

No. 50
JOURNAL OF THE HOUSE

House Chamber, Lansing, Tuesday, June 3, 1997.

2:00 p.m.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Rep. Clyde LeTarte, from the 65th District, offered the following invocation:

“Dear Heavenly Father, Bless us this day as we come together to do the will of the people of this state. Guide us in our decisions. Help us as we think through the important issues of the day. Watch over us and protect us. We ask this in Christ’s name. Amen.”

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

Messages from the Senate

The Speaker laid before the House

House Bill No. 4102, entitled

A bill to regulate the manufacturing and assembling of public playground equipment; and to provide penalties.

(The bill was received from the Senate on May 29 with substitute (S-2) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 49, p. 1069.)

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

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

Roll Call No. 424

Yeas—105

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

Nays—0

In The Chair: Hertel

Rep. Gagliardi moved to reconsider the vote by which the House concurred in the adoption of the Senate substitute (S-2).

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

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

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

Roll Call No. 425**Yeas—106**

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

Nays—0

In The Chair: Hertel

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

Rep. Rison entered the House Chambers.

The Speaker laid before the House

House Bill No. 4601, entitled

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan

agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies,” by amending sections 3 and 7 (MCL 21.143 and 21.147), section 3 as amended by 1990 PA 8 and section 7 as amended by 1994 PA 44; and to repeal acts and parts of acts.

(The bill was received from the Senate on May 29 with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 49, p. 1069.)

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. 426**Yeas—106**

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

Nays—0

In The Chair: Hertel

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

The Speaker laid before the House

House Bill No. 4610, entitled

A bill to amend 1932 (1st Ex Sess) PA 40, entitled “An act to provide for the designation of depositories for public moneys; to prescribe the effect thereof on the liability for such deposits; to suspend the requirement of surety bonds from depositories of public moneys; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending sections 2 and 4 (MCL 129.12 and 129.14) and by adding section 6.

(The bill was received from the Senate on May 29 with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 49, p. 1069.)

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. 427**Yeas—104**

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

Nays—0

In The Chair: Hertel

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

Second Reading of Bills**House Bill No. 4218, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411a (MCL 750.411a), as amended by 1996 PA 303.

The bill was read a second time.

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

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

House Bill No. 4289, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 200, 201, 204, 204a, 205, 205a, 206, 207, 210, and 211 (MCL 750.200, 750.201, 750.204, 750.204a, 750.205, 750.205a, 750.206, 750.207, 750.210, and 750.211).

Was read a second time, and the question being on the adoption of the proposed substitute (H-5) previously recommended by the Committee on Judiciary,

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

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

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

House Bill No. 4629, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," by amending section 7 (MCL 691.1407), as amended by 1996 PA 143.

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

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

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 4, following line 9, by inserting:

"Enacting section 1. Section 7 of 1964 PA 170, MCL 691.1407, as amended by this amendatory act, applies only to a cause of action arising on or after the effective date of this amendatory act."

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

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

The motion prevailed.

House Bill No. 4462, entitled

A bill to amend 1939 PA 176, entitled "An act to create a commission relative to labor disputes, and to prescribe its powers and duties; to provide for the mediation and arbitration of labor disputes, and the holding of elections thereon; to regulate the conduct of parties to labor disputes and to require the parties to follow certain procedures; to regulate and limit the right to strike and picket; to protect the rights and privileges of employees, including the right to organize and engage in lawful concerted activities; to protect the rights and privileges of employers; to make certain acts unlawful; and to prescribe means of enforcement and penalties for violations of this act," by amending section 22 (MCL 423.22).

The bill was read a second time.

Rep. Profit moved that Rep. Palamara be excused temporarily from today's session.

The motion prevailed.

Rep. Llewellyn moved to amend the bill as follows:

1. Amend page 2, following line 22, by inserting:

"(6) A PERSON, BUSINESS, LABOR ORGANIZATION, OR GOVERNMENTAL ENTITY MAY BRING A CIVIL ACTION TO RECOVER THE FOLLOWING DAMAGES FROM A PERSON OR ENTITY THAT CAUSES INJURY DURING A LABOR DISPUTE:

(A) COMPENSATION FOR PHYSICAL DAMAGE TO PUBLIC OR PRIVATE PROPERTY.

(B) REIMBURSEMENT OF MEDICAL COSTS RESULTING FROM PERSONAL INJURIES.

(7) A PERSON OR ENTITY THAT AUTHORIZES OR SANCTIONS UNLAWFUL CONDUCT BY ITS EMPLOYEES OR AGENTS DURING A LABOR DISPUTE IS LIABLE FOR DAMAGES DIRECTLY CAUSED BY THAT CONDUCT." and renumbering the remaining subsection.

The question being on the adoption of the amendment offered by Rep. Llewellyn,

Rep. Middleton demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Llewellyn,
The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 428**Yeas—52**

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

Nays—54

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

In The Chair: Hertel

Rep. Kaza, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

Labor unions have the right to organize and enter into voluntary collective bargaining agreements in a free society. Adoption of this amendment would interfere with that principle.”

Rep. Scranton moved to amend the bill as follows:

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

“(5) AN EMPLOYEE, AN AGENT OF THE EMPLOYEE’S BARGAINING UNIT, OR A MEMBER OF ANOTHER BARGAINING UNIT SHALL NOT DO ANY OF THE FOLLOWING DURING A STRIKE:

(A) HARASS AN INDIVIDUAL OR EMPLOYEE ATTEMPTING TO CARRY OUT THE DUTIES OF HIS OR HER EMPLOYMENT, INCLUDING REPORTING FOR WORK.

(B) PREVENT, PRECLUDE, OR HINDER SECURITY PERSONNEL OR POLICE OR FIRE PERSONNEL FROM PROTECTING PRIVATE OR PUBLIC PROPERTY OR FROM SECURING PUBLIC SAFETY.

(C) CARRY OR DISPLAY A FIREARM IN THE PRESENCE OF ANY EMPLOYEE, SECURITY PERSONNEL, OR POLICE OR FIRE PERSONNEL.

(D) THREATEN THE MOTORING PUBLIC BY PLACING FOREIGN OBJECTS DESIGNED TO DAMAGE VEHICLE TIRES ON PUBLIC OR PRIVATE ROADWAYS.

(E) STALK OR THREATEN EMPLOYEES, EMPLOYERS, OR THEIR FAMILY MEMBERS.

(F) ASSIST, JOIN, OR ENGAGE IN AN ACTIVITY THAT VIOLATES A COURT ORDER, LOCAL ORDINANCE, OR STATE LAW.

(6) A PERSON WHO VIOLATES SUBSECTION (5), SECTION 9F, OR SECTION 15 IS GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 6 MONTHS OR A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.” and renumbering the remaining subsections.

The question being on the adoption of the amendment offered by Rep. Scranton,

Rep. Scranton demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Scranton,

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

Roll Call No. 429

Yeas—53

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

Nays—47

Agee	DeHart	LaForge	Schermesser
Alley	Dobronski	Leland	Schroer
Anthony	Frank	Mathieu	Scott
Baade	Freeman	Murphy	Stallworth
Bogardus	Gagliardi	Owen	Tesanovich
Brater	Gubow	Parks	Thomas
Brewer	Hale	Price	Varga
Brown	Hanley	Profit	Wallace
Callahan	Harder	Prusi	Wetters
Cherry	Hertel	Quarles	Willard
Ciaramitaro	Hood	Rison	Wojno
Curtis	Kelly	Schauer	

In The Chair: Hertel

Rep. Callahan 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. 4810, entitled

A bill to amend 1968 PA 330, entitled "Private security guard act of 1968," by amending sections 10 and 32 (MCL 338.1060 and 338.1082), section 10 as amended by 1994 PA 326, and by adding section 16a.

The bill was read a second time.

Rep. Byl moved to amend the bill as follows:

1. Amend page 3, line 14, by striking out all of subdivision (A) and relettering the remaining subdivisions.

The question being on the adoption of the amendment offered by Rep. Byl,

Rep. Byl demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Byl,

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

Roll Call No. 430**Yeas—54**

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

Nays—47

Agee	Frank	Kilpatrick	Rison
Anthony	Freeman	LaForge	Schauer
Baird	Gagliardi	Leland	Schermesser
Bogardus	Gire	Mans	Scott
Brater	Gubow	Mathieu	Stallworth
Brewer	Hale	Murphy	Tesanovich
Brown	Hanley	Olshove	Thomas
Callahan	Harder	Owen	Varga
Cherry	Hertel	Parks	Wetters
Ciaramitaro	Hood	Price	Willard
DeHart	Kaza	Prusi	Wojno
Dobronski	Kelly	Quarles	

In The Chair: Hertel

Rep. Byl moved to amend the bill as follows:

1. Amend page 3, line 14, after "(A)" by striking out "CARRY OR DISPLAY" and inserting "BRANDISH, DISCHARGE, OR THREATEN TO DISCHARGE".

The question being on the adoption of the amendment offered by Rep. Byl,

Rep. Byl demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Byl,

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

Roll Call No. 431**Yeas—105**

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

Nays—0

In The Chair: Hertel

Rep. Rhead moved to amend the bill as follows:

1. Amend page 3, following line 23, by inserting:

“(2) SUBSECTION(1)(C) OR (D) DOES NOT RESTRICT OR PROHIBIT IN ANY WAY A SECURITY GUARD FROM USING REASONABLE FORCE TO DEFEND OR PROTECT HIMSELF OR HERSELF, OR THE EMPLOYER’S EMPLOYEES, FROM ANY ASSAULTIVE, INTIMIDATING, OR THREATENING BEHAVIOR OF THE INDIVIDUALS ENGAGED IN THE LABOR DISPUTE OR FROM USING REASONABLE FORCE TO PROTECT ANY PIECE OF PERSONAL OR REAL PROPERTY IN IMMINENT DANGER OF BEING DAMAGED THAT IS LOCATED WITHIN REASONABLE PROXIMITY TO THE EMPLOYER’S BUILDING OR GROUNDS AND OWNED OR USED BY THE EMPLOYER OR AN EMPLOYEE. THE PROPERTY DESCRIBED IN THIS SUBDIVISION INCLUDES, BUT IS NOT LIMITED TO, AUXILIARY BUILDINGS, PARKING LOTS, AND MOTOR VEHICLES OWNED OR USED BY THE EMPLOYER AND ITS EMPLOYEES.” and renumbering the remaining subsections.

The question being on the adoption of the amendment offered by Rep. Rhead,

Rep. Rhead demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Rhead,

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

Roll Call No. 432**Yeas—52**

Bankes	Geiger	Johnson	Middleton
Birkholz	Gernaat	Kaza	Nye

Bobier	Gilmer	Kukuk	Oxender
Bodem	Godchaux	Law	Perricone
Brackenridge	Goschka	LeTarte	Raczkowski
Byl	Green	Llewellyn	Rhead
Cassis	Gustafson	London	Richner
Crissman	Hammerstrom	Lowe	Rocca
Cropsey	Horton	Mans	Scranton
Dalman	Jansen	McBryde	Sikkema
DeVuyst	Jaye	McManus	Voorhees
Dobb	Jelinek	McNutt	Walberg
Galloway	Jellema	Middaugh	Whyman

Nays—50

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

In The Chair: Hertel

Rep. Raczkowski moved to amend the bill as follows:

1. Amend page 3, line 19, after “DISPUTE” by inserting “EXCEPT THAT A SECURITY GUARD MAY LEAVE THE BOUNDARIES OF THE EMPLOYER’S PROPERTY TO PROTECT ANY PIECE OF PERSONAL OR REAL PROPERTY IN IMMINENT DANGER OF BEING DAMAGED THAT IS LOCATED WITHIN REASONABLE PROXIMITY TO THE EMPLOYER’S BUILDING OR GROUNDS AND OWNED OR USED BY THE EMPLOYER OR AN EMPLOYEE. THE PROPERTY DESCRIBED IN THIS SUBDIVISION INCLUDES, BUT IS NOT LIMITED TO, AUXILIARY BUILDINGS, PARKING LOTS, AND MOTOR VEHICLES OWNED OR USED BY THE EMPLOYER AND ITS EMPLOYEES”.

The question being on the adoption of the amendment offered by Rep. Raczkowski,

Rep. Raczkowski demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Raczkowski,

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

Roll Call No. 433**Yeas—51**

Banks	Galloway	Jellema	Middleton
Birkholz	Geiger	Johnson	Nye
Bobier	Gernaat	Kukuk	Oxender
Bodem	Gilmer	Law	Perricone
Brackenridge	Godchaux	LeTarte	Raczkowski
Byl	Goschka	Llewellyn	Rhead

Cassis	Green	London	Richner
Crissman	Gustafson	Lowe	Scranton
Cropsey	Hammerstrom	Mans	Sikkema
Dalman	Horton	McBryde	Voorhees
DeVuyst	Jansen	McManus	Walberg
Dobb	Jaye	McNutt	Whyman
Fitzgerald	Jelinek	Middaugh	

Nays—51

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

In The Chair: Hertel

Rep. Llewellyn moved to amend the bill as follows:

1. Amend page 3, line 15, after “DISPUTE” by inserting “UNLESS BOTH OF THE FOLLOWING CIRCUMSTANCES EXIST:

(i) THE INDIVIDUAL ENGAGED OR INVOLVED IN THE LABOR DISPUTE IS BRANDISHING IN A THREATENING MANNER A FIREARM, KNIFE, CROWBAR, BASEBALL BAT OR OTHER OBJECT REASONABLY CAPABLE OF BEING USED AS A BLUDGEON OR WEAPON, OR ROCKS OR OTHER OBJECTS REASONABLY CAPABLE OF BEING USED AS A PROJECTILE.

(ii) THE SECURITY GUARD REASONABLY BELIEVES THAT HIS OR HER LIFE IS IN DANGER OR THAT DAMAGE TO PERSONAL OR REAL PROPERTY LOCATED WITHIN REASONABLE PROXIMITY TO THE EMPLOYER’S BUILDING OR GROUNDS THAT IS OWNED BY THE EMPLOYER OR AN EMPLOYEE IS IN IMMINENT DANGER OF BEING DAMAGED”.

The question being on the adoption of the amendment offered by Rep. Llewellyn,

Rep. Llewellyn demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Llewellyn,

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

The motion prevailed.

House Bill No. 4812, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 355b. The bill was read a second time.

Rep. Rhead moved to amend the bill as follows:

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

“(2) SUBSECTION (1)(C) OR (D) DOES NOT RESTRICT OR PROHIBIT IN ANY WAY A SECURITY GUARD FROM USING REASONABLE FORCE TO DEFEND OR PROTECT HIMSELF OR HERSELF, OR THE EMPLOYER’S EMPLOYEES, FROM ANY ASSAULTIVE, INTIMIDATING, OR THREATENING BEHAVIOR OF THE INDIVIDUALS ENGAGED IN THE LABOR DISPUTE OR FROM USING REASONABLE FORCE TO PROTECT ANY PIECE OF PERSONAL OR REAL PROPERTY IN IMMINENT DANGER OF BEING DAMAGED

THAT IS LOCATED WITHIN REASONABLE PROXIMITY TO THE EMPLOYER'S BUILDING OR GROUNDS AND OWNED OR USED BY THE EMPLOYER OR AN EMPLOYEE. THE PROPERTY DESCRIBED IN THIS SUBDIVISION INCLUDES, BUT IS NOT LIMITED TO, AUXILIARY BUILDINGS, PARKING LOTS, AND MOTOR VEHICLES OWNED OR USED BY THE EMPLOYER AND ITS EMPLOYEES." and renumbering the remaining subsections.

The question being on the adoption of the amendment offered by Rep. Rhead,

Rep. London demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Rhead,

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

Roll Call No. 434

Yeas—52

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

Nays—51

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

In The Chair: Hertel

Rep. Jaye moved to amend the bill as follows:

1. Amend page 2, following line 7, by inserting:

"(3) A PERSON ENGAGED IN A STRIKE AND ANY AGENT OR EMPLOYEE OF A PERSON ENGAGED IN A STRIKE SHALL NOT ENGAGE IN STRIKE ACTIVITY OUTSIDE THE PROPERTY OF THE LABOR ORGANIZATION OR THE PROPERTY OF THE EMPLOYER AGAINST WHOM THE STRIKE IS DIRECTED." and renumbering the remaining subsections.

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 435

Yeas—1

Jaye

Nays—102

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

In The Chair: Hertel

Rep. Jaye moved to amend the bill as follows:

1. Amend page 2, following line 7, by inserting:

“(3) A PERSON ENGAGED IN A STRIKE AND ANY AGENT OR EMPLOYEE OF A PERSON ENGAGED IN A STRIKE SHALL NOT ENGAGE IN STRIKE ACTIVITY ON RESIDENTIAL PROPERTY.” and renumbering the remaining subsections.

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

Rep. Llewellyn moved to amend the bill as follows:

1. Amend page 2, following line 15, by inserting:

“SEC. 355C. (1) A PERSON ENGAGED OR INVOLVED IN A LABOR DISPUTE SHALL NOT DO ANY OF THE FOLLOWING:

(A) BRANDISH A FIREARM, KNIFE, CROWBAR, BASEBALL BAT OR OTHER OBJECT REASONABLY CAPABLE OF BEING USED AS A BLUDGEON OR WEAPON, ROCKS, OR OTHER OBJECTS REASONABLY CAPABLE OF BEING USED AS PROJECTILES IN A THREATENING MANNER CAUSING A REASONABLE PERSON TO BELIEVE THAT HIS OR HER LIFE IS IN IMMINENT DANGER OR THAT PERSONAL OR REAL PROPERTY LOCATED WITHIN REASONABLE PROXIMITY TO THE EMPLOYER'S BUILDING OR GROUNDS AND OWNED OR USED BY THE EMPLOYER OR AN EMPLOYEE IS IN IMMINENT DANGER OF BEING DAMAGED.

(B) HARASS AN INDIVIDUAL OR EMPLOYEE ATTEMPTING TO CARRY OUT THE DUTIES OF HIS OR HER EMPLOYMENT INCLUDING, BUT NOT LIMITED TO, REPORTING FOR WORK.

(C) HARASS AN INDIVIDUAL PATRONIZING AN EMPLOYER INVOLVED IN A LABOR DISPUTE.

(D) STALK OR THREATEN EMPLOYEES OR EMPLOYERS, OR MEMBERS OF THEIR FAMILIES, OR OTHER PERSONS ENGAGED OR INVOLVED IN A LABOR DISPUTE.

(E) IMPEDE THE FREE FLOW OF PRODUCTS IN AND OUT OF THE EMPLOYER'S PLACE OF BUSINESS.

(F) CAUSE DAMAGE TO PERSONAL AND REAL PROPERTY OF THE EMPLOYER, ITS EMPLOYEES, OR SUPPLIERS OR CUSTOMERS OF THE EMPLOYER.

(G) THREATEN THE MOTORING PUBLIC BY PLACING FOREIGN OBJECTS DESIGNED TO DAMAGE VEHICLE TIRES ON PUBLIC OR PRIVATE ROADS.

(2) A PERSON WHO DIRECTS ANOTHER PERSON OR KNOWINGLY ALLOWS THAT PERSON TO VIOLATE SUBSECTION (1) MAY BE CHARGED WITH A VIOLATION OF SUBSECTION (1).

(3) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 2 YEARS, A FINE OF NOT MORE THAN \$5,000.00, OR BOTH.

(4) AS USED IN THIS SECTION:

(A) "FIREARM" MEANS THAT TERM AS DEFINED IN SECTION 3T OF 1846 RS 1, MCL 8.3T.

(B) "LABOR DISPUTE" MEANS THAT TERM AS DEFINED IN SECTION 2 OF 1939 PA 176, MCL 423.2".

The question being on the adoption of the amendment offered by Rep. Llewellyn,

Rep. Llewellyn demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Llewellyn,

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

Roll Call No. 436

Yeas—53

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

Nays—42

Agee	Frank	Leland	Rison
Anthony	Freeman	Martinez	Schauer
Baade	Gire	Mathieu	Schermesser
Bogardus	Gubow	Murphy	Scott
Brewer	Hale	Olshove	Stallworth

Brown	Hanley	Owen	Tesanovich
Cherry	Hertel	Parks	Thomas
Ciaramitaro	Hood	Price	Wallace
DeHart	Kelly	Prusi	Willard
Dobronski	Kilpatrick	Quarles	Wojno
Emerson	LaForge		

In The Chair: Hertel

Rep. Byl moved to amend the bill as follows:

1. Amend page 1, line 5, by striking out all of subdivision (A) and relettering the remaining subdivisions.

The question being on the adoption of the amendment offered by Rep. Byl,

Rep. Byl demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Byl,

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

Roll Call No. 437

Yeas—54

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

Nays—49

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

In The Chair: Hertel

Rep. Byl moved to amend the bill as follows:

1. Amend page 1, line 5, after “(A)” by striking out “CARRY OR DISPLAY” and inserting “BRANDISH, DISCHARGE, OR THREATEN TO DISCHARGE”.

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

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

The motion prevailed.

The House returned to the consideration of

House Bill No. 4629, entitled

A bill to amend 1964 PA 170, entitled “An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts,” by amending section 7 (MCL 691.1407), as amended by 1996 PA 143.

(The bill was considered earlier today, see today’s Journal, p. 1078.)

Rep. Cropsey moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. Cropsey.

The motion prevailed.

Rep. Cropsey withdrew the amendment.

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 3, line 13, after “CORRECTIONS.” by inserting “THE AMENDATORY ACT THAT ADDED THIS SENTENCE IS REMEDIAL IN NATURE. THIS SUBSECTION, AS AMENDED BY THE AMENDATORY ACT THAT ADDED THIS SENTENCE, APPLIES TO CAUSES OF ACTION ARISING AFTER JULY 6, 1986 AND TO CASES BASED ON THOSE CAUSES OF ACTION THAT ARE FILED AFTER JULY 6, 1986 AND ARE STILL PENDING IN TRIAL OR ARE PENDING ON APPEAL OR THAT HAVE NOT BEEN FILED, BUT ARE STILL WITHIN THE STATUTE OF LIMITATIONS AS PRESCRIBED IN SECTION 5838A OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL 600.5838A.”.

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

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

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

The House returned to the consideration of

House Bill No. 4810, entitled

A bill to amend 1968 PA 330, entitled “Private security guard act of 1968,” by amending sections 10 and 32 (MCL 338.1060 and 338.1082), section 10 as amended by 1994 PA 326, and by adding section 16a.

(The bill was considered earlier today, see today’s Journal, p. 1081.)

The question being on the adoption of the amendment offered previously by Rep. Llewellyn,

Rep. Llewellyn withdrew the amendment.

Rep. Llewellyn moved to amend the bill as follows:

1. Amend page 3, line 15, after “DISPUTE” by inserting “UNLESS THE SECURITY GUARD REASONABLY BELIEVES THAT HIS OR HER LIFE OR THE LIVES OF OTHERS ARE IN DANGER”.

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

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

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

The House returned to the consideration of

House Bill No. 4812, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 355b.

(The bill was considered earlier today, see today’s Journal, p. 1084.)

Rep. Llewellyn moved to amend the bill as follows:

1. Amend page 1, line 6, after “DISPUTE” by inserting “UNLESS THE SECURITY GUARD REASONABLY BELIEVES THAT HIS OR HER LIFE IS IN DANGER”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.
Rep. Cherry 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. Fitzgerald, Griffin, Rhead, Voorhees, Dobronski, Freeman, Jansen, Hammerstrom, Perricone, Goschka, McBryde, Brater, London, Jelinek, Scranton, Richner, Birkholz, Gagliardi, Ciaramitaro, Galloway, Cherry, Crissman, Schermesser, Schroer, Parks, Palamara, Cassis, Profit, Dobb, Gire, Kukuk, Anthony, Green, Gernaat, Oxender, Gilmer, Geiger, Bodem, Brackenridge, Gustafson, Kelly, Hanley, DeHart, Sikkema, Dalman, Martinez, Bankes, Wetters and Leland offered the following resolution:

House Resolution No. 72.

A resolution honoring George H. Herstek upon his retirement.

Whereas, It is a distinct honor and special privilege to honor George H. Herstek, Jr., as he brings to a close his career in state government as Assistant Director of Elections. This outstanding individual has contributed greatly over the past 40 years to the health, safety, and well-being of Michigan's citizens, the last 20 of which have been spent insuring the integrity of our electoral system. We thank him for his valuable service, and offer our congratulations as he moves on to the next phase in his life; and

Whereas, George has been instrumental in implementing the Qualified Voter File program which recently earned him the 1997 Employee Excellence Award from Secretary of State Miller. He has advised countless local officials on the proper conduct of administering elections, prepared manuals of instructions, trained local officials, investigated alleged violations of election law, and performed many other duties, too numerous to mention. His expertise in many areas will be sorely missed; and

Whereas, George has had many titles over the years: elections specialist, co-worker, boss, and most importantly, Mo's husband. He is most proud of being a member of the select fraternity of psephologists. May he long know of the value we place on his friendship. 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 honor George H. Herstek, Jr., as he retires from state government. His contributions to Michigan will long stand in tribute to his dedication; and be it further

Resolved, That a copy of this resolution be transmitted to him as evidence of our best wishes for health, happiness, and ample time to enjoy and pursue his own pleasures.

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. LaForge, Dobronski, Freeman, Jansen, Perricone, Goschka, Brater, London, Jelinek, Scranton, Richner, Ciaramitaro, Galloway, Cherry, Hale, Schermesser, Schroer, Parks, Palamara, Cassis, Profit, Dobb, Gire, Anthony, Green, Gernaat, Oxender, Tesanovich, Gilmer, Bodem, Kelly, Quarles, Baird, Hanley, DeHart, Thomas, Bogardus, Dalman, Willard, Martinez, Bankes, Wetters and Leland offered the following resolution:

House Resolution No. 73.

A resolution congratulating Deloris Phillips as she receives the Humanitarian Award from the Kalamazoo Branch of the NAACP.

Whereas, It is with great respect for her accomplishment that we are pleased to offer congratulations to Deloris Phillips upon her receipt of the prestigious Humanitarian Award presented by the Metropolitan Kalamazoo Branch of the National Association for the Advancement of Colored People. We proudly add our voices to those of her family and friends who will gather to honor Deloris Phillips and celebrate the occasion June 7, 1997, at the Radisson Plaza Hotel in Kalamazoo; and

Whereas, Deloris Phillips' community involvement in Kalamazoo has encompassed many and varied interests. A young schoolteacher from Detroit, Deloris moved to Kalamazoo in 1968 and began her community activities by helping to found the Northside Association for Educational Development which generates scholarships for qualified young people. She has served as a member and Chairwoman of the Family Health Center's board of directors and is credited with providing the leadership which saved the Center. A co-founder of the Healing Racism Institute of Kalamazoo Valley, Deloris has also been involved with other Kalamazoo organizations including the YWCA, CARES, the NAACP, and St. Barnabas Episcopal Church; and

Whereas, Over the years, Deloris Phillips' contributions to these local organizations have made a significant impact on improving the quality of life in Kalamazoo. A warm and caring person, Deloris has given freely of herself to these organizations and has touched the lives of so many in the Kalamazoo community. For many years, her home was host to several foreign students, and she taught at Western Michigan University's School of Social Work for 27 years; and

Whereas, The example of commitment to community and to each other is one which best describes Deloris Phillips. She feels that she and her family may have given, but have also gotten so much back in return from those they have assisted. A firm believer in the responsibility of her American citizenship, Deloris is very proud of her roots, her African heritage. She feels that she has lived a life "...enriched by the opportunity to interact with people." Truly, these are the words of a remarkable humanitarian; now, therefore, be it

Resolved by the House of Representatives, That we commend, honor, and congratulate Deloris Phillips on her receipt of the Humanitarian Award presented by the Metropolitan Kalamazoo Branch of the National Association for the Advancement of Colored People. May she know of our admiration and warmest wishes for a future filled with much happiness; and be it further

Resolved, That copies of this resolution be transmitted to Deloris Phillips and her family as evidence of our respect and admiration.

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. Green, Cropsey, Kukuk, Horton, Goschka, Oxender, Hanley, DeVuyst, Hammerstrom, Rhead, Gernaat, Voorhees, Dobronski, Freeman, Jansen, Perricone, McBryde, LaForge, Brater, London, Jelinek, Scranton, Ciaramitaro, Galloway, Raczkowski, Cherry, Parks, Cassis, Profit, Dobb, Gire, Anthony, Geiger, Bodem and Kelly offered the following concurrent resolution:

House Concurrent Resolution No. 43.

A concurrent resolution to memorialize the Congress of the United States to maintain and renew its commitment to encourage ethanol production and consumption.

Whereas, This nation is dependent upon the consumption of ever-diminishing domestic crude oil reserves, with the United States annually importing 54 percent of the nation's petroleum from foreign sources. This contributes to the nation's serious trade deficit; and

Whereas, A significant amount of this nation's air pollution is caused by vehicles emitting a variety of petroleum-based pollutants; and

Whereas, The state of Michigan ranks as a preeminent agricultural state, ranking eighth in 1995 and 11th in 1996 in the nation in the production of corn; and

Whereas, The processing of corn into ethanol adds value to this nation's abundant corn crop, increasing net farm income, creating employment opportunities, increasing state and federal tax receipts, reducing this nation's dependence upon foreign nations, and reducing the federal trade deficit; and

Whereas, Motor fuel that includes only a 10 percent blend of ethanol contains 3.5 percent oxygen, which enhances octane levels and provides more oxygen for fuel combustion, resulting in reduced levels of hazardous emissions such as carbon monoxide. This provides Americans with healthier air to breathe; and

Whereas, The United States Congress, in supporting the need to reduce this nation's dependence upon foreign petroleum, to provide additional markets for domestic corn, to protect the public health, and to preserve the nation's environment, has traditionally encouraged ethanol production and consumption; and

Whereas, Long-standing bipartisan congressional support for the ethanol industry is reflected by the 5.4 cent federal tax exemption applicable to gasoline formulated using clean burning ethanol; and

Whereas, The federal tax exemption, currently scheduled to expire on December 31, 2000, is subject to attack by certain members of the current Congress of the United States, as manifested by legislation already under consideration; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to maintain and renew its commitment to encouraging the production and consumption of ethanol. We call on the Congress to continue support for the federal ethanol tax exemption; and be it further

Resolved, That a copy of this resolution be transmitted to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Michigan congressional delegation.
The concurrent resolution was referred to the Committee on Agriculture.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, May 28:

Senate Bill Nos. 526 527 528 529 530 531 532 533 534

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, May 29, for his approval of the following bills:

Enrolled Senate Bill No. 229 at 3:05 p.m.

Enrolled Senate Bill No. 230 at 3:07 p.m.

Enrolled Senate Bill No. 234 at 3:09 p.m.

The Clerk announced that the following bill had been printed and placed upon the files of the members, Friday, May 30:

House Bill No. 4856

The Clerk announced the enrollment printing and presentation to the Governor on Monday, June 2, for his approval of the following bills:

Enrolled House Bill No. 4299 at 10:59 a.m.

Enrolled House Bill No. 4492 at 11:01 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, June 2:

**House Bill Nos. 4829 4830 4831 4832 4833 4834 4835 4836 4837 4838 4839 4840 4841 4842
 4843 4844 4845**

The Clerk announced that the following Senate bill had been received on Tuesday, June 3:

Senate Bill No. 341

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Bill No. 4664, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," (MCL 432.201 to 432.216) by adding section 17.

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 4664 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno, DeVuyst, Perricone, Richner, Voorhees,

Nays: None.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Bill No. 4666, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," (MCL 432.201 to 432.216) by adding section 10a.

With the recommendation that the substitute (H-4) 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 4666 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Wallace, Wojno, Gustafson, DeVuyst, Richner, Voorhees,

Nays: None.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Bill No. 4718, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," by amending section 14 (MCL 432.14).

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 4718 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno, Gustafson, DeVuyst, Fitzgerald, Perricone, Richner, Voorhees,

Nays: None.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Bill No. 4720, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," by amending section 12 (MCL 432.212).

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 4720 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno, Voorhees,

Nays: Rep. Fitzgerald.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Bill No. 4722, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," (MCL 432.201 to 432.216) by adding section 6b.

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 4722 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno, Voorhees,

Nays: Reps. Gustafson, DeVuyst, Fitzgerald.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Bill No. 4723, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," by amending section 4 (MCL 432.204).

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 4723 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Varga, Wojno, DeVuyst, Richner, Voorhees,

Nays: Rep. Wallace.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Bill No. 4732, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," (MCL 432.201 to 432.216) by adding section 6c.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4732 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno, Gustafson, DeVuyst, Perricone, Richner, Voorhees,

Nays: None.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Bill No. 4739, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," by amending section 1 (MCL 432.201).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4739 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno, Richner, Voorhees,

Nays: Reps. Gustafson, DeVuyst, Perricone.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Bill No. 4744, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," (MCL 432.201 to 432.216) by adding section 17.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4744 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno, Gustafson, DeVuyst, Fitzgerald, Perricone, Richner, Voorhees,

Nays: None.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Bill No. 4856, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 31b.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4856 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno,

Nays: Reps. Gustafson, DeVuyst, Fitzgerald, Perricone, Richner.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gagliardi, Chair of the Committee on House Oversight and Ethics, was received and read:

Meeting held on: Monday, June 2, 1997, at 2:00 p.m.,

Present: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno, Gustafson, DeVuyst, Fitzgerald, Goschka, Perricone, Richner, Voorhees.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

Senate Bill No. 297, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20920, 20921, and 20965 (MCL 333.20920, 333.20921, and 333.20965), as added by 1990 PA 179.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 297 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Leland, Murphy, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Llewellyn, Raczkowski, Rocca, Scranton,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 3, 1997, at 10:30 a.m.,

Present: Reps. Palamara, Schauer, Gire, Gubow, Leland, Murphy, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Llewellyn, Raczkowski, Rocca, Scranton,

Absent: Rep. Griffin,

Excused: Rep. Griffin.

The Committee on Labor and Occupational Safety, by Rep. Murphy, Chair, reported

House Bill No. 4775, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending sections 7a and 15 (MCL 423.207a and 423.215), section 7a as added and section 15 as amended by 1994 PA 112, and by adding section 7b.

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

1. Amend page 4, line 25, by striking out "LABOR MEDIATION BOARD" and inserting "COMMISSION".

2. Amend page 11, line 24, after "6a" by striking out "OR 6B".

3. Amend page 11, line 27, after "380.507" by striking out "AND 380.511 TO 380.518".

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

Favorable Roll Call

HB 4775 To Report Out:

Yeas: Reps. Murphy, Cherry, Agee, Bogardus, Callahan, Freeman, Schermesser,

Nays: Reps. Byl, Llewellyn, Rhead.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Murphy, Chair of the Committee on Labor and Occupational Safety, was received and read:

Meeting held on: Tuesday, June 3, 1997, at 9:00 a.m.,

Present: Reps. Murphy, Cherry, Agee, Bogardus, Callahan, Freeman, Schermesser, Byl, Llewellyn, Raczkowski, Rhead.

The Committee on Forestry and Mineral Rights, by Rep. Anthony, Chair, reported

House Bill No. 4049, entitled

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

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 4049 To Report Out:

Yeas: Reps. Anthony, Callahan, Bogardus, Brater, Middleton, Gernaat,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Anthony, Chair of the Committee on Forestry and Mineral Rights, was received and read:

Meeting held on: Tuesday, June 3, 1997, at 10:30 a.m.,

Present: Reps. Anthony, Callahan, Alley, Bogardus, Brater, Middleton, Gernaat,

Absent: Reps. DeVuyst, Lowe,

Excused: Reps. DeVuyst, Lowe.

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, June 3, 1997, at 9:00 a.m.,

Present: Reps. LaForge, Scott, Bogardus, Gire, Schauer, Horton, Jaye, London, 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, June 3, 1997, at 12:30 p.m.,

Present: Reps. Brewer, Brown, Quarles, Kaza, Hammerstrom, Walberg, Whyman,

Absent: Reps. Anthony, Baird,

Excused: Reps. Anthony, Baird.

Messages from the Senate

House Bill No. 4219, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 1201, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1214, 1217, and 1218 (MCL 339.1201, 339.1204, 339.1205, 339.1206, 339.1207, 339.1208, 339.1209, 339.1210, 339.1211, 339.1214, 339.1217, and 339.1218), sections 1204, 1205, 1207, 1208, 1209, 1211, and 1214 as amended by 1988 PA 463, and by adding sections 1203a and 1203b; and to repeal acts and parts of acts.

The Senate has nonconcurred in the House amendments to Senate Substitute (S-1) and appointed Senators Schuette, Gougeon and Stallings as conferees.

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Varga, Hale and Jaye.

The bill was referred to the Conference Committee on June 3, 1997.

The message was referred to the Clerk.

House Bill No. 4220, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 25 (MCL 338.2225), as amended by 1988 PA 461.

The Senate has nonconcurred in the House amendments to Senate Substitute (S-1) and appointed Senators Schuette, Gougeon and Stallings as conferees.

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Varga, Hale and Jaye.

The bill was referred to the Conference Committee on June 3, 1997.

The message was referred to the Clerk.

Notices

The Standing Committee on Urban Policy and Economic Development will now meet on Thursday mornings, 11:00 a.m. or after Committees are given leave by the House to meet, whichever time is later, in Room 424 State Capitol Building.

Communications from State Officers

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

Notices of Filing Administrative Rules

April 25, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:55 a.m. this date, administrative rule (97-4-6) for the Department of Environmental Quality, Air Quality Division, entitled "*Air Pollution Control*", effective 15 days hereafter.

May 8, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:08 p.m. this date, administrative rule (97-5-1) for the Department of State, Board of State Canvassers, entitled "*Procedures*", effective 15 days hereafter.

May 9, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:35 a.m. this date, administrative rule (97-5-2) for the Department of Environmental Quality, Air Quality Division, entitled "*Motor Vehicle Emission Inspection/Maintenance Program*", effective 15 days hereafter.

May 9, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:38 a.m. this date, administrative rule (97-5-3) for the Department of Environmental Quality, Air Quality Division, entitled "*Air Pollution Control*", effective 15 days hereafter.

May 9, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:41 a.m. this date, administrative rule (97-5-4) for the Department of Environmental Quality, Air Quality Division, entitled "*Air Pollution Control*", effective 15 days hereafter.

May 9, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:44 a.m. this date, administrative rule (97-5-5) for the Department of Environmental Quality, Air Quality Division, entitled "*General Rules*", effective 15 days hereafter.

May 13, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:55 a.m. this date, administrative rule (97-5-6) for the Department of State Police, Michigan Justice Training Commission, entitled "*General Rules*", effective 15 days hereafter.

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

The communications were referred to the Clerk.

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

June 2, 1997

We are pleased to be able to provide you a copy of the 1996 Michigan Annual Drunk Driving Audit as required by MCL 257.625i. This report is a detailed examination of crashes and arrests that occurred in 1996 by county. Data was assembled in cooperation with the Michigan Departments of State and Transportation.

If you have any questions regarding this report, please call Mr. Robert Nelson of my staff at 333-5308. Thank you.

Sincerely,
BETTY J. MERCER
Division Director
Office of Highway Safety Planning

The communication was referred to the Clerk.

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

May 30, 1997

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

Financial Audit
Including the provisions of the Single Audit Act of the
Department of Commerce and the
Community Development Block Grant Program
Within the Michigan Jobs Commission
October 1, 1993 through September 30, 1995

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. Bogardus, Hanley, Brewer, DeHart, Curtis, Wetters, Cherry, Agee, Mathieu, Emerson, Brater, Mans and Goschka introduced

House Bill No. 4859, entitled

A bill to provide immunity from civil liability to a person who donates a vehicle for use by a local governmental unit or charitable organization.

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

Reps. McBryde, Owen, DeHart, Bodem, Gernaat, Goschka, Hammerstrom, Oxender, Dalman, Horton, Raczkowski, Jelinek, Jellema, London, Richner, Bobier, DeVuyst, Jansen, Brackenridge, Law and Birkholz introduced

House Bill No. 4860, entitled

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

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

Reps. Green, Cropsey, Kukuk, Goschka, Hammerstrom, Rhead, Gernaat and Voorhees introduced

House Bill No. 4861, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20155 (MCL 333.20155), as amended by 1996 PA 267.

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

Reps. Green, Cropsey, Kukuk, Horton, Goschka, Hanley, DeVuyst, Rhead, Jaye, Bodem, Walberg, McNutt, Gernaat, Brackenridge and Voorhees introduced

House Bill No. 4862, entitled

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

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

Rep. Frank introduced

House Bill No. 4863, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," by amending section 8 (MCL 432.208).

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

Rep. Schauer introduced

House Bill No. 4864, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," by amending section 7 (MCL 432.207).

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

Rep. Bodem moved that the House adjourn.

The motion prevailed, the time being 5:00 p.m.

The Speaker declared the House adjourned until Wednesday, June 4, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

