

No. 77
STATE OF MICHIGAN
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House of Representatives
89th Legislature
REGULAR SESSION OF 1998

House Chamber, Lansing, Thursday, November 12, 1998.

10:00 a.m.

The House was called to order by Acting Speaker DeHart.

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

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

e/d/s = entered during session

Rev. Richard Haferman, Pastor of First Congregation Church in Saugatuck, offered the following invocation:

“Thank you God for Your goodness. Thank you for the challenges of a new day, the challenge of making good decisions, the challenge of meeting the unknown and uncertain, the challenge to be people of integrity, the challenge of bringing love where there is hatred, harmony where there is discord, truth where there is error, and hope where there is despair. God, we need you.

Thank you for these elected women and men. In their work today, give them the persistence of a Pileated Woodpecker, the courage of a Spartan, the compassion of Jesus, the strength of a Wolverine, the patience of Job, the farsightedness of an Upper Peninsula eagle, the wisdom of Solomon, and the work ethic of an ant.

God, be in the beginning of this session through to the end, and in everyone’s departing. Amen.”

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

Rep. Gagliardi moved that Reps. Mans, Dobronski, Vaughn and Scott be excused from today’s session.
The motion prevailed.

Notices

November 12, 1998

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

Sincerely,
Curtis Hertel
Speaker of the House

The Speaker assumed the Chair.

By unanimous consent the House returned to the order of

Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:
House Resolution No. 391.

A resolution offered as a memorial for Perry Bullard, former member of the House of Representatives.

Whereas, The sudden passing of former Representative Perry Bullard has saddened many people throughout the Michigan Legislature and brought to an end the life of one of the most brilliant and unique individuals ever to serve this legislative body. We extend our heartfelt condolences to his family; and

Whereas, Educated at Harvard University and the University of Michigan Law School, Perry Bullard was a gentleman of great intellectual gifts who directed much of his public life to efforts to advance civil liberties in our society. A decorated veteran of the war in Vietnam who came to champion anti-war initiatives, he was never afraid of speaking out for individual rights, even when doing so aroused animosity or controversy. These characteristics, brilliance and unshakable commitment to personal rights, marked his two decades as a lawmaker; and

Whereas, The impact of Representative Bullard’s accomplishments as a legislator extended far beyond his sometimes flamboyant style. He sponsored a remarkable number of public acts during his career. Many of these represent landmark changes in opening up government to all citizens. Concepts we take for granted today, like open meetings, freedom of information, access to personnel records, and the statutory will, all reflect the vision and lasting influence of Representative Bullard. Clearly, Perry Bullard, in his twenty years as a lawmaker and his service as the chair of the House Judiciary Committee, exerted a profound impact on our state; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of tribute in memory of Perry Bullard, who served this legislative body from 1973 to 1992; and be it further

Resolved, That copies of this resolution be transmitted to his family as evidence of our deep sympathies.

The question being on the adoption of the resolution,

The resolution was adopted by a unanimous standing vote.

—

Rep. Frank moved that Rep. Brewer be excused temporarily from today's session.

The motion prevailed.

Acting Speaker DeHart resumed the Chair.

Reports of Select Committees

The Speaker laid before the House the conference report relative to

Senate Bill No. 184, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of the department of social services and adoption facilitators; to provide penalties; and to repeal certain acts and parts of acts," by amending section 2a (MCL 722.112a), as added by 1994 PA 349.

(The conference report was received from the Senate on November 10, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 76, p. 2316.)

The question being on the adoption of the conference report,

The conference report was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 955

Yeas—97

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

Nays—0

In The Chair: DeHart

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 276.

A resolution to urge the Department of Transportation to update the equipment at all weigh stations and to make them fully operational.

(For text of resolution, see House Journal No. 40, p. 852.)

(The resolution was reported by the Committee on Transportation on November 10, with amendment, consideration of which was postponed until today under the rules.)

(For amendment, see House Journal No. 76, p. 2318.)

The question being on the adoption of the proposed amendment recommended by the Committee,

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

The question being on the adoption of the resolution,

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

The Speaker laid before the House

House Concurrent Resolution No. 99.

A concurrent resolution to urge the Department of Transportation to update the equipment at all weigh stations and to make them fully operational.

(For text of resolution, see House Journal No. 40, p. 855.)

(The resolution was reported by the Committee on Transportation on November 10, with amendment, consideration of which was postponed until today under the rules.)

(For amendment, see House Journal No. 76, p. 2318.)

The question being on the adoption of the proposed amendment recommended by the Committee,

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

The question being on the adoption of the concurrent resolution,

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

Third Reading of Bills**Senate Bill No. 1148, entitled**

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 12 (MCL 432.12), as amended by 1996 PA 167.

(The bill was read a third time and postponed temporarily on September 24, see House Journal No. 74, p. 2189.)

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 956**Yeas—97**

Agee	Emerson	Kelly	Profit
Alley	Fitzgerald	Kilpatrick	Prusi
Anthony	Frank	Kukuk	Quarles
Baade	Freeman	LaForge	Raczkowski
Baird	Gagliardi	Law	Rhead
Basham	Galloway	Leland	Richner
Birkholz	Geiger	LeTarte	Rison
Bobier	Gernaat	Llewellyn	Rocca
Bodem	Gilmer	London	Sanborn
Bogardus	Gire	Lowe	Schauer
Brackenridge	Godchaux	Mathieu	Schermesser

Roll Call No. 957**Yeas—100**

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

Nays—0

In The Chair: DeHart

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

“An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts.”.

The House agreed to the full title.

Second Reading of Bills**House Bill No. 5546, entitled**

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

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

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

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

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

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

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

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

House Bill No. 5546, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

—

Rep. Alley asked and obtained a temporary excuse from today's session.

Rep. Hammerstrom moved that Rep. Gustafson be excused temporarily from today's session.

The motion prevailed.

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

House Bill No. 5400, entitled

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending sections 10, 17, and 18 (MCL 431.310, 431.317, and 431.318).

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 1995 PA 279, entitled "An act to license and regulate the conducting of horse race meetings in this state with pari-mutuel wagering on the results of horse races and persons involved in horse racing and pari-mutuel gaming activities at such race meetings; to create the office of racing commissioner; to prescribe the powers and duties of the racing commissioner; to prescribe certain powers and duties of the department of agriculture and the director of the department of agriculture; to provide for the promulgation of rules; to provide for the imposition of taxes and fees and the disposition of revenues; to impose certain taxes; to create funds; to legalize and permit the pari-mutuel method of wagering on the results of live and simulcast races at licensed race meetings in this state; to appropriate the funds derived from pari-mutuel wagering on the results of horse races at licensed race meetings in this state; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending sections 10, 14, 17, and 18 (MCL 431.310, 431.314, 431.317, and 431.318) and by adding section 19a.

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

Rep. Gagliardi moved that Rule 45 be suspended.

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

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

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

The motion prevailed.

The Speaker laid before the House

House Bill No. 5271, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 2 and 3 of chapter X and sections 34, 43, and 44 of chapter XIV (MCL 770.2, 770.3, 774.34, 774.43, and 774.44), section 2 of chapter X as amended by 1981 PA 205, section 3 of chapter X as amended by 1994 PA 374, and sections 34, 43, and 44 of chapter XIV as amended by 1980 PA 506.

(The bill was received from the Senate on November 5 with amendment, consideration of which, under the rules, was postponed until November 10, see House Journal No. 75, p. 2281.)

The question being on concurring in the adoption of the amendment made to the bill by the Senate,

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

Roll Call No. 958**Yeas—89**

Alley	Frank	Kukuk	Prusi
Anthony	Freeman	Law	Quarles
Baade	Gagliardi	Leland	Raczkowski
Baird	Galloway	LeTarte	Richner
Basham	Geiger	Llewellyn	Rocca
Birkholz	Gernaat	London	Sanborn
Bobier	Gire	Lowe	Schauer
Bodem	Goschka	Martinez	Schermesser
Bogardus	Green	Mathieu	Schroer
Brackenridge	Gubow	McBryde	Scranton
Brown	Hale	McManus	Sikkema
Byl	Hammerstrom	McNutt	Stallworth
Callahan	Hanley	Middleton	Tesanovich
Cassis	Hertel	Murphy	Thomas
Cherry	Horton	Nye	Varga
Crissman	Jansen	Olshove	Voorhees
Cropsey	Jelinek	Owen	Walberg
Curtis	Jellema	Oxender	Wallace
Dalman	Johnson	Palamara	Wetters
DeHart	Kaza	Parks	Whyman
DeVuyst	Kelly	Perricone	Willard
Dobb	Kilpatrick	Price	Wojno
Fitzgerald			

Nays—0

In The Chair: DeHart

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

Senate Bill No. 752, entitled

A bill to amend 1956 PA 5, entitled "Michigan uniform municipal court act," by amending section 23 (MCL 730.523) and by adding section 23a.

(The bill was received from the Senate on November 5, with amendment to House amendment No. 2, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 10, see House Journal No. 75, p. 2281.)

The question being on concurring in the adoption of the amendment to House amendment No. 2 made to the bill by the Senate,

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

Roll Call No. 959**Yeas—95**

Alley	Fitzgerald	Kilpatrick	Prusi
Anthony	Frank	Kukuk	Raczkowski
Baade	Freeman	LaForge	Rhead
Baird	Gagliardi	Law	Richner
Basham	Galloway	Leland	Rison
Birkholz	Geiger	LeTarte	Rocca
Bobier	Gernaat	Llewellyn	Sanborn
Bodem	Gilmer	London	Schauer
Bogardus	Gire	Lowe	Schermesser
Brackenridge	Godchaux	Martinez	Schroer

Brater	Goschka	Mathieu	Scranton
Brown	Green	McBryde	Sikkema
Byl	Gubow	McManus	Stallworth
Callahan	Hale	McNutt	Tesanovich
Cassis	Hammerstrom	Middleton	Thomas
Cherry	Hanley	Murphy	Varga
Ciaramitaro	Harder	Nye	Voorhees
Crissman	Horton	Olshove	Walberg
Cropsey	Jansen	Owen	Wallace
Curtis	Jelinek	Oxender	Wetters
Dalman	Jellema	Palamara	Whyman
DeHart	Johnson	Perricone	Willard
DeVuyst	Kaza	Price	Wojno
Dobb	Kelly	Profit	

Nays—0

In The Chair: DeHart

The Speaker laid before the House

House Bill No. 4044, entitled

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," (MCL 600.101 to 600.9948) by adding sections 2965, 2966, and 2967.

(The bill was received from the Senate on September 24, with amendment to House amendments, consideration of which, under the rules, was postponed until November 5, see House Journal No. 74, p. 2271.)

The question being on concurring in the adoption of the amendment made to the House amendments by the Senate, The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 960**Yeas—74**

Alley	Geiger	Leland	Rackowski
Baade	Gernaat	LeTarte	Rhead
Baird	Gilmer	Llewellyn	Richner
Birkholz	Godchaux	London	Rocca
Bobier	Goschka	Lowe	Sanborn
Bodem	Green	McBryde	Schauer
Brackenridge	Hammerstrom	McManus	Schroer
Byl	Harder	McNutt	Scranton
Cassis	Hertel	Middleton	Sikkema
Crissman	Horton	Murphy	Tesanovich
Cropsey	Jansen	Nye	Thomas
Curtis	Jelinek	Olshove	Varga
Dalman	Jellema	Owen	Voorhees
DeVuyst	Johnson	Oxender	Walberg
Dobb	Kaza	Perricone	Wallace
Fitzgerald	Kelly	Price	Wetters
Frank	Kilpatrick	Profit	Whyman
Gagliardi	Kukuk	Quarles	Wojno
Galloway	Law		

Nays—24

Anthony	Ciaramitaro	Hale	Parks
Basham	DeHart	Hanley	Prusi

Brater	Emerson	LaForge	Rison
Brown	Freeman	Martinez	Schermesser
Callahan	Gire	Mathieu	Stallworth
Cherry	Gubow	Palamara	Willard

In The Chair: DeHart

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

Third Reading of Bills

Senate Bill No. 1086, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 204f. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 961

Yeas—96

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

Nays—0

In The Chair: DeHart

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

"An act to create the legislative council; to prescribe its membership, powers, and duties; to create a legislative service bureau to provide staff services to the legislature and the council; to provide for operation of legislative parking facilities; to create funds; to provide for the expenditure of appropriated funds by legislative council agencies; to authorize the sale of access to certain computerized data bases; to establish fees; to create the Michigan commission on uniform state laws; to create a law revision commission; to create a senate fiscal agency and a house fiscal agency; to create a Michigan capitol committee; to create a commission on intergovernmental relations; to prescribe the powers and duties of certain state agencies and departments; to repeal certain acts and parts of acts; and to repeal certain parts of this act on specific dates."

The House agreed to the full title.

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

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

Rep. Kelly moved that Rep. Thomas be excused from the balance of today's session.
The motion prevailed.

Senate Bill No. 1087, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 204c.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 962

Yeas—90

Alley	Dobb	Kelly	Quarles
Anthony	Emerson	Kilpatrick	Raczkowski
Baade	Fitzgerald	Kukuk	Rhead
Baird	Frank	Law	Richner
Basham	Freeman	Leland	Rison
Birkholz	Gagliardi	Llewellyn	Rocca
Bobier	Galloway	London	Sanborn
Bodem	Geiger	Lowe	Schauer
Bogardus	Gernaat	Mathieu	Schermesser
Brackenridge	Gilmer	McBryde	Schroer
Brater	Gire	McManus	Scranton
Brown	Godchaux	McNutt	Sikkema
Byl	Goschka	Middleton	Stallworth
Callahan	Green	Murphy	Tesanovich
Cassis	Gubow	Nye	Varga
Cherry	Hale	Owen	Voorhees
Ciaramitaro	Hammerstrom	Oxender	Walberg
Crissman	Harder	Palamara	Wallace
Cropsey	Horton	Parks	Wetters
Curtis	Jansen	Perricone	Whyman
Dalman	Jelinek	Profit	Willard
DeHart	Johnson	Prusi	Wojno
DeVuyst	Kaza		

Nays—0

In The Chair: DeHart

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

"An act to create the legislative council; to prescribe its membership, powers, and duties; to create a legislative service bureau to provide staff services to the legislature and the council; to provide for operation of legislative parking facilities; to create funds; to provide for the expenditure of appropriated funds by legislative council agencies; to authorize the sale of access to certain computerized data bases; to establish fees; to create the Michigan commission on uniform state laws; to create a law revision commission; to create a senate fiscal agency and a house fiscal agency; to create a Michigan capitol committee; to create a commission on intergovernmental relations; to prescribe the powers and duties of certain state agencies and departments; to repeal certain acts and parts of acts; and to repeal certain parts of this act on specific dates,".

The House agreed to the full title.

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

Senate Bill No. 1088, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 204d.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 963**Yeas—94**

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

Nays—0

In The Chair: DeHart

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

“An act to create the legislative council; to prescribe its membership, powers, and duties; to create a legislative service bureau to provide staff services to the legislature and the council; to provide for operation of legislative parking facilities; to create funds; to provide for the expenditure of appropriated funds by legislative council agencies; to authorize the sale of access to certain computerized data bases; to establish fees; to create the Michigan commission on uniform state laws; to create a law revision commission; to create a senate fiscal agency and a house fiscal agency; to create a Michigan capitol committee; to create a commission on intergovernmental relations; to prescribe the powers and duties of certain state agencies and departments; to repeal certain acts and parts of acts; and to repeal certain parts of this act on specific dates.”

The House agreed to the full title.

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

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

House Bill No. 5238, entitled

A bill to amend 1953 PA 181, entitled “An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon,” by amending sections 2, 3, and 5 (MCL 52.202, 52.203, and 52.205), section 5 as amended by 1980 PA 401.

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

Roll Call No. 964**Yeas—95**

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

Nays—1

Schroer

In The Chair: DeHart

The question being on agreeing to the title of the bill,

Rep. Gagliardi moved to amend the title to read as follows:

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," by amending sections 2, 3, and 5 (MCL 52.202, 52.203, and 52.205), section 5 as amended by 1980 PA 401, and by adding section 5b.

The motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 6034, entitled

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

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

Roll Call No. 965**Yeas—95**

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

Nays—0

In The Chair: DeHart

The House agreed to the title of the bill.

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

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

Reps. Alley, Anthony, Baade, Baird, Basham, Birkholz, Bodem, Bogardus, Brackenridge, Brown, Callahan, Cassis, Ciaramitaro, Crissman, Dalman, DeHart, Dobb, Goschka, Hammerstrom, Jelinek, Johnson, Kukuk, LaForge, Law, London, McBryde, Oxender, Palamara, Profit, Prusi, Rocca, Sanborn, Schauer, Scranton, Sikkema, Tesanovich and Wojno were named co-sponsors of the bill.

Second Reading of Bills**Senate Bill No. 5, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11151 (MCL 324.11151).

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. 375, entitled

A bill to amend 1921 PA 302, entitled "An act to provide for the supervision of private, denominational and parochial schools; to provide the manner of securing funds in payment of the expense of such supervision; to provide the qualifications of the teachers in such schools; and to provide for the endorsement of the provisions hereof," by amending section 8 (MCL 388.558).

(The bill was read a second time and postponed temporarily on February 24, see House Journal No. 17, p. 275.)

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. 378, entitled

A bill to amend 1967 PA 291, entitled "An act to authorize state universities and colleges to enact parking, traffic and pedestrian ordinances and to provide for the enforcement of the ordinances; and to dispose of fines collected," by amending sections 1 and 2a (MCL 390.891 and 390.892a), section 1 as amended by 1992 PA 229 and section 2a as amended by 1991 PA 42.

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. 379, entitled

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

The 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. 380, entitled

A bill to amend 1990 PA 325, entitled "Michigan museum act," by amending sections 110 and 210 (MCL 399.410 and 399.510).

The bill was read a second time.

Rep. Gagliardi moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed, a majority of the members voting therefor.

House Bill No. 4674, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 147b (MCL 750.147b), as added by 1988 PA 371.

The bill was read a second time.

Rep. Crissman moved to amend the bill as follows:

1. Amend page 2, following line 6, by inserting:

"(3) A TERM OF IMPRISONMENT IMPOSED FOR FELONIOUS INTIMIDATION SHALL BE SERVED IN ADDITION TO, CONSECUTIVE WITH, AND BEFORE A TERM OF IMPRISONMENT IMPOSED FOR ANY OTHER FELONY OR ATTEMPTED FELONY CONVICTION THAT ARISES OUT OF THE SAME TRANSACTION OR OCCURRENCE FROM WHICH THE FELONIOUS INTIMIDATION CONVICTION AROSE." and renumbering the remaining subsection.

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

Rep. Martinez 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. Harder asked and obtained an excuse from the balance of today's session.

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

Rep. Gagliardi moved that **House Bill No. 4674** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4674, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 147b (MCL 750.147b), as added by 1988 PA 371.

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

Roll Call No. 966**Yeas—57**

Alley	Emerson	Kelly	Profit
Anthony	Fitzgerald	Kilpatrick	Prusi
Baird	Freeman	LaForge	Quarles
Basham	Gagliardi	Leland	Rison
Bobier	Gilmer	LeTarte	Schauer
Bogardus	Gire	Martinez	Schermesser
Brackenridge	Godchaux	Mathieu	Schroer
Brater	Gubow	McNutt	Scranton
Byl	Hale	Middleton	Stallworth
Cherry	Hammerstrom	Murphy	Tesanovich
Ciaramitaro	Hanley	Owen	Varga
Crissman	Hertel	Palamara	Wallace
Curtis	Jellema	Parks	Wetters
DeHart	Johnson	Price	Willard
Dobb			

Nays—38

Baade	Gernaat	London	Rhead
Birkholz	Goschka	Lowe	Richner
Brown	Green	McBryde	Rocca
Cassis	Gustafson	McManus	Sanborn
Cropsey	Horton	Nye	Sikkema
Dalman	Jansen	Olshove	Voorhees
DeVuyst	Jelinek	Oxender	Walberg
Frank	Kaza	Perricone	Whyman
Galloway	Kukuk	Rackowski	Wojno
Geiger	Llewellyn		

In The Chair: DeHart

The House agreed to the title of the bill.

Reps. Alley, Crissman, Dobb, Gilmer, Gire, Hale, Johnson, Kelly, Leland, Murphy, Parks, Price, Profit, Quarles and Stallworth were named co-sponsors of the bill.

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

"Mr. Speaker and members of the House:

I voted against House Bill 4674 because it creates a special class of citizens out of homosexuals and lesbians. HB4674 says that the same crimes committed against homosexuals and lesbians are more serious than when they are committed against heterosexuals. This is extremely flawed thinking!

Why should a particular crime committed against a homosexual or lesbian be considered as more serious than that committed against a heterosexual? Should there not be equal protection under the law?

I oppose any and all crimes committed against anyone regardless of whether they are homosexual, lesbian or heterosexual, and I strongly oppose favoring one segment of society over that of another.

In summation, it is ludicrous to me that this House has just given its approval to the notion that crimes committed against some people are worse than if they were committed against others. I would rather err on the side of protecting all citizens from criminal acts and not just a select few. A crime is a crime is a crime is a crime—regardless of who it is committed against!”

Rep. Schermesser asked and obtained an excuse from the balance of today’s session.

Second Reading of Bills

House Bill No. 6033, entitled

A bill to authorize the department of natural resources and the state transportation department to convey certain parcels of state owned property in Roscommon county; to prescribe conditions for the conveyances; and to provide for disposition of the revenue from the conveyances.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Regulatory Affairs,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Price moved to substitute (H-5) the bill.

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6033, entitled

A bill to authorize the department of natural resources and the state transportation department to convey certain parcels of state owned property in Roscommon county; to prescribe conditions for the conveyances; and to provide for disposition of the revenue from the conveyances.

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

Roll Call No. 967

Yeas—87

Alley	Frank	Kilpatrick	Prusi
Anthony	Freeman	Kukuk	Quarles
Baade	Gagliardi	Law	Rackowski
Basham	Galloway	LeTarte	Rhead
Birkholz	Geiger	Llewellyn	Richner
Bobier	Gernaat	London	Rison
Bodem	Gilmer	Lowe	Rocca
Bogardus	Gire	Martinez	Sanborn
Brackenridge	Godchaux	Mathieu	Schauer
Brater	Goschka	McBryde	Scranton
Brown	Green	McManus	Sikkema

Byl	Gubow	McNutt	Stallworth
Callahan	Gustafson	Middleton	Tesanovich
Cassis	Hale	Murphy	Varga
Crissman	Hammerstrom	Nye	Voorhees
Cropsey	Hertel	Olshove	Walberg
Curtis	Horton	Oxender	Wallace
Dalman	Jansen	Palamara	Wetters
DeHart	Jelinek	Parks	Whyman
DeVuyst	Jellema	Perricone	Willard
Dobb	Johnson	Price	Wojno
Fitzgerald	Kaza	Profit	

Nays—0

In The Chair: DeHart

The question being on agreeing to the title of the bill,

Rep. Gagliardi moved to amend the title to read as follows:

A bill to authorize the state administrative board to convey certain parcels of state owned property in Oakland county; to provide for certain powers and duties of the department of management and budget and certain municipalities in regard to that property; to prescribe conditions for the conveyances; and to provide for disposition of the revenue derived from the conveyances.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

Senate Bill No. 479, entitled

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

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Health Policy,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Profit moved to amend the bill as follows:

1. Amend page 3, line 1, after "PHYSICIAN," by inserting "DENTIST,".
2. Amend page 3, line 22, after "PHYSICIANS," by inserting "DENTISTS,".
3. Amend page 4, following line 4, by inserting:
 "(B) "DENTIST" MEANS THAT TERM AS DEFINED IN SECTION 16601 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.16601." and relettering the remaining subdivisions.
4. Amend page 4, line 9, after "PHYSICIAN," by inserting "DENTIST,".
5. Amend page 4, following line 16, by inserting:
 "(vi) DENTISTRY,".
6. Amend page 5, line 2, after "PHYSICIAN," by inserting "DENTIST,".
7. Amend page 5, following line 9, by inserting:
 "(vi) DENTISTRY,".
8. Amend page 5, line 16, after "PHYSICIAN," by inserting "DENTIST,".
9. Amend page 5, line 20, after "PHYSICIAN," by inserting "DENTIST,".
10. Amend page 6, line 1, after "PHYSICIAN," by inserting "DENTIST,".
11. Amend page 6, line 2, after "PHYSICIAN," by inserting "DENTIST,".

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

Rep. Thomas moved to amend the bill as follows:

1. Amend page 4, line 2, by striking out all of subdivision (a) and relettering the remaining subdivisions.
 2. Amend page 5, line 17, after "MIDWIFE" by striking out the balance of the line through "AND" on line 18.
- The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Reps. Palamara and Law moved to amend the bill as follows:

1. Amend page 3, line 1, after "ASSISTANT," by inserting "DENTIST,".
2. Amend page 3, line 23, after "ASSISTANTS," by inserting "DENTISTS,".
3. Amend page 4, line 10, after "ASSISTANT," by inserting "DENTIST,".
4. Amend page 4, following line 16, by inserting:
" (vi) GENERAL DENTISTRY."
5. Amend page 5, line 3, after "ASSISTANT," by inserting "DENTIST,".
6. Amend page 5, following line 9, by inserting:
" (vi) GENERAL DENTISTRY."
7. Amend page 5, line 19, after "CONDITIONS" by inserting "OR A DENTIST WHO MEETS EITHER OF THE FOLLOWING CONDITIONS".
8. Amend page 5, line 20, after "ASSISTANT," by inserting "DENTIST,".
9. Amend page 6, line 1, after "ASSISTANT," by inserting "DENTIST,".
10. Amend page 6, line 3, after "ASSISTANT," by inserting "DENTIST,".

The question being on the adoption of the amendments offered by Reps. Palamara and Law, Rep. Palamara moved that amendment No. 7 be considered separately.
The motion prevailed.

The question being on the adoption of amendment Nos. 1-6 and 9-10 offered by Reps. Palamara and Law, Rep. Palamara withdrew the amendments.

The question being on the adoption of amendment No. 7 offered by Reps. Palamara and Law, 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.

Rep. Gagliardi moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

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

Senate Bill No. 479, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 266.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 968

Yeas—86

Alley	Emerson	Kukuk	Perricone
Anthony	Fitzgerald	LaForge	Price
Baade	Frank	Law	Profit
Baird	Gagliardi	Leland	Prusi
Basham	Galloway	LeTarte	Quarles
Birkholz	Geiger	Llewellyn	Raczkowski
Bobier	Gernaat	London	Rhead
Bodem	Gilmer	Lowe	Richner
Bogardus	Gire	Martinez	Rison
Brackenridge	Godchaux	Mathieu	Rocca
Brater	Goschka	McBryde	Sanborn
Brown	Green	McManus	Schauer
Byl	Hale	McNutt	Schroer
Callahan	Hammerstrom	Middleton	Stallworth

Cassis	Hanley	Murphy	Tesanovich
Cherry	Jansen	Nye	Varga
Crissman	Jelinek	Olshove	Walberg
Cropsey	Jellema	Owen	Wetters
Curtis	Johnson	Oxender	Whyman
DeHart	Kaza	Palamara	Willard
DeVuyst	Kelly	Parks	Wojno
Dobb	Kilpatrick		

Nays—8

Ciaramitaro	Gubow	Horton	Sikkema
Freeman	Gustafson	Scranton	Voorhees

In The Chair: DeHart

The question being on agreeing to the title of the bill,

Rep. Gagliardi moved to amend the title to read as follows:

A bill to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” (MCL 206.1 to 206.532) by adding section 267.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 6047, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” (MCL 208.1 to 208.145) by adding section 39c.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Tax Policy,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Reps. Brackenridge and Wojno moved to amend the bill as follows:

1. Amend page 1, line 2, after “1,” by striking out “2009” and inserting “2004”.

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6047, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” (MCL 208.1 to 208.145) by adding section 39c.

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

Roll Call No. 969**Yeas—96**

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

Nays—0

In The Chair: DeHart

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 6172, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39d.

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. Wojno and Brackenridge moved to amend the bill as follows:

1. Amend page 1, line 2, after "1," by striking out "2009" and inserting "2004".

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

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

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

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

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

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

House Bill No. 6172, entitled

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

Roll Call No. 970

Yeas—94

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

Nays—0

In The Chair: DeHart

The House agreed to the title of the bill.

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

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

Reps. Birkholz, Bobier, Bogardus, Brackenridge, Brater, Callahan, Cassis, DeHart, Dobb, Gagliardi, Goschka, Hale, Hammerstrom, Jelinek, Kelly, Kukuk, Law, McBryde, Middleton, Murphy, Profit, Rison, Rocca, Stallworth and Varga were named co-sponsors of the bill.

Rep. LeTarte asked and obtained an excuse from the balance of today's session.

Second Reading of Bills

House Bill No. 6069, entitled

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

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

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

Rep. Middleton moved to amend the bill as follows:

1. Amend page 4, line 16, after "INCLUDES" by inserting "GRAIN DRYING EQUIPMENT AND".
2. Amend page 4, line 16, after "FUEL" by striking out the balance of the line through "DRYERS" on line 17 and inserting "THAT EQUIPMENT".

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6069, entitled

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

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

Roll Call No. 971

Yeas—77

Alley	Frank	Kaza	Profit
Anthony	Gagliardi	Kelly	Prusi
Baade	Galloway	Kukuk	Rackowski
Baird	Geiger	Law	Rhead
Birkholz	Gernaat	Leland	Richner
Bobier	Gilmer	Llewellyn	Rocca
Bodem	Godchaux	London	Sanborn
Brackenridge	Goschka	Lowe	Schauer
Brown	Green	Mathieu	Scranton
Byl	Gubow	McBryde	Sikkema
Cassis	Gustafson	McManus	Tesanovich
Cherry	Hammerstrom	McNutt	Varga
Crissman	Hanley	Middleton	Voorhees
Cropsey	Hertel	Nye	Walberg
Curtis	Horton	Olshove	Wallace
Dalman	Jansen	Oxender	Wetters
DeHart	Jelinek	Palamara	Whyman
DeVuyst	Jellema	Perricone	Willard
Dobb	Johnson	Price	Wojno
Fitzgerald			

Nays—15

Basham	Ciaramitaro	Kilpatrick	Rison
Bogardus	Freeman	Martinez	Schroer
Brater	Gire	Murphy	Stallworth
Callahan	Hale	Parks	

In The Chair: DeHart

The House agreed to the title of the bill.

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

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 to refer the bill to the Committee on Regulatory Affairs withdrawn and bill postponed temporarily, see House Journal No. 47, p. 1059.)

The question being on the passage of the bill,

Rep. Mathieu moved to substitute (H-2) the bill.

The motion was seconded and the substitute (H-2) was adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 972

Yeas—56

Alley	Fitzgerald	Jelinek	Oxender
Anthony	Frank	Johnson	Price
Baade	Freeman	Kaza	Prusi
Bobier	Gagliardi	Kelly	Rhead
Bodem	Galloway	Kilpatrick	Richner
Bogardus	Geiger	Law	Sanborn
Brackenridge	Gilmer	Leland	Schauer
Brown	Gire	Llewellyn	Scranton
Cherry	Gubow	Martinez	Stallworth
Crissman	Gustafson	Mathieu	Tesanovich
Curtis	Hale	McBryde	Varga
Dalman	Hammerstrom	McManus	Wallace
DeHart	Hanley	Middleton	Wetters
Dobb	Hertel	Olshove	Whyman

Nays—36

Baird	Gernaat	Lowe	Rackowski
Basham	Godchaux	McNutt	Rison
Birkholz	Goschka	Nye	Rocca
Brater	Green	Owen	Schroer
Byl	Horton	Palamara	Sikkema
Cassis	Jansen	Parks	Voorhees
Cropsey	Jellema	Perricone	Walberg
DeVuyst	Kukuk	Profit	Willard
Emerson	London	Quarles	Wojno

In The Chair: DeHart

The question being on agreeing to the title of the bill,

Rep. Gagliardi moved to amend the title to read as follows:

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 513 (MCL 436.1513).

The motion prevailed.

The House agreed to the title as amended.

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

The House returned to the consideration of

House Bill No. 5546, entitled

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

(The bill was considered earlier today, see today's journal, p. 2330.)

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 973

Yeas—94

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

Nays—0

In The Chair: DeHart

The House agreed to the title of the bill.

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

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

Senate Concurrent Resolution No. 101.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns on Thursday, November 12, 1998, it stands adjourned until Tuesday, December 1, 1998, at 10:00 a.m. for the Senate and 2:00 p.m. for the House of Representatives.

The Senate has adopted the concurrent resolution.
Pending the reference of the concurrent resolution to a committee,

Rep. Gagliardi moved that Rule 77 be suspended and the concurrent 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 concurrent resolution,
The concurrent resolution was adopted, a majority of the members serving voting therefor.

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

Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Tuesday, December 1, at 2:00 p.m.
The motion prevailed.

By unanimous consent the House returned to the order of
Motions and Resolutions

Reps. Scranton, DeHart, Richner, Raczkowski, Birkholz, LaForge, Kukuk, Gilmer, Dalman, Hammerstrom, Thomas, McBryde, DeVuyst, Anthony, Schermesser, Tesanovich, Harder, Sanborn, Bodem, Cassis, Jelinek, Goschka, Parks, Freeman, Rocca, Green, Schauer, Cherry, Baird, Brackenridge and Bogardus offered the following resolution:

House Resolution No. 389.

A resolution to memorialize the Congress of the United States to amend federal law to permit retired military personnel who receive service-related injuries to receive full concurrent receipt of retirement and disability compensation benefits.

Whereas, Our nation is obligated to provide benefits to injured veterans commensurate with the sacrifices they have made to preserve our country and its way of life. Living up to this promise is the least we can do for people who suffer injuries while protecting our lives; and

Whereas, Many years ago, when the concept of military service was far different than today, a prohibition was placed in federal law against concurrent payment of retirement and disability benefits for injuries sustained by retired military personnel. This nineteenth century provision requires a person injured in the course of military service while collecting retirement benefits to waive either the retirement or the disability benefits; and

Whereas, During Operation Desert Storm, many retirees returned to active duty. Those who sustained service-related injuries now suffer the financial penalty of not being entitled to collect both retirement and disability earned benefits fully. This prohibition does not apply to other classes of federal employees; and

Whereas, The current policy penalizes military retirees who heed the call to assist the country in times of crisis. This outdated law needs to be brought up to date to reflect the country's obligations to its veterans; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to amend federal law to permit retired military personnel who receive service-related injuries to receive full concurrent receipt of retirement and disability compensation benefits; and be it further

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

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

Reps. Price, LaForge, Kukuk, Gilmer, Dalman, Baade, Hammerstrom, Thomas, Kelly, Hale, McBryde, DeVuyst, Anthony, London, Brater, Schermesser, Tesanovich, Harder, Murphy, Sanborn, Bodem, Cassis, Jelinek, Gubow, Goschka, Parks, Freeman, Galloway, DeHart, Johnson, Scranton, Rocca, Green, Schauer, Cherry, Baird, Brackenridge and Bogardus offered the following resolution:

House Resolution No. 390.

A resolution to commemorate December 7, 1998, as Pearl Harbor Day in Michigan.

Whereas, The members of the Michigan House of Representatives are pleased to join with the Pearl Harbor Survivor's Association in declaring December 7, 1998, as Pearl Harbor Observance Day in Michigan; and

Whereas, December 7, 1941, was a day that the Japanese launched a surprise 300 plane aerial attack against the U.S. Naval Base at Pearl Harbor; and

Whereas, The Japanese attack of December 7, 1941, resulted in the tragic loss of thousands of American servicemen. More than 1000 men were entombed in the sunken U.S.S. Arizona alone; and

Whereas, President Franklin D. Roosevelt, while asking Congress for a Declaration of War, referred to December 7, 1941, as “a date that will live in infamy”; and

Whereas, This special observance offers an excellent opportunity to increase public awareness and to pay tribute to the men who lost their lives in this disaster. Memorializing Pearl Harbor Day serves to remind us that we should value our priceless heritage, to remember our nation’s history and to look to the future with pride; now, therefore, be it

Resolved by the House of Representatives, That the members of the Michigan House of Representatives hereby honor the valiant efforts of those who fought, and the memory of those brave men who made the supreme sacrifice at Pearl Harbor for their country; and be it further

Resolved, That a copy of this resolution be transmitted to the Pearl Harbor Survivor’s Association as evidence 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.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following Senate bills had been received on Thursday, November 12:

Senate Bill Nos. 1218 1219 1220 1221 1222 1223 1224

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Appropriations, by Rep. Mathieu, Chair, reported

Senate Bill No. 240, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 6, 11, 17b, 20, 31a, 51a, 81, and 107 (MCL 388.1606, 388.1611, 388.1617b, 388.1620, 388.1631a, 388.1651a, 388.1681, and 388.1707), sections 6, 11, 17b, 20, 51a, 81, and 107 as amended by 1997 PA 93, and section 31a as amended by 1997 PA 24, and by adding sections 11e, 11f, 20k, 29, and 31c.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 240 To Report Out:

Yeas: Reps. Mathieu, Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Martinez, Owen, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bobier, Geiger, Godchaux, Jellema, Johnson, Oxender,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, November 12, 1998, at 9:00 a.m.,

Present: Reps. Mathieu, Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bobier, Geiger, Godchaux, Jellema, Johnson, Oxender,

Absent: Reps. Bankes, Jansen, McBryde,

Excused: Reps. Bankes, Jansen, McBryde.

The Committee on Advanced Technology and Computer Development, by Rep. Basham, Vice-Chair, reported

House Bill No. 6283, entitled

A bill to amend 1996 PA 462, entitled “Enhanced access to public records act,” by amending sections 2 and 3 (MCL 15.442 and 15.443).

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

1. Amend page 5, line 4, after "(4)" by striking out the balance of the line through "under" on line 5, and inserting "ACCESS TO OR OUTPUT FROM A GEOGRAPHICAL INFORMATION SYSTEM SHALL BE MADE AVAILABLE ONLY IN ACCORDANCE WITH SUBSECTIONS (1), (2), AND (3). EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS (1), (2), AND (3), THIS ACT DOES NOT LIMIT THE INSPECTION AND COPYING OF A PUBLIC RECORD PURSUANT TO".

2. Amend page 5, line 6, after "15.246." by striking out the balance of the line through "15.246." on line 10.

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

Favorable Roll Call

HB 6283 To Report Out:

Yeas: Reps. Basham, Baird, Brown, Quarles, Hammerstrom,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, November 12, 1998, at 9:00 a.m.,

Present: Reps. Basham, Baird, Brown, Quarles, Hammerstrom,

Absent: Reps. Brewer, Kaza, Walberg, Whyman,

Excused: Reps. Brewer, Kaza, Walberg, Whyman.

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

House Bill No. 6285, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8807 (MCL 324.8807), as added by 1998 PA 287, and by adding section 8807a.

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

1. Amend page 2, line 24, after "EXPENDED" by inserting "TO PREVENT OR MINIMIZE EROSION OF SHORELANDS AND STREAM BANKS ALONG INLAND LAKES AND STREAMS, AND".

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

Favorable Roll Call

HB 6285 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Kilpatrick, LaForge, Basham, Bodem, McManus, Walberg,

Nays: None.

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

Senate Bill No. 1283, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 36505 (MCL 324.36505), as added by 1995 PA 59, and by adding section 40107a.

With the recommendation that the substitute (H-1)* be adopted and that the bill then pass.

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

Favorable Roll Call

SB 1283 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, November 12, 1998, at 9:00 a.m.,

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

Absent: Reps. Mans, Wetters, Middaugh,

Excused: Reps. Mans, Wetters, Middaugh.

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, November 12, 1998, at 8:30 a.m.,

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

Absent: Reps. Scott, Vaughn,

Excused: Reps. Scott, Vaughn.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. DeHart, Chair of the Committee on Public Retirement, was received and read:

Meeting held on: Thursday, November 12, 1998, at 9:00 a.m.,

Present: Reps. DeHart, Brewer, Basham, Rhead, LeTarte,

Absent: Reps. Dobronski, Mans, Dobb, Jelinek,

Excused: Reps. Dobronski, Mans, Dobb, Jelinek.

Messages from the Senate**House Bill No. 5843, entitled**

A bill to amend 1919 PA 339, entitled "Dog law of 1919," by amending sections 6, 8, 9, 14, 15, and 17 (MCL 287.266, 287.268, 287.269, 287.274, 287.275, and 287.277).

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. 4779, entitled

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

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

The Senate has passed the bill as substituted (S-1) 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. 4780, entitled

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

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

The Senate has passed the bill as substituted (S-2) 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," (MCL 500.100 to 500.8302) by adding section 3406m.

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

House Bill No. 4875, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 204e.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and 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. 4884, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 204b.

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.

Senate Bill No. 866, entitled

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," by amending section 2950a (MCL 600.2950a), as amended by 1997 PA 115.

The Senate has amended the House amendments as follows:

1. Amend House Amendment No. 10, page 10, following line 4, after "effect" by striking out "September 1, 1998" and inserting "January 1, 1999".

The Senate has concurred in the House amendments as amended, ordered that the bill be given immediate effect and agreed to the full title.

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

Senate Bill No. 874, entitled

A bill to amend 1961 PA 236, entitled and inserting "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," by amending section 2950 (MCL 600.2950), as amended by 1997 PA 115.

The Senate has amended the House amendments as follows:

1. Amend House Amendment No. 10, page 11, following line 20, after "effect" by striking out "September 1, 1998" and inserting "January 1, 1999".

The Senate has concurred in the House amendments as amended, ordered that the bill be given immediate effect and agreed to the full title.

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

Senate Bill No. 1218, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 1001b and 1003b (MCL 330.2001b and 330.2003b), section 1001b as amended by 1995 PA 290 and section 1003b as amended by 1993 PA 252.

The Senate has passed the bill.

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

Senate Bill No. 1219, entitled

A bill to amend 1968 PA 293, entitled "An act to establish the status of minors; to define the rights and duties of parents; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; and to establish the conditions for emancipation of minors," by amending section 4 (MCL 722.4), as amended by 1996 PA 412.

The Senate has passed the bill.

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

Senate Bill No. 1220, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 139, 193, 197c, and 231 (MCL 750.139, 750.193, 750.197c, and 750.231), section 139 as amended by 1991 PA 145, section 193 as amended by 1988 PA 167, and section 231 as amended by 1981 PA 103.

The Senate has passed the bill.

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

Senate Bill No. 1221, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 23 of chapter IV (MCL 764.23), as amended by 1988 PA 137.

The Senate has passed the bill.

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

Senate Bill No. 1222, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 20g, 29, 34, 63, 63a, 65, 69a, and 70 (MCL 791.220g, 791.229, 791.234, 791.263, 791.263a, 791.265, 791.269a, and 791.270), section 20g as added by 1996 PA 164, section 34 as amended by 1994 PA 345, section 65 as amended by 1994 PA 217, section 69a as added by 1990 PA 42, and section 70 as added by 1993 PA 255.

The Senate has passed the bill.

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

Senate Bill No. 1223, entitled

A bill to amend 1893 PA 118, entitled "An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith," by amending section 41 (MCL 800.41).

The Senate has passed the bill.

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

Senate Bill No. 1224, entitled

A bill to amend 1909 PA 17, entitled "An act to prohibit or limit the access by prisoners and by employees of correctional facilities to certain weapons and to alcoholic liquor, drugs, medicines, poisons, and controlled substances in, on, or outside of correctional facilities; to prohibit or limit the bringing into or onto certain facilities and real property, and the disposition of, certain weapons and substances; to prohibit or limit the selling, giving, or furnishing of certain weapons and substances to prisoners; to prohibit the control or possession of certain weapons and substances by prisoners; and to prescribe penalties," by amending section 1a (MCL 800.281a), as added by 1982 PA 343.

The Senate has passed the bill.

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

Introduction of Bills

Reps. Kelly, Scott, DeHart and Schermesser introduced

House Bill No. 6297, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 702.

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

Reps. DeHart, Kelly, Scott and Schermesser introduced

House Bill No. 6298, entitled

A bill to amend 1915 PA 31, entitled "Youth tobacco act," (MCL 722.641 to 722.645) by amending the title, as amended by 1992 PA 272, and by adding sections 1a, 3a, and 3b.

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

Reps. Scott, DeHart, Kelly and Schermesser introduced

House Bill No. 6299, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3825 (MCL 600.3825) and by adding section 3801a.

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

Reps. Brewer and Kelly introduced

House Bill No. 6300, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2891 (MCL 333.2891), as amended by 1992 PA 78.

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

Rep. McNutt moved that the House adjourn.

The motion prevailed, the time being 3:30 p.m.

Acting Speaker DeHart declared the House adjourned until Tuesday, December 1, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.