaster relief costs to the states.

Whereas, Assisting in disaster relief is an important function of government. The network of local, state, and federal emergency agencies, as well as private charitable groups, provide a vital service safeguarding lives and property in difficult situations; and

Whereas, Disasters sometimes exceed the economic, response, and recovery capabilities of local and state governments and warrant federal actions and assistance through the disaster program authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended; and

Whereas, There are two bills currently under consideration in Congress to amend the Stafford Act to reduce the long-term federal costs of disaster assistance. These bills, H.R.2446 and S.1007, include among their provisions restrictions to disaster eligibility criteria. The impact of the new criteria would be to shift more of the financial burden for emergency responses to state and local governments and to private, nonprofit organizations; and

Whereas, The National Emergency Management Association has conducted a preliminary review of the bills before Congress and determined that these amendments frame the issue of disaster assistance in terms of reducing costs for the federal government. The organization is concerned that Congress is not determining equitable cost shares of disaster assistance among all impacted governmental units and private, nonprofit organizations; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to refrain from shifting more of the burden for disaster relief costs to the states; and be it further

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

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

Reps. Stallworth, Bogardus, Basham, Scott, Dobronski, Vaughn, Kilpatrick, Hale, Jansen, Profit, Parks and Hood offered the following concurrent resolution:

House Concurrent Resolution No. 106.

A concurrent resolution to memorialize the Congress of the United States to enact the Regulatory Improvement Act to bring needed reforms to the federal regulatory process.

Whereas, Federal regulatory initiatives exact enormous costs in our country, especially for regulated industries and local and state governments. For the most part, however, the federal regulatory process is a mystery to most Americans, who often do not have access to the information used to craft regulations. Much more should be done to determine the implications of these federal actions; and

Whereas, Congress is currently considering the Regulatory Improvement Act, S.981, a bipartisan measure to bring needed change to the process of developing and implementing regulations. This legislation would require federal agencies to conduct a cost-benefit analysis for major rules, to conduct risk assessments for environmental and health and safety regulations, to identify clearly the major assumptions and uncertainties considered, and to require peer review of the cost-benefit analysis and risk assessment; and

Whereas, S.981 would require an agency to determine whether its rule is likely to provide benefits that justify the costs. The bill would also require the agency to assess whether the rule achieves the regulatory objective in a more cost-effective manner or with greater benefits than other reasonable alternatives considered by the agency; and

Whereas, S.981 includes a mechanism through which major existing rules can be reviewed for recommendations to increase net benefits; and

Whereas, This proposal would bring about greater accountability, efficiency, and transparency in the development of federal regulations; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to enact the Regulatory Improvement Act to bring needed reforms to the federal regulatory process; 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 House Oversight and Ethics.

Reports of Select Committees

Joint Committee on Administrative Rules

Certificates of Approval

Date: May 13, 1998

Subject: Trans. No. 98-37

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Consumer and Industry Services Department, Director's Office, pertaining to Architects, dated March 17, 1998.

Date: May 13, 1998

Subject: Trans. No. 98-38

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Consumer and Industry Services Department, Director's Office, pertaining to Barber Examiners, dated March 11, 1998.

Date: May 13, 1998

Subject: Trans. No. 98-39

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Consumer and Industry Services Department, Director's Office, pertaining to Residential Builders and Maintenance and Alteration Contractors, dated March 17, 1998.

Date: May 13, 1998

Subject: Trans. No. 98-40

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Consumer and Industry Services Department, Director's Office, pertaining to Cemeteries, dated March 17, 1998.

Date: May 13, 1998

Subject: Trans. No. 98-41

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Consumer and Industry Services Department, Director's Office, pertaining to Professional Engineers, dated March 17, 1998.

Date: May 13, 1998

Subject: Trans. No. 98-42

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Consumer and Industry Services Department, Director's Office, pertaining to Foresters, dated March 17, 1998.

Date: May 13, 1998

Subject: Trans. No. 98-43

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of the administrative rules from the Consumer and Industry Services Department, Director's Office, pertaining to Landscape Architects, dated March 17, 1998.

Date: May 13, 1998

Subject: Trans. No. 98-48

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Treasury Department, Michigan Gaming Control Board, pertaining to Casino Gaming, dated May 12, 1998.

Sincerely,
Senator Walter H. North
Chair

The communications were referred to the Clerk.

Reports of Standing Committees

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

House Bill No. 5069, entitled

A bill to authorize the state administrative board to convey certain state owned property in Ingham county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue derived from the conveyance.

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 5069 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Scott, Fitzgerald, Richner, Rocca, Sanborn, Scranton, Voorhees,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Varga, Chair of the Committee on Regulatory Affairs, was received and read:

Meeting held on: Thursday, May 14, 1998, at 8:30 a.m.,

Present: Reps. Varga, Wojno, Anthony, Leland, Profit, Quarles, Scott, Vaughn, Fitzgerald, Richner, Rocca, Sanborn, Scranton, Voorhees,

Absent: Rep. Olshove,

Excused: Rep. Olshove.

The Committee on Local Government, by Rep. Dobronski, Chair, reported

House Bill No. 5075, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 31 and 796a (MCL 168.31 and 168.796a), as amended by 1996 PA 583.

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 5075 To Report Out:

Yeas: Reps. Dobronski, Brater, Brewer, Callahan, Brackenridge, Birkholz, Hammerstrom,

Nays: None.

The Committee on Local Government, by Rep. Dobronski, Chair, reported

House Bill No. 5078, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 200 and 643 (MCL 168.200 and 168.643).

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 5078 To Report Out:

Yeas: Reps. Dobronski, Brater, Brewer, Callahan, Brackenridge, Birkholz, Hammerstrom,

Nays: None.

The Committee on Local Government, by Rep. Dobronski, Chair, reported

House Bill No. 5386, entitled

A bill to amend 1913 PA 380, entitled "An act to regulate gifts of real and personal property to cities, villages, townships, and counties, and the use of the those gifts; and to validate all such gifts made before the enactment of this act," (MCL 123.871 to 123.873) by adding section 4.

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 5386 To Report Out:

Yeas: Reps. Dobronski, Callahan, Brackenridge, Birkholz, Hammerstrom,

Nays: Rep. Brater.

The Committee on Local Government, by Rep. Dobronski, Chair, reported

House Bill No. 5389, entitled

A bill to amend 1921 PA 136, entitled "An act to authorize and facilitate the acquisition and disposal of public library property by public corporations empowered to maintain public libraries," by amending section 1 (MCL 397.381).

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 5389 To Report Out:

Yeas: Reps. Dobronski, Callahan, Brackenridge, Birkholz, Hammerstrom,

Nays: Rep. Brater.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Dobronski, Chair of the Committee on Local Government, was received and read:

Meeting held on: Tuesday, May 19, 1998, at 9:00 a.m.,

Present: Reps. Dobronski, Brater, Brewer, Callahan, Brackenridge, Birkholz, Hammerstrom,

Absent: Reps. Mans, Crissman,

Excused: Reps. Mans, Crissman.

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

House Bill No. 5057, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 50 (MCL 750.50), as amended by 1996 PA 458.

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

1. Amend page 1, line 3, after "conditions," by inserting "EXERCISE,".

2. Amend page 3, line 1, after “means” by striking out the balance of the subdivision and inserting “ADEQUATE PROTECTION FROM THE ELEMENTS AND WEATHER CONDITIONS SUITABLE FOR THE AGE, SPECIES, AND PHYSICAL CONDITION OF THE ANIMAL SO AS TO MAINTAIN THE ANIMAL IN A STATE OF GOOD HEALTH. SHELTER, FOR LIVESTOCK, INCLUDES STRUCTURES OR NATURAL FEATURES SUCH AS TREES OR TOPOGRAPHY. SHELTER FOR A DOG SHALL INCLUDE 1 OR MORE OF THE FOLLOWING:

(i) THE RESIDENCE OF THE DOG’S OWNER OR OTHER INDIVIDUAL.

(ii) A DOGHOUSE THAT IS AN ENCLOSED STRUCTURE WITH A ROOF AND OF APPROPRIATE DIMENSIONS FOR THE BREED AND SIZE OF THE DOG AND HAS DRY BEDDING.

(iii) A STRUCTURE, INCLUDING, BUT NOT LIMITED TO, A GARAGE, BARN, OR SHED THAT IS SUFFICIENTLY INSULATED AND VENTILATED TO PROTECT THE DOG FROM EXPOSURE TO EXTREME TEMPERATURES OR, IF NOT SUFFICIENTLY INSULATED, CONTAINS A DOGHOUSE WITH DRY BEDDING ACCESSIBLE TO THE DOG.”.

3. Amend page 3, following line 8, by inserting:

“(I) “TETHERING” MEANS THE TEMPORARY RESTRAINT AND CONFINEMENT OF A DOG BY USE OF A CHAIN, ROPE, OR SIMILAR DEVICE.” and relettering the remaining subdivision.

4. Amend page 4, following line 15, by inserting:

“(G) TETHER A DOG UNLESS THE TETHER IS AT LEAST 8 FEET LONG, IS ATTACHED TO A HARNESS OR COLLAR DESIGNED FOR TETHERING, AND IS SECURED IN A PLACE THAT PROVIDES FOR UNOBSTRUCTED MOVEMENT FREE OF DEBRIS OR OTHER OBJECTS THAT COULD CAUSE HANGING OR ENTANGLEMENT OR SUBJECT THE DOG TO HARM.”.

5. Amend page 4, line 27, after “SUMMONS” by striking out “OR” and inserting “AND”.

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

Favorable Roll Call

HB 5057 To Report Out:

Yeas: Reps. Wallace, Freeman, Gubow, Schauer, Vaughn, Willard, Wojno, Nye, Dalman, Fitzgerald, McNutt, Richner,
Nays: None.

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

House Bill No. 5221, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding sections 21051a and 21051b.

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 5221 To Report Out:

Yeas: Reps. Wallace, Baird, Freeman, Gubow, Kilpatrick, Schauer, Vaughn, Willard, Wojno, Cropsey,

Nays: Reps. Nye, Dalman, Fitzgerald, McNutt, Richner.

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

Senate Bill No. 329, entitled

A bill to amend 1984 PA 192, entitled “Forbes mechanical contractors act,” by amending section 7 (MCL 338.977), as amended by 1985 PA 168.

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

1. Amend page 1, line 2, by striking out “SUBSECTIONS (3) AND (4)” and inserting “SUBSECTION (3)”.

2. Amend page 2, line 21, by striking out all of subsection (4) and renumbering the remaining subsections.

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

Favorable Roll Call

SB 329 To Report Out:

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

Nays: None.

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

Senate Bill No. 330, entitled

A bill to amend 1929 PA 266, entitled "An act to protect the health, and promote the safety and welfare of the people, by regulating the installation, alteration, maintenance, improvement and inspection of plumbing; to define plumbing and the classification of plumbers; to provide for the issuing of licenses and permits pertaining thereto and the disposition of moneys derived therefrom; to create a plumbing board, and to prescribe its powers and duties; to authorize cities, villages and townships to adopt and enforce certain standards; to establish remedies and fix penalties for violation of the provisions of this act," (MCL 338.901 to 338.917) by adding section 4a.

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

1. Amend page 2, line 1, by striking out all of subsection (2) and renumbering the remaining subsections.

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

Favorable Roll Call

SB 330 To Report Out:

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

Nays: None.

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

Senate Bill No. 331, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 5 (MCL 338.885), as amended by 1992 PA 130.

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

1. Amend page 2, line 3, by striking out all of subsection (2) and renumbering the remaining subsections.

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

Favorable Roll Call

SB 331 To Report Out:

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

Nays: None.

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

Senate Bill No. 808, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1011 (MCL 600.1011), as added by 1996 PA 388; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 808 To Report Out:

Yeas: Reps. Wallace, Freeman, Gubow, Kilpatrick, Schauer, Vaughn, Willard, Wojno, Richner,

Nays: Reps. Nye, Dalman, Fitzgerald, McNutt.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 19, 1998, at 9:00 a.m.,

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

Absent: Reps. Curtis, Law,

Excused: Reps. Curtis, Law.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaForge, Chair of the Committee on Human Services and Children, was received and read:

Meeting held on: Tuesday, May 19, 1998, at 9:00 a.m.,
 Present: Reps. LaForge, Scott, Bogardus, Gire, Schauer, Horton, London, Sanborn,
 Absent: Rep. McManus,
 Excused: Rep. McManus.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Brewer, Chair of the Committee on Advanced Technology and Computer Development, was received and read:

Meeting held on: Tuesday, May 19, 1998, at 12:30 p.m.,
 Present: Reps. Brewer, Basham, Brown, Kaza, Whyman,
 Absent: Reps. Baird, Quarles, Hammerstrom, Walberg,
 Excused: Reps. Baird, Quarles, Hammerstrom, Walberg.

Announcement by the Clerk of Printing and Enrollment

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

Senate Bill Nos. 726 954 955 956 1032 1099

The Clerk announced the enrollment printing and presentation to the Governor on Friday, May 15, for his approval of the following bills:

Enrolled House Bill No. 5250 at 11:27 a.m.

Enrolled House Bill No. 5251 at 11:29 a.m.

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

House Bill Nos. 5852 5853 5854 5855 5856 5858 5859 5860

The Clerk announced the enrollment printing and presentation to the Governor on Monday, May 18, for his approval of the following bills:

Enrolled House Bill No. 4447 at 11:29 a.m.

Enrolled House Bill No. 4857 at 11:31 a.m.

Enrolled House Bill No. 5002 at 11:33 a.m.

Enrolled House Bill No. 5290 at 11:35 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, May 18:

House Bill Nos. 5861 5862 5863 5864 5865 5866

The Clerk announced that the following Senate bill had been received on Tuesday, May 19:

Senate Bill No. 1026

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

Enrolled Senate Bill No. 794 - Public Act No. 82

Enrolled Senate Bill No. 720 - Public Act No. 83

Enrolled Senate Bill No. 377 - Public Act No. 84

Enrolled Senate Bill No. 384 - Public Act No. 85

Enrolled Senate Bill No. 387 - Public Act No. 86

Enrolled Senate Bill No. 388 - Public Act No. 87

Enrolled Senate Bill No. 398 - Public Act No. 88

Enrolled Senate Bill No. 400 - Public Act No. 89

Enrolled Senate Bill No. 402 - Public Act No. 90

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

House Bill No. 4765, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 207a. The Senate has passed the bill and pursuant to Joint Rule 20, inserted the full title. The House agreed to the full title. The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

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 Senate has passed the bill and ordered that it be given immediate effect. The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 5535, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 4038 (MCL 500.4038), as added by 1993 PA 349.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title. The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 4897, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 43c, 85, 104a, and 108 (MCL 38.1343c, 38.1385, 38.1404a, and 38.1408), sections 43c and 104a as amended by 1989 PA 194, section 85 as amended by 1991 PA 47, and section 108 as amended by 1995 PA 177.

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

House Bill No. 4943, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 5 (MCL 38.1305), as amended by 1994 PA 272, and by adding section 43d.

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

House Bill No. 5216, entitled

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales," by amending section 1 (MCL 445.111), as amended by 1980 PA 108.

The Senate has substituted (S-1) the bill. The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect. The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 5426, entitled

A bill to promote the safe use of personal watercraft on the waters of this state; to provide for rules relative to the operation of personal watercraft; to impose certain safety requirements on operators of personal watercraft; to prescribe the duties and responsibilities of owners, operators, and dealers of personal watercraft; to prescribe the powers and duties of certain state departments; to provide for penalties; and to repeal acts and parts of acts.

The Senate has substituted (S-2) the bill. The Senate has passed the bill as substituted (S-2). The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 5608, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 224, 476a, and 5256 (MCL 500.224, 500.476a, and 500.5256), section 224 as amended by 1994 PA 228 and sections 476a and 5256 as amended by 1990 PA 256.

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 amended the title to read as follows:

A bill to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal certain acts and parts of acts; to repeal certain acts and parts of acts on specific dates; to repeal certain parts of this act on specific dates; and to provide penalties for the violation of this act," by amending sections 224, 476a, 5256, 5901, 5915, and 5925 (MCL 500.224, 500.476a, 500.5256, 500.5901, 500.5915, and 500.5925), section 224 as amended by 1994 PA 228, sections 476a and 5256 as amended by 1990 PA 256, and section 5901 as amended and sections 5915 and 5925 as added by 1995 PA 215.

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

Senate Bill No. 726, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7212 (MCL 333.7212), as amended by 1993 PA 25.

The Senate has passed the bill.

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

Senate Bill No. 954, entitled

A bill to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties," by amending sections 13a and 17c of chapter XIIA (MCL 712A.13a and 712A.17c), section 13a as amended by 1997 PA 163 and section 17c as amended by 1997 PA 169, and by adding section 17d to chapter XIIA.

The Senate has passed the bill.

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

Senate Bill No. 955, entitled

A bill to amend 1978 PA 642, entitled "Revised probate code," by amending sections 6, 8, 427, and 437 (MCL 700.6, 700.8, 700.427, and 700.437), section 8 as amended by 1988 PA 398 and sections 427 and 437 as amended by 1990 PA 313, and by adding section 427a.

The Senate has passed the bill.

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

Senate Bill No. 956, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 2, 4, and 7 (MCL 722.22, 722.24, and 722.27), section 2 as amended by 1990 PA 245 and sections 4 and 7 as amended by 1996 PA 19.

The Senate has passed the bill.

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

Senate Bill No. 1032, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 7 and 10 (MCL 722.627 and 722.630), section 7 as amended by 1997 PA 168.

The Senate has passed the bill.

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

Senate Bill No. 1099, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 128, 129, and 131 (MCL 389.128, 389.129, and 389.131), as added by 1998 PA 51.

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 77.

A concurrent resolution memorializing the Congress of the United States to enact legislation that will sunset the Internal Revenue Code by December 31, 2001, and to develop a replacement tax code.

Whereas, The Internal Revenue Code is beyond repair; and

Whereas, The Internal Revenue Code is the core of the distrust of government the American people feel; and

Whereas, The current tax code is 7 million words, compared to Lincoln's Gettysburg Address of 269 words and the Declaration of Independence, which is 1,337 words; and

Whereas, The IRS's "simplest" return, the EZForm 1040, has 33 pages of instructions, and the IRS Form 1040 has 76 pages of instructions; and

Whereas, Individual taxpayers spend 1.7 billion hours and American business will spend 3.4 billion hours each year simply trying to comply with the tax code. That effort is equivalent to a "staff" of 3 million people working full time, year round, just on taxes; and

Whereas, Taxes are too high, but any steps to lower taxes by modifying the existing tax code would make it even longer and more confusing; and

Whereas, A proposal to abolish the Internal Revenue Code by December 31, 2001, embodies a prudent method and provides adequate time for developing a new tax code; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to enact legislation to abolish the Internal Revenue Code by December 31, 2001, and replace it with a new method of taxation. The new tax code must:

—Lower taxes—to create job opportunities.

—Foster growth—by encouraging work and savings.

—Be fair—for all taxpayers.

—Be simple enough for all taxpayers to understand.

—Be neutral—allowing people, not government to make choices.

—Be visible, so people know the cost of government.

—Be stable, so people can plan for the future.

; and be it further

Resolved, That we request the other states to urge Congress to enact this proposal; 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, to members of the Michigan congressional delegation, and to the legislatures of the other states.

The Senate has adopted the concurrent resolution.

Reps. Perricone, Jelinek, Cassis, Dalman, Hammerstrom, Gernaat, Llewellyn, Birkholz, Voorhees, Bodem, Vaughn, Cropsey, Goschka, Scott, Jansen, Horton, Profit, Geiger, Parks, Richner, Middaugh and Raczkowski were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Tax Policy.

Messages from the Governor

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

Date: May 14, 1998

Time: 9:38 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4503 (Public Act No. 97, I.E.), being

An act to amend 1851 PA 156, entitled “An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act,” by amending sections 3, 3a, 10b, and 11 (MCL 46.3, 46.3a, 46.10b, and 46.11), section 10b as amended by 1996 PA 40 and section 11 as amended by 1996 PA 396; and to repeal acts and parts of acts.

(Filed with the Secretary of State May 15, 1998, at 10:41 a.m.)

Date: May 14, 1998

Time: 9:48 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5059 (Public Act No. 98, I.E.), being

An act to amend 1994 PA 35, entitled “An act to create the state forensic laboratory fund; to authorize local forensic laboratory funds; to provide for assessments against certain criminal defendants; to provide for expenditures from the forensic laboratories funds; to make certain appropriations; to prescribe the powers and duties of certain departments and agencies and local units of government; and to repeal this act on a specific date,” by amending the title and sections 2 and 6 (MCL 12.202 and 12.206); and to repeal acts and parts of acts.

(Filed with the Secretary of State May 15, 1998, at 10:43 a.m.)

Communications from State Officers

The following communication from the Department of Treasury was received and read:

May 11, 1998

Pursuant to Section 312 of Public Act 375 of 1996, please find attached the compilation of accounts receivable for circuit courts, district courts, and probate courts in Michigan as of September 30, 1997.

Sincerely,
Douglas B. Roberts
State Treasurer

The communication was referred to the Clerk.

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

May 13, 1998

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

Compliance Audit of
Selected State Universities' Reporting of
Enrollment and Other Higher Education
Institutional Data Inventory (HEIDI) Data,
Including the Provisions of Act 84, P.A. 1997,
and the Department of Management and Budget
Annual Budget Letter, for Fiscal Year 1996-97

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

The communication was referred to the Clerk and the accompanying report referred to the Committee on House Oversight and Ethics.

Introduction of Bills

Reps. Raczkowski, Middleton and DeVuyst introduced

House Bill No. 5867, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 61506a.

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

Reps. Bobier and Wetters introduced

House Bill No. 5868, entitled

A bill to amend 1921 PA 207, entitled "City and village zoning act," by amending the title and sections 13, 14, 15, and 20 (MCL 125.593, 125.594, 125.595, and 125.600), the title as amended and sections 13, 14, 15, and 20 as added by 1996 PA 571, and by adding section 14a.

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

Reps. Bobier and Wetters introduced

House Bill No. 5869, entitled

A bill to amend 1943 PA 183, entitled "County zoning act," by amending the title and sections 31, 32, 33, 39, and 40 (MCL 125.231, 125.232, 125.233, 125.239, and 125.240), the title and sections 31 and 32 as amended and sections 33, 39, and 40 as added by 1996 PA 569, and by adding section 32a.

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

Reps. Bobier and Wetters introduced

House Bill No. 5870, entitled

A bill to amend 1943 PA 184, entitled "Township zoning act," by amending the title and sections 31, 32, 33, and 40 (MCL 125.301, 125.302, 125.303, and 125.310), the title and section 31 as amended and sections 32, 33, and 40 as added by 1996 PA 570, and by adding section 32a.

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

Reps. Schauer, Kelly, Hale, Cropsey, Lowe, Kilpatrick, Price, Wallace, Thomas and LaForge introduced

House Bill No. 5871, entitled

A bill to provide for the sale of real and personal property for less than its market value by a local governmental unit to a nonprofit charitable organization under certain circumstances.

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

Rep. Gagliardi introduced

House Bill No. 5872, entitled

A bill to ratify and approve certain tribal-state gaming compacts.

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

Rep. Griffin introduced

House Bill No. 5873, entitled

A bill to amend 1915 PA 31, entitled "Youth tobacco act," (MCL 722.641 to 722.645) by adding section 2b.

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

Rep. Wallace moved that the House adjourn.

The motion prevailed, the time being 4:50 p.m.

The Speaker declared the House adjourned until Wednesday, May 20, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.