

No. 74
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
90th Legislature
REGULAR SESSION OF 1999

House Chamber, Lansing, Wednesday, October 27, 1999.

2:00 p.m.

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

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

Allen—present	Frank—present	Kuipers—present	Rison—excused
Baird—present	Garcia—present	Kukuk—present	Rivet—present
Basham—present	Garza—present	LaForge—present	Rocca—present
Birkholz—present	Geiger—present	LaSata—present	Sanborn—present
Bisbee—present	Gielegem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—present
Bogardus—present	Godchaux—present	Lockwood—present	Scott—excused
Bovin—present	Gosselin—present	Mans—present	Scranton—present
Bradstreet—present	Green—present	Martinez—present	Shackleton—present
Brater—present	Hager—present	Mead—present	Sheltrown—present
Brewer—present	Hale—present	Middaugh—present	Shulman—present
Brown, Bob—present	Hanley—present	Minore—present	Spade—present
Brown, Cameron—present	Hansen—present	Mortimer—present	Stallworth—present
Byl—present	Hardman—present	Neumann—present	Stamas—present
Callahan—present	Hart—present	O’Neil—present	Switalski—present
Cassis—present	Howell—present	Pappageorge—present	Tabor—present
Caul—present	Jacobs—present	Patterson—present	Tesanovich—present
Cherry—present	Jamnick—present	Perricone—present	Thomas—present
Clark—present	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—present	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—present	Quarles—present	Vear—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—present	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Rev. Donald Fry, Pastor of the United Methodist Church of Newaygo, offered the following invocation:

“God of all Abraham and Isaac, God of Jesus, and God of us all, You are always more ready to hear than we are to pray. Forgive us for being so preoccupied with the concerns of the day that we forget about You. We forget to ask for Your help. Sometimes we are so busy that we forget that it is You who gives us the ability to speak, debate, discern, and the wisdom to make decisions. We often come before You and ask for wisdom on the part of our leaders. Often it’s in general that we ask, but this afternoon it’s different. We ask Your blessing upon this body gathered here.

These men and women have been sent here by those at home to discuss and vote on important matters—issues which affect the lives of millions of people. So much of their time is spent here in this room—in meetings, on the phone, and greeting their constituents. We who are not here in the middle of things do not understand what these people go through. But You do, and that’s what is important and what we need to remember.

Help us to remember that we could go as far to the east or as far to the west as we could go and we would find You there. We can be in moments of ecstasy or in the depths of hell on earth and find You there, too.

For the one for whom issues have become incredibly complicated rather than complex, we pray for clarity.

For the one who feels the struggle of making choices and compromises so deep that it becomes a matter of integrity, we pray for Your reassurance that the best we can do in any given circumstances is all You ask of us and that, no matter what we do, nothing can separate us from Your love.

For the one who is in the midst of conflict, whether it be here among colleagues or at home with family, speak Your words of reconciliation.

For one who is dreading some task, may the courage and power that comes through Your Holy Spirit strengthen.

For one who is overwhelmed with the requirements of membership in this body, may the simplicity of Your grace encourage.

When life falls apart all around us, may we find deep in the center, that You are still here, that Your grace reminds us that You have the last word.

We pray that those who need to, those who work here will see this as the holy ground—not holy because of where it is, but holy because You are here. When they are working may their desk be their altar, and in the depths of the night, may that desk be a place to meet You. And when it is dark, may the lamp which lights up their work be their candle, reminding them they are not alone. Wherever these men and women, called and sent to this place, find themselves, may they know that You are as real here as in any place on earth.

In a world of change You have always been the One who is consistent, the One we can count on. Help us to remember that. In Your name, we pray. Amen.”

Rep. DeHart moved that Reps. Rison and Scott be excused from today’s session.

The motion prevailed.

Second Reading of Bills

House Bill No. 4280, entitled

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

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Conservation and Outdoor Recreation (for amendment, see House Journal No. 69, p. 1975),

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

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

The question being on the adoption of the substitute (H-1) offered by Rep. Brater,

Rep. Brater demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-1) offered by Rep. Brater,

The motion did not prevail and the substitute (H-1) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 914**Yeas—42**

Basham	Frank	Lockwood	Schauer
Bogardus	Garza	Martinez	Schermesser
Bovin	Gielegem	Minore	Shackleton
Brater	Hale	Neumann	Stallworth
Brown, B.	Hanley	Pestka	Switalski
Callahan	Hansen	Price	Tesanovich
Cherry	Hardman	Prusi	Thomas
Clark, I.	Jacobs	Quarles	Vaughn
Daniels	Jamnack	Reeves	Wojno
DeHart	LaForge	Rivet	Woodward
Dennis	Lemmons		

Nays—62

Allen	Gilbert	Kuipers	Richner
Birkholz	Godchaux	Kukuk	Rocca
Bisbee	Gosselin	LaSata	Sanborn
Bishop	Green	Law	Scranton
Bradstreet	Hager	Mans	Sheltrown
Brown, C.	Hart	Mead	Shulman
Byl	Howell	Middaugh	Spade
Cassis	Jansen	Mortimer	Stamas
Caul	Jelinek	O'Neil	Tabor
Clarke, H.	Jellema	Pappageorge	Toy
DeRossett	Johnson, Rick	Patterson	Van Woerkom
DeVuyst	Johnson, Ruth	Perricone	Vander Roest
DeWeese	Julian	Pumford	Vear
Ehardt	Kilpatrick	Raczkowski	Voorhees
Faunce	Koetje	Richardville	Woronchak
Garcia	Kowall		

In The Chair: Birkholz

Rep. Baird, under Rule 32(b), made the following statement:
 “Mr. Speaker and members of the House:
 I did not vote on Roll Call No. 914 because of a possible conflict of interest.”

Rep. DeVuyst 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. Raczkowski 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. 4280, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

Rep. Brater moved that consideration of the bill be postponed temporarily.
The motion prevailed.

Second Reading of Bills

House Bill No. 4755, entitled

A bill to amend 1984 PA 22, entitled "Michigan civilian conservation corps act," by amending section 6 (MCL 409.306), as amended by 1998 PA 71.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Conservation and Outdoor Recreation (for amendments, see House Journal No. 69, p. 1975),

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

Rep. Thomas moved to amend the bill as follows:

1. Amend page 3, line 6, by striking out all of subsection (5).

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

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

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

Rep. LaForge moved that Rep. Kelly be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4755, entitled

A bill to amend 1984 PA 22, entitled "Michigan civilian conservation corps act," by amending section 6 (MCL 409.306), as amended by 1998 PA 71.

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

Roll Call No. 915

Yeas—107

Allen	Faunce	Koetje	Richner
Baird	Frank	Kowall	Rivet
Basham	Garcia	Kuipers	Rocca
Birkholz	Garza	Kukuk	Sanborn
Bisbee	Geiger	LaSata	Schauer
Bishop	Gielegem	Law	Schermesser
Bogardus	Gilbert	Lemmons	Scranton
Bovin	Godchaux	Lockwood	Shackleton
Bradstreet	Gosselin	Mans	Sheltrown
Brater	Green	Martinez	Shulman
Brewer	Hager	Mead	Spade
Brown, B.	Hale	Middaugh	Stallworth
Brown, C.	Hanley	Minore	Stamas
Byl	Hansen	Mortimer	Switalski
Callahan	Hardman	Neumann	Tabor
Cassis	Hart	O'Neil	Tesanovich
Caul	Howell	Pappageorge	Thomas
Cherry	Jacobs	Patterson	Toy
Clark, I.	Jamnick	Perricone	Van Woerkom

Clarke, H.	Jansen	Pestka	Vander Roest
Daniels	Jelinek	Price	Vaughn
DeHart	Jellema	Prusi	Vear
Dennis	Johnson, Rick	Pumford	Voorhees
DeRossett	Johnson, Ruth	Quarles	Wojno
DeVuyst	Julian	Raczkowski	Woodward
DeWeese	Kelly	Reeves	Woronchak
Ehardt	Kilpatrick	Richardville	

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

Rep. Raczkowski 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. 463, entitled**

A bill to amend 1972 PA 230, entitled "State construction code act of 1972," by amending the title and sections 2, 4, 7, 8, 10, and 22 (MCL 125.1502, 125.1504, 125.1507, 125.1508, 125.1510, and 125.1522), the title and section 4 as amended by 1995 PA 270, section 2 as amended by 1998 PA 42, section 8 as amended by 1994 PA 128, section 10 as amended by 1989 PA 135, and section 22 as amended by 1980 PA 371, and by adding sections 2a, 3a, 8a, 8b, 9b, and 13d; and to repeal acts and parts of acts.

(The bill was read a second time, substitute (H-2) adopted, amended, amendment reconsidered and postponed temporarily, amended, amendments offered and bill postponed temporarily on October 26, see House Journal No. 73, p. 2042.)

The question being on the amendment offered previously by Reps. Woronchak and Wojno,

Rep. Jelinek moved to amend the Woronchak and Wojno amendment as follows:

1. Amend the Woronchak's amendment, page 37, following line 13, subsection (8), after "THE STATE." by inserting "THE GOVERNMENTAL SUBDIVISION SHALL LIST ALL AMENDMENTS TO THE CODE AND MAKE THAT LIST AVAILABLE UPON GRANTING ALL BUILDING PERMITS TO THE PERSON OBTAINING THOSE PERMITS."

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

Rep. Kilpatrick demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 916**Yeas—71**

Baird	Ehardt	Kilpatrick	Richner
Basham	Frank	LaForge	Rivet
Birkholz	Garza	LaSata	Schauer
Bogardus	Geiger	Law	Schermesser
Bovin	Godchaux	Lemmons	Scranton
Bradstreet	Green	Lockwood	Shackleton
Brater	Hager	Mans	Spade
Brown, B.	Hale	Martinez	Stamas

Byl	Hanley	Minore	Switalski
Callahan	Hansen	Mortimer	Thomas
Caul	Hardman	Neumann	Toy
Cherry	Howell	O'Neil	Van Woerkom
Clark, I.	Jacobs	Pappageorge	Vander Roest
Clarke, H.	Jamnack	Pestka	Vaughn
Daniels	Jelinek	Price	Wojno
DeHart	Jellema	Pumford	Woodward
Dennis	Johnson, Ruth	Quarles	Woronchak
DeVuyst	Kelly	Reeves	

Nays—32

Allen	Garcia	Kowall	Richardville
Bisbee	Gilbert	Kuipers	Rocca
Bishop	Gosselin	Kukuk	Sanborn
Brown, C.	Hart	Mead	Sheltrown
Cassis	Jansen	Middaugh	Shulman
DeRossett	Johnson, Rick	Patterson	Tabor
DeWeese	Julian	Perricone	Vear
Faunce	Koetje	Raczkowski	Voorhees

In The Chair: Birkholz

The question being on the adoption of the amendment offered previously by Reps. Woronchak and Wojno,

Rep. Raczkowski moved that consideration of the bill be postponed temporarily.
The motion prevailed.

Rep. Kelly moved that Rep. LaForge be excused temporarily from today's session.
The motion prevailed.

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

The House returned to the consideration of
House Bill No. 4280, entitled

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

(The bill was considered earlier today, see today's journal, p. 2066.)

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. 917**Yeas—103**

Allen	Garcia	Kowall	Richner
Basham	Garza	Kuipers	Rivet
Birkholz	Geiger	Kukuk	Rocca

Bisbee	Gielegem	LaSata	Sanborn
Bishop	Gilbert	Law	Schauer
Bogardus	Godchaux	Lemmons	Schermesser
Bovin	Gosselin	Lockwood	Scranton
Bradstreet	Green	Mans	Shackleton
Brater	Hager	Martinez	Sheltrown
Brown, B.	Hale	Mead	Shulman
Brown, C.	Hanley	Middaugh	Spade
Byl	Hansen	Minore	Stallworth
Callahan	Hardman	Mortimer	Stamas
Cassis	Hart	Neumann	Switalski
Caul	Howell	O'Neil	Tabor
Cherry	Jacobs	Pappageorge	Tesanovich
Clark, I.	Jamnick	Patterson	Thomas
Clarke, H.	Jansen	Perricone	Toy
Daniels	Jelinek	Pestka	Van Woerkom
Dennis	Jellema	Price	Vander Roest
DeRossett	Johnson, Rick	Prusi	Vaughn
DeVuyst	Johnson, Ruth	Pumford	Voorhees
DeWeese	Julian	Quarles	Wojno
Ehardt	Kelly	Rackowski	Woodward
Faunce	Kilpatrick	Reeves	Woronchak
Frank	Koetje	Richardville	

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Reps. Basham, Callahan, Clarke, DeWeese, Hart, Jacobs, Jellema, Kowall, Kuipers, Kukuk, Law, Lemmons, Pappageorge, Richardville, Richner, Rocca, Shackleton, Van Woerkom, Vander Roest and Vaughn were named co-sponsors of the bill.

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

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 917 because of a possible conflict of interest.”

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

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 917 because of a possible conflict of interest.”

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

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 917 because of a possible conflict of interest.”

Second Reading of Bills

House Bill No. 4281, entitled

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

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

The substitute (H-1) was adopted, a majority of the members serving voting therefor.
 Rep. DeVuyst 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. Raczkowski 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. 4281, entitled

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

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

Roll Call No. 918

Yeas—101

Allen	Garcia	LaForge	Rivet
Basham	Garza	LaSata	Rocca
Birkholz	Gielegem	Law	Sanborn
Bisbee	Gilbert	Lemmons	Schauer
Bishop	Godchaux	Lockwood	Schermesser
Bogardus	Gosselin	Mans	Scranton
Bovin	Green	Martinez	Shackleton
Bradstreet	Hager	Mead	Sheltrown
Brater	Hale	Middaugh	Shulman
Brown, B.	Hansen	Minore	Spade
Brown, C.	Hardman	Mortimer	Stallworth
Byl	Hart	Neumann	Stamas
Callahan	Howell	O'Neil	Switalski
Cassis	Jacobs	Pappageorge	Tabor
Caul	Jansen	Patterson	Tesanovich
Cherry	Jelinek	Perricone	Thomas
Clark, I.	Jellema	Pestka	Toy
Clarke, H.	Johnson, Rick	Price	Van Woerkom
Daniels	Johnson, Ruth	Prusi	Vander Roest
Dennis	Julian	Pumford	Vaughn
DeRossett	Kilpatrick	Quarles	Vear
DeVuyst	Koetje	Raczkowski	Voorhees
DeWeese	Kowall	Reeves	Wojno
Ehardt	Kuipers	Richardville	Woodward
Faunce	Kukuk	Richner	Woronchak
Frank			

Nays—0

In The Chair: Birkholz

The question being on agreeing to the title of the bill,
 Rep. Raczkowski moved to amend the title to read as follows:

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

The motion prevailed.

The House agreed to the title as amended.

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

Rep. Baird, under Rule 32(b), made the following statement:
“Mr. Speaker and members of the House:
I did not vote on Roll Call No. 918 because of a possible conflict of interest.”

Rep. DeHart, under Rule 32(b), made the following statement:
“Mr. Speaker and members of the House:
I did not vote on Roll Call No. 918 because of a possible conflict of interest.”

Rep. Brewer, under Rule 32(b), made the following statement:
“Mr. Speaker and members of the House:
I did not vote on Roll Call No. 918 because of a possible conflict of interest.”

Second Reading of Bills

Senate Bill No. 430, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 316 (MCL 750.316), as amended by 1996 PA 21.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Criminal Law and Corrections (for amendment, see House Journal No. 41, p. 792),
The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Faunce moved to amend the bill as follows:

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

“Enacting section 1. This amendatory act takes effect April 1, 2000.”.

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

Rep. Raczkowski 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. Raczkowski 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. 430, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 316 (MCL 750.316), as amended by 1996 PA 21.

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

Roll Call No. 919

Yeas—107

Allen	Frank	Kowall	Richner
Baird	Garcia	Kuipers	Rivet
Basham	Garza	Kukuk	Rocca
Birkholz	Geiger	LaForge	Sanborn
Bisbee	Gielegthem	LaSata	Schauer
Bishop	Gilbert	Law	Schermesser
Bogardus	Godchaux	Lemmons	Scranton

Bovin	Gosselin	Lockwood	Shackleton
Bradstreet	Green	Mans	Sheltrown
Brater	Hager	Martinez	Shulman
Brewer	Hale	Mead	Spade
Brown, B.	Hanley	Middaugh	Stallworth
Brown, C.	Hansen	Minore	Stamas
Byl	Hardman	Mortimer	Switalski
Callahan	Hart	Neumann	Tabor
Cassis	Howell	O'Neil	Tesanovich
Caul	Jacobs	Pappageorge	Thomas
Cherry	Jamnack	Patterson	Toy
Clark, I.	Jansen	Perricone	Van Woerkom
Clarke, H.	Jelinek	Pestka	Vander Roest
Daniels	Jellema	Price	Vaughn
Dennis	Johnson, Rick	Prusi	Vear
DeRossett	Johnson, Ruth	Pumford	Voorhees
DeVuyst	Julian	Quarles	Wojno
DeWeese	Kelly	Raczkowski	Woodward
Ehardt	Kilpatrick	Reeves	Woronchak
Faunce	Koetje	Richardville	

Nays—0

In The Chair: Birkholz

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

“An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The House agreed to the full title.

Second Reading of Bills

The House returned to the consideration of

Senate Bill No. 463, entitled

A bill to amend 1972 PA 230, entitled “State construction code act of 1972,” by amending the title and sections 2, 4, 7, 8, 10, and 22 (MCL 125.1502, 125.1504, 125.1507, 125.1508, 125.1510, and 125.1522), the title and section 4 as amended by 1995 PA 270, section 2 as amended by 1998 PA 42, section 8 as amended by 1994 PA 128, section 10 as amended by 1989 PA 135, and section 22 as amended by 1980 PA 371, and by adding sections 2a, 3a, 8a, 8b, 9b, and 13d; and to repeal acts and parts of acts.

(The bill was considered earlier today, see today’s journal, p. 2069.)

Rep. Hale moved to amend the bill as follows:

1. Amend page 47, line 10, by striking out all of section 13d.

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

Rep. Hale demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 920

Yeas—27

Bishop	Frank	LaForge	Schermesser
Bogardus	Garza	Martinez	Switalski

Bovin	Gielegem	Neumann	Tesanovich
Brater	Hale	Price	Thomas
Cherry	Hardman	Prusi	Vaughn
Clark, I.	Jacobs	Reeves	Woodward
DeHart	Kelly	Rivet	

Nays—74

Allen	Garcia	Kuipers	Richner
Baird	Geiger	Kukuk	Rocca
Basham	Gilbert	LaSata	Sanborn
Birkholz	Godchaux	Law	Scranton
Bisbee	Gosselin	Lemmons	Shackleton
Bradstreet	Green	Lockwood	Sheltrown
Brown, B.	Hager	Mans	Shulman
Brown, C.	Hansen	Mead	Spade
Byl	Hart	Middaugh	Stallworth
Callahan	Howell	Mortimer	Stamas
Cassis	Jansen	O'Neil	Tabor
Caul	Jelinek	Pappageorge	Toy
Clarke, H.	Jellema	Patterson	Van Woerkom
Dennis	Johnson, Rick	Perricone	Vander Roest
DeRossett	Johnson, Ruth	Pestka	Vear
DeVuyst	Julian	Pumford	Voorhees
DeWeese	Kilpatrick	Raczkowski	Wojno
Ehardt	Koetje	Richardville	Woronchak
Faunce	Kowall		

In The Chair: Birkholz

Rep. Hale moved to amend the bill as follows:

1. Amend page 19, following line 9, by inserting:

“SEC. 5A. WITH THE ENACTMENT OF THIS 1999 AMENDATORY ACT, THE COMMISSION SHALL ENCOURAGE THE STATE TO AWARD CONTRACTS TO BUSINESSES THAT ARE LOCATED IN URBAN OR DISTRESSED AREAS.”.

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

Rep. Hale demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 921**Yeas—31**

Baird	DeHart	Kelly	Reeves
Bogardus	Dennis	Kilpatrick	Schermesser
Brater	Garza	LaForge	Stallworth
Brown, B.	Gielegem	Lemmons	Switalski
Cherry	Hale	Martinez	Thomas
Clark, I.	Hansen	Minore	Vaughn
Clarke, H.	Hardman	Price	Woodward
Daniels	Jacobs	Quarles	

Nays—70

Allen	Godchaux	Lockwood	Sanborn
Basham	Gosselin	Mans	Schauer
Birkholz	Green	Mead	Scranton
Bisbee	Hager	Middaugh	Shackleton
Bishop	Hart	Mortimer	Sheltrown
Bovin	Howell	Neumann	Shulman
Bradstreet	Jansen	O'Neil	Spade
Brown, C.	Jelinek	Pappageorge	Stamas
Byl	Jellema	Patterson	Tabor
Cassis	Johnson, Rick	Perricone	Tesanovich
Caul	Johnson, Ruth	Prusi	Toy
DeRossett	Julian	Pumford	Van Woerkom
DeWeese	Koetje	Rackowski	Vander Roest
Ehardt	Kowall	Richardville	Vear
Faunce	Kuipers	Richner	Voorhees
Garcia	Kukuk	Rivet	Wojno
Geiger	LaSata	Rocca	Woronchak
Gilbert	Law		

In The Chair: Birkholz

The question being on the adoption of the amendment offered previously by Reps. Woronchak and Wojno,

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

Roll Call No. 922**Yeas—55**

Baird	Garza	Law	Schauer
Basham	Gielegem	Lemmons	Schermesser
Birkholz	Godchaux	Lockwood	Spade
Bogardus	Hager	Mans	Stallworth
Bovin	Hale	Martinez	Switalski
Brater	Hanley	Minore	Tesanovich
Brown, B.	Hansen	Neumann	Thomas
Byl	Hardman	O'Neil	Toy
Callahan	Jacobs	Price	Vander Roest
Clark, I.	Jamnick	Pumford	Vaughn
Clarke, H.	Jelinek	Quarles	Wojno
Daniels	Kelly	Reeves	Woodward
DeHart	Kilpatrick	Richardville	Woronchak
Dennis	LaForge	Richner	

Nays—48

Allen	Frank	Kowall	Rivet
Bisbee	Gilbert	Kuipers	Rocca
Bishop	Gosselin	Kukuk	Sanborn
Bradstreet	Green	LaSata	Scranton
Brown, C.	Hart	Mead	Shackleton
Cassis	Howell	Middaugh	Sheltrown

Caul	Jansen	Mortimer	Shulman
Cherry	Jellema	Pappageorge	Stamas
DeRossett	Johnson, Rick	Patterson	Tabor
DeWeese	Johnson, Ruth	Perricone	Van Woerkom
Ehardt	Julian	Pestka	Vear
Faunce	Koetje	Rackowski	Voorhees

In The Chair: Birkholz

Rep. Kilpatrick moved to reconsider the vote by which the House did not adopt the amendment.

The question being on the motion by Rep. Kilpatrick,

Rep. Kilpatrick demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Kilpatrick,

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

Roll Call No. 923

Yeas—49

Baird	Garza	Lockwood	Schermesser
Basham	Gielegem	Mans	Sheltrown
Bogardus	Hale	Martinez	Spade
Bovin	Hanley	Minore	Stallworth
Brater	Hansen	Neumann	Switalski
Brown, B.	Hardman	O'Neil	Tesanovich
Callahan	Jacobs	Pestka	Thomas
Cherry	Jamnick	Price	Vander Roest
Clark, I.	Kelly	Quarles	Vaughn
Clarke, H.	Kilpatrick	Reeves	Wojno
Daniels	LaForge	Rivet	Woodward
DeHart	Lemmons	Schauer	Woronchak
Dennis			

Nays—55

Allen	Garcia	Julian	Richardville
Birkholz	Geiger	Koetje	Richner
Bisbee	Gilbert	Kowall	Rocca
Bishop	Godchaux	Kuipers	Sanborn
Bradstreet	Gosselin	Kukuk	Scranton
Brown, C.	Green	LaSata	Shackleton
Byl	Hager	Mead	Shulman
Cassis	Hart	Middaugh	Stamas
Caul	Howell	Mortimer	Tabor
DeRossett	Jansen	Pappageorge	Toy
DeVuyst	Jelinek	Patterson	Van Woerkom
DeWeese	Jellema	Perricone	Vear
Ehardt	Johnson, Rick	Pumford	Voorhees
Faunce	Johnson, Ruth	Rackowski	

In The Chair: Birkholz

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

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

Roll Call No. 924**Yeas—91**

Allen	Faunce	LaSata	Rocca
Baird	Frank	Lemmons	Sanborn
Basham	Garcia	Lockwood	Schauer
Birkholz	Garza	Mans	Schermesser
Bisbee	Gielegem	Martinez	Scranton
Bishop	Gilbert	Mead	Shackleton
Bogardus	Gosselin	Middaugh	Sheltrown
Bovin	Hager	Minore	Spade
Brater	Hale	Mortimer	Stallworth
Brown, B.	Hanley	Neumann	Switalski
Brown, C.	Hardman	O'Neil	Tabor
Byl	Howell	Pappageorge	Tesanovich
Callahan	Jacobs	Patterson	Thomas
Cassis	Jamnick	Perricone	Toy
Caul	Johnson, Rick	Pestka	Van Woerkom
Cherry	Johnson, Ruth	Price	Vander Roest
Clark, I.	Julian	Prusi	Vaughn
Clarke, H.	Kelly	Pumford	Vear
Daniels	Kilpatrick	Quarles	Voorhees
Dennis	Koetje	Reeves	Wojno
DeRossett	Kowall	Richardville	Woodward
DeWeese	Kukuk	Richner	Woronchak
Ehardt	LaForge	Rivet	

Nays—16

Bradstreet	Godchaux	Jansen	Law
DeHart	Green	Jelinek	Rackowski
DeVuyst	Hansen	Jellema	Shulman
Geiger	Hart	Kuipers	Stamas

In The Chair: Birkholz

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

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

Rep. Lockwood moved that Rep. O'Neil be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 463, entitled

A bill to amend 1972 PA 230, entitled "State construction code act of 1972," by amending the title and sections 2, 4, 7, 8, 10, and 22 (MCL 125.1502, 125.1504, 125.1507, 125.1508, 125.1510, and 125.1522), the title and section 4 as

amended by 1995 PA 270, section 2 as amended by 1998 PA 42, section 8 as amended by 1994 PA 128, section 10 as amended by 1989 PA 135, and section 22 as amended by 1980 PA 371, and by adding sections 2a, 3a, 8a, 8b, 9b, and 13d; and to repeal acts and parts of acts.

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

Roll Call No. 925**Yeas—68**

Allen	Gielegem	Kuipers	Rivet
Birkholz	Gilbert	Kukuk	Rocca
Bisbee	Green	LaSata	Sanborn
Bradstreet	Hager	Law	Schauer
Brown, C.	Hale	Lemmons	Scranton
Byl	Hart	Mans	Shackleton
Cassis	Howell	Mead	Sheltrown
Caul	Jamnick	Middaugh	Shulman
Cherry	Jansen	Mortimer	Spade
Clarke, H.	Jelinek	Pappageorge	Stamas
DeRossett	Jellema	Patterson	Tabor
DeWeese	Johnson, Rick	Pestka	Tesanovich
Ehardt	Johnson, Ruth	Prusi	Toy
Faunce	Julian	Pumford	Van Woerkom
Frank	Kilpatrick	Raczkowski	Vander Roest
Garcia	Koetje	Richardville	Vear
Geiger	Kowall	Richner	Voorhees

Nays—35

Baird	Daniels	Kelly	Schermesser
Basham	DeHart	LaForge	Stallworth
Bishop	Dennis	Lockwood	Switalski
Bogardus	Garza	Martinez	Thomas
Bovin	Godchaux	Minore	Vaughn
Brater	Hanley	Neumann	Wojno
Brown, B.	Hansen	Price	Woodward
Callahan	Hardman	Quarles	Woronchak
Clark, I.	Jacobs	Reeves	

In The Chair: Birkholz

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

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

A bill to amend 1972 PA 230, entitled “An act to create a construction code commission and prescribe its functions; to authorize the commission to promulgate rules with recommendations from each affected board relating to the construction, alteration, demolition, occupancy, and use of buildings and structures; to prescribe energy conservation standards for the construction of certain buildings; to provide for statewide approval of premanufactured units; to provide for the testing of new devices, materials, and techniques for the construction of buildings and structures; to define the classes of buildings and structures affected by the act; to provide that governmental subdivisions may with exceptions elect not to be subject to certain parts of the act; to provide for administration and enforcement of the act; to create a state construction code fund; to prohibit certain conduct; to establish remedies and sanctions for violations of the act; to repeal acts and parts of acts; and to provide an appropriation,” by amending the title and sections 1, 2, 4, 7, 8, 9, 10, and 22 (MCL 125.1501, 125.1502, 125.1504, 125.1507, 125.1508, 125.1509, 125.1510, and 125.1522), the title and section 4 as amended by 1995 PA 270, section 2 as amended by 1998 PA 42, section 8 as amended by 1994 PA 128, section 9 as amended by 1994 PA 22, section 10 as amended by 1989 PA 135, and section 22 as amended by 1980 PA 371, and by adding sections 2a, 3a, 8a, 8b, 9b, and 13d; and to repeal acts and parts of acts.

The motion prevailed.
The House agreed to the title as amended.
Rep. Raczkowski moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Brewer, under Rule 32(b), made the following statement:
"Mr. Speaker and members of the House:
I did not vote on Roll Call No. 925 because of a possible conflict of interest."

Second Reading of Bills

House Bill No. 4931, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 605 and 716 (MCL 257.605 and 257.716), section 605 as amended by 1999 PA 73 and section 716 as amended by 1998 PA 427.

(The bill was read a second time, amendment defeated, amendments offered and bill postponed for the day on October 26, see House Journal No. 73, p. 2046.)

The question being on the adoption of the amendments offered previously by Rep. Rick Johnson, Rep. Rick Johnson moved that consideration of the amendments be postponed temporarily.
The motion prevailed.

The question being on the adoption of the amendment offered previously by Rep. Jamnick, Rep. Jamnick moved that consideration of the amendment be postponed temporarily.
The motion prevailed.

The question being on the adoption of the amendment offered previously by Rep. Richner, The amendment was adopted, a majority of the members serving voting therefor.

The question being on the adoption of the amendments offered previously by Rep. Cassis, Rep. Cassis moved that consideration of the amendments be postponed temporarily.
The motion prevailed.

Rep. Cassis moved to amend the bill as follows:

1. Amend page 2, line 8, after "AND" by striking out "APPLIED EXCLUSIVELY" and inserting "SHALL BE ALLOCATED AS FOLLOWS:

(A) THIRTY PERCENT TO THE COUNTY, CITY, OR VILLAGE FOR USE ON LOCAL ROADS.
(B) FORTY PERCENT".

2. Amend page 2, following line 11, by inserting:

"(C) THIRTY PERCENT TO THE COUNTY IN WHICH THE POLITICAL SUBDIVISION IS LOCATED.".

The question being on the adoption of the amendments offered by Rep. Cassis, Rep. Cassis moved that consideration of the amendments be postponed temporarily.
The motion prevailed.

Rep. O'Neil moved to amend the bill as follows:

1. Amend page 1, line 1, by striking out all of section 605 and inserting:

"SEC. 629F. (1) IF SECTION 605 IS AMENDED TO REQUIRE THE COURT IMPOSING A CIVIL FINE UNDER SECTION 605 TO NOT WAIVE THE IMPOSITION OF A FINE AND TO IMPOSE AT LEAST THE MINIMUM FINE AS RECOMMENDED BY THE STATE COURT ADMINISTRATOR'S OFFICE RECOMMENDED GUIDELINES, THEN IN ADDITION TO ANY FINE OR COST ORDERED TO BE PAID UNDER THIS ACT, AND IN ADDITION TO ANY ASSESSMENT LEVIED UNDER SECTION 907, THE JUDGE, DISTRICT OR MUNICIPAL COURT REFEREE, OR DISTRICT OR MUNICIPAL COURT MAGISTRATE SHALL LEVY A LIBRARY FUNDING ASSESSMENT OF \$5.00 FOR EACH CIVIL INFRACTION DETERMINATION FOR A MOVING VIOLATION. UPON PAYMENT OF THE ASSESSMENT, THE CLERK OF THE COURT SHALL TRANSMIT THE ASSESSMENT LEVIED TO THE DEPARTMENT OF TREASURY. THE STATE TREASURER SHALL DEPOSIT THE REVENUE RECEIVED PURSUANT TO THIS SUBSECTION IN THE LOCAL LIBRARY FUND AND SHALL REPORT ANNUALLY TO THE LEGISLATURE ALL REVENUES RECEIVED AND DISBURSED UNDER THIS SECTION. AN ASSESSMENT LEVIED UNDER THIS SUBSECTION SHALL NOT BE CONSIDERED A CIVIL FINE FOR PURPOSES OF SECTION 909.

(2) A LOCAL LIBRARY FUND IS CREATED IN THE DEPARTMENT OF TREASURY. THE FUND SHALL BE ADMINISTERED BY THE DEPARTMENT OF TREASURY. MONEY COLLECTED UNDER SUBSECTION (1) SHALL BE DEPOSITED IN THE FUND AS PROVIDED IN SUBSECTION (1). THE MONEY DEPOSITED IN THE FUND SHALL BE EXCLUSIVELY APPLIED TO THE SUPPORT OF PUBLIC LIBRARIES AND COUNTY LAW LIBRARIES IN THE SAME MANNER AS IS PROVIDED BY LAW FOR PENAL FINES ASSESSED AND COLLECTED FOR VIOLATION OF A PENAL LAW OF THE STATE. THE DEPARTMENT OF TREASURY SHALL REPORT ANNUALLY TO THE LEGISLATURE ALL REVENUES RECEIVED AND DISBURSED UNDER THIS SECTION.”.

2. Amend page 4, line 25, by striking out all of enacting section 1.

The question being on the adoption of the amendments offered by Rep. O’Neil,

Rep. Lockwood moved that consideration of the amendments be postponed temporarily.

The motion prevailed.

Rep. Cassis moved to amend the bill as follows:

1. Amend page 2, line 8, after “AND” by striking out “APPLIED EXCLUSIVELY” and inserting “SHALL BE ALLOCATED AS FOLLOWS:

(A) THIRTY PERCENT TO THE COUNTY, CITY, OR VILLAGE FOR THE MAINTENANCE AND REPAIR OF LOCAL ROADS.

(B) FORTY PERCENT”.

2. Amend page 2, following line 11, by inserting:

“(C) THIRTY PERCENT TO THE COUNTY IN WHICH THE POLITICAL SUBDIVISION IS LOCATED.”.

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

Rep. Cassis moved that consideration of the amendments be postponed temporarily.

The motion prevailed.

Rep. O’Neil moved to amend the bill as follows:

1. Amend page 2, line 11, after “STATE.” by inserting “HOWEVER, A LOCAL AUTHORITY, BY A MAJORITY VOTE OF ITS LEGISLATIVE BODY, MAY ELECT NOT TO BE SUBJECT TO THIS SUBSECTION.”.

The question being on the adoption of the amendment offered by Rep. O’Neil,

Rep. Lockwood moved that consideration of the amendment be postponed temporarily.

The motion prevailed.

Reps. Jamnick and Lockwood moved to amend the bill as follows:

1. Amend page 2, line 8, after “AND” by striking out the balance of the subsection and inserting “DISTRIBUTED AS DETERMINED BY THE LIBRARIES, LOCAL LAW ENFORCEMENT AGENCIES, AND LOCAL UNITS OF GOVERNMENT WITHIN EACH COUNTY.”.

The question being on the adoption of the amendment offered by Reps. Jamnick and Lockwood,

Rep. Raczkowski moved that consideration of the amendment be postponed temporarily.

The motion prevailed.

Rep. Cassis moved to amend the bill as follows:

1. Amend page 2, line 8, after “AND” by striking out “APPLIED EXCLUSIVELY” and inserting “SHALL BE ALLOCATED AS FOLLOWS:

(A) THIRTY PERCENT TO THE COUNTY, CITY, OR VILLAGE FOR THE MAINTENANCE AND REPAIR OF LOCAL ROADS.

(B) FORTY PERCENT”.

2. Amend page 2, following line 11, by inserting:

“(C) THIRTY PERCENT TO THE COURT FUNDING UNIT IN WHICH THE POLITICAL SUBDIVISION IS LOCATED.”.

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

Rep. Cassis demanded the yeas and nays.

The demand was supported.

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

Rep. Cassis moved that consideration of the amendments be postponed temporarily.

The motion prevailed.

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

The motion prevailed.

House Bill No. 4007, entitled

A bill to amend 1974 PA 369, entitled "An act to regulate the business of conducting a driver training school; to require licenses in relation thereto; to prescribe certain fees; to prescribe the powers and duties of certain persons and state departments; and to prescribe remedies and penalties," by amending sections 5 and 5b (MCL 256.605 and 256.605b), section 5 as amended and section 5b as added by 1998 PA 11.

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

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

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

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

Rep. Julian moved that Rep. Tabor be excused temporarily from today's session.

The motion prevailed.

Rep. Quarles moved that Rep. Clarke be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4007, entitled**

A bill to amend 1974 PA 369, entitled "An act to regulate the business of conducting a driver training school; to require licenses in relation thereto; to prescribe certain fees; to prescribe the powers and duties of certain persons and state departments; and to prescribe remedies and penalties," by amending sections 5 and 5b (MCL 256.605 and 256.605b), section 5 as amended and section 5b as added by 1998 PA 11.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills**House Bill No. 4008, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 208b (MCL 257.208b), as amended by 1998 PA 329.

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

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

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

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

Rep. Quarles moved that Rep. Reeves be excused from the balance of today's session.

The motion prevailed.

Rep. Mans moved that Rep. O'Neil be excused from the balance of today's session.

The motion prevailed.

Rep. Julian moved that Rep. Tabor be excused from the balance of today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4008, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 208b (MCL 257.208b), as amended by 1998 PA 329.

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

Roll Call No. 926

Yeas—78

Allen	Frank	Kukuk	Rivet
Basham	Garcia	LaSata	Rocca
Birkholz	Geiger	Law	Sanborn
Bisbee	Gilbert	Lockwood	Schermesser
Bishop	Godchaux	Mans	Scranton
Bovin	Gosselin	Mead	Shackleton
Bradstreet	Green	Middaugh	Shulman
Brown, B.	Hager	Mortimer	Spade
Brown, C.	Hale	Neumann	Stallworth
Byl	Hart	Pappageorge	Stamas
Callahan	Howell	Patterson	Tesanovich
Cassis	Jansen	Perricone	Thomas
Caul	Jelinek	Pestka	Toy
Clarke, H.	Jellema	Price	Van Woerkom
DeHart	Johnson, Rick	Prusi	Vander Roest
DeRossett	Johnson, Ruth	Pumford	Vaughn
DeVuyst	Julian	Raczkowski	Vear
DeWeese	Koetje	Richardville	Voorhees
Ehardt	Kowall	Richner	Woronchak
Faunce	Kuipers		

Nays—27

Baird	Dennis	Jamnick	Quarles
Bogardus	Garza	Kelly	Schauer
Brater	Gielegem	Kilpatrick	Sheltrown
Brewer	Hanley	LaForge	Switalski
Cherry	Hansen	Lemmons	Wojno
Clark, I.	Hardman	Martinez	Woodward
Daniels	Jacobs	Minore	

In The Chair: Birkholz

The House agreed to the title of the bill.

Rep. Raczkowski 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. 4456, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 115p.

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

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

Rep. Sanborn 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. Raczkowski 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. 4456, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 115p. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 927

Yeas—103

Allen	Ehardt	Kelly	Richner
Baird	Faunce	Kilpatrick	Rivet
Basham	Frank	Kowall	Rocca
Birkholz	Garcia	Kuipers	Sanborn
Bisbee	Garza	Kukuk	Schauer
Bishop	Geiger	LaForge	Schermesser
Bogardus	Gielegem	LaSata	Scranton
Bovin	Gilbert	Law	Shackleton
Bradstreet	Godchaux	Lemmons	Sheltrown
Brater	Gosselin	Lockwood	Shulman
Brewer	Green	Mans	Spade
Brown, B.	Hager	Martinez	Stallworth
Brown, C.	Hale	Mead	Stamas
Byl	Hanley	Middaugh	Switalski
Callahan	Hansen	Minore	Tesanovich
Cassis	Hardman	Mortimer	Thomas
Caul	Hart	Neumann	Toy
Cherry	Howell	Patterson	Van Woerkom
Clark, I.	Jacobs	Perricone	Vander Roest
Clarke, H.	Jamnick	Pestka	Vaughn
Daniels	Jansen	Price	Vear
DeHart	Jelinek	Prusi	Voorhees
Dennis	Jellema	Pumford	Wojno
DeRossett	Johnson, Rick	Quarles	Woodward
DeVuyst	Johnson, Ruth	Raczkowski	Woronchak
DeWeese	Julian	Richardville	

Nays—1

Koetje

In The Chair: Birkholz

The House agreed to the title of the bill.

Rep. Raczkowski 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

Motions and Resolutions

Reps. Neumann, Thomas, Brewer, Daniels, Hansen, Basham, Stallworth, DeHart, Hale, Prusi, Martinez, Schauer, LaForge, Kelly, Price, Tesanovich, Baird, Spade, Woodward, Dennis, Wojno, Gielegem, Pestka, Bovin, Sheltrown, Gilbert, Woronchak, Ehardt, Rivet, Schermesser, Allen, Lemmons, Vaughn, Hanley, Callahan, Jacobs, Green, Caul, Switalski, Bogardus, Mans, Shackleton, Julian, Richardville and Hager offered the following concurrent resolution:

House Concurrent Resolution No. 64.

A concurrent resolution to memorialize the Congress of the United States to ban the shipment of radioactive material over any bridges on the Great Lakes.

Whereas, There is currently pending a plan to ship radioactive material to a nuclear reactor in Canada via a route that would take the material through the heart of the Great Lakes Basin and across the Mackinac Bridge. News of this proposal has generated alarm over the impact an accident could have on the most important source of accessible fresh water in the world; and

Whereas, The current planned route across the Straits of Mackinac and across the International Bridge at Sault Ste. Marie is not the first suggestion of a crossing of the Great Lakes for a shipment of radioactive materials. In 1998, a similar shipment was to traverse the bridge at Port Huron and Sarnia. This plan was dropped. The efforts to ship this material to Canada is part of a long-term plan to use this material in a reactor in Chalk River in Ontario. The possibility of many more shipments in the future is most disturbing to many individuals and organizations on both sides of the border; and

Whereas, While there is no perfect route for the transportation of any dangerous materials, any plan selected must minimize the risks. Shipping potentially harmful material over bridges that span the water supply for millions of Americans and Canadians in the center of North America is not an action that minimizes risks. Steps must be taken to develop a lasting protection for a vital resource needed for future generations; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to ban the shipment of radioactive material over any bridges on the Great Lakes; and be it further

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

The concurrent resolution was referred to the Committee on Energy and Technology.

Reports of Standing Committees

The Committee on Transportation, by Rep. Gilbert, Vice-Chair, reported

House Bill No. 4392, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 682b.

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 4392 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Garcia, Middaugh, Shackleton, Tabor, Kilpatrick, Jamnick, Lemmons, Schermesser,

Nays: Reps. Ruth Johnson, Patterson, Bovin, Reeves.

The Committee on Transportation, by Rep. Gilbert, Vice-Chair, reported

House Bill No. 4846, entitled

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 1a (MCL 480.11a), as amended by 1995 PA 265.

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 4846 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Garcia, Ruth Johnson, Middaugh, Shackleton, Kilpatrick, Bovin, Jamnick, Lemmons, Reeves, Schermesser,

Nays: None.

The Committee on Transportation, by Rep. Gilbert, Vice-Chair, reported

House Bill No. 4865, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 705 (MCL 257.705), as amended by 1995 PA 91.

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 4865 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Garcia, Ruth Johnson, Middaugh, Shackleton, Kilpatrick, Bovin, Jamnick,

Nays: None.

The Committee on Transportation, by Rep. Gilbert, Vice-Chair, reported

Senate Bill No. 157, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 803j, 803k, 803l, 803n, and 803o (MCL 257.803j, 257.803k, 257.803l, 257.803n, and 257.803o), as amended by 1998 PA 68.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 157 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Garcia, Ruth Johnson, Middaugh, Patterson, Shackleton, Kilpatrick, Bovin, Jamnick, Lemmons, Schermesser,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gilbert, Vice-Chair, of the Committee on Transportation, was received and read:

Meeting held on: Tuesday, October 26, 1999, at 4:31 p.m.,

Present: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor, Kilpatrick, Bovin, Brewer, Jamnick, Lemmons, Reeves, Schermesser,

Absent: Rep. Hart,

Excused: Rep. Hart.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Sanborn, Chair of the Committee on Insurance and Financial Services, was received and read:

Meeting held on: Wednesday, October 27, 1999, at 8:30 a.m.,

Present: Reps. Sanborn, Bisbee, Bishop, DeVuyst, Ehardt, Hager, Rick Johnson, Julian, Law, Richner, Shackleton, Van Woerkom, Wojno, Basham, Bob Brown, Clark, Hale, O'Neil,

Absent: Reps. Daniels, Scott, Thomas,

Excused: Reps. Daniels, Scott, Thomas.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Middaugh, Chair of the Committee on Energy and Technology, was received and read:

Meeting held on: Wednesday, October 27, 1999, at 10:30 a.m.,

Present: Reps. Middaugh, Bradstreet, Birkholz, Bisbee, Cassis, Garcia, Gosselin, Howell, Kowall, Kuipers, Richardville, Shulman, Thomas, Bob Brown, Daniels, Hansen, Lemmons, Neumann, Quarles, Schauer, Woodward.

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, Thursday, October 21:

Senate Bill Nos.	816	817	818	819	820	821	822	823	824	825	826	827	828	829
	830	831	832	833	834	835								

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, October 25:

Senate Bill Nos.	836	837	838	839	840	841	842	843	844	845	846	847
-------------------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------

The Clerk announced that the following Senate bills had been received on Wednesday, October 27:

Senate Bill Nos.	589	590	591	593	594	595	796	807	815
-------------------------	------------	------------	------------	------------	------------	------------	------------	------------	------------

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4796, entitled

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

The Senate has amended the bill as follows:

1. Amend page 9, line 4, after "ACTION" by inserting "IF THE INCOME AND INTEREST ARE NOT COMMINGLED IN ANY WAY WITH AND ARE KEPT SEPARATE FROM ALL OTHER FUNDS AND ASSETS OF THE TAXPAYER".

2. Amend page 9, line 15, after "AFTER" by striking out "1994" and inserting "1993".

The Senate has passed the bill as amended, 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. 589, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 401 (MCL 550.1401), as amended by 1998 PA 135.

The Senate has passed the bill.

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

Senate Bill No. 590, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3407b.

The Senate has passed the bill.

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

Senate Bill No. 591, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 593, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221 and 16226 (MCL 333.16221 and 333.16226), section 16221 as amended by 1998 PA 227 and section 16226 as amended by 1998 PA 109, and by adding sections 17020 and 17520.

The Senate has passed the bill.

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

Senate Bill No. 594, entitled

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending section 6 (MCL 28.176), as amended by 1996 PA 508.

The Senate has passed the bill.

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

Senate Bill No. 595, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 1, 6, and 6a (MCL 722.711, 722.716, and 722.716a), sections 1 and 6 as amended and section 6a as added by 1998 PA 113.

The Senate has passed the bill.

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

Senate Bill No. 796, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 261 (MCL 206.261), as amended by 1996 PA 484.

The Senate has passed the bill.

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

Senate Bill No. 807, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5431 (MCL 333.5431), as amended by 1998 PA 88.

The Senate has passed the bill.

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

Senate Bill No. 815, entitled

A bill to amend 1976 PA 220, entitled "Persons with disabilities civil rights act," by amending sections 201 and 202 (MCL 37.1201 and 37.1202), section 201 as amended by 1990 PA 121 and section 202 as amended by 1998 PA 20.

The Senate has passed the bill.

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

Introduction of Bills

Reps. Birkholz, DeHart, Jellema, Toy, Shackleton, Middaugh, Tabor, Pappageorge, Voorhees, Van Woerkom, Vander Roest and Garcia introduced

House Bill No. 5062, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78m (MCL 211.78m), as added by 1999 PA 123.

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

Reps. Julian, Caul, Kukuk, Gilbert, Stamas, Toy, Woronchak, LaSata, Neumann, Cherry, Switalski, Spade, Dennis, O'Neil, Woodward, Callahan, Schauer, Thomas, Garza, Clark, Vaughn, Hardman, Pestka, Rivet, Prusi, Tesanovich, Bob Brown, Daniels, Stallworth, Quarles, Brewer, Kelly, LaForge, DeHart, Schermesser, Tabor, DeWeese, Garcia, Allen, Raczkowski and Lemmons introduced

House Bill No. 5063, 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 read a first time by its title and referred to the Committee on Family and Civil Law.

Rep. Bishop introduced

House Bill No. 5064, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 31, 476, 552, 961a, and 963 (MCL 168.31, 168.476, 168.552, 168.961a, and 168.963), section 31 as amended by 1998 PA 215, section 552 as amended by 1990 PA 7, and sections 961a and 963 as amended by 1982 PA 456.

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

Reps. Richner, Shackleton and Law introduced

House Bill No. 5065, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 660 (MCL 257.660), as amended by 1994 PA 348, and by adding section 25b.

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

Reps. Richner and Tabor introduced

House Bill No. 5066, entitled

A bill to establish conditions to the transfer of structured settlement rights; to establish a procedure for approval of the transfer of structured settlement rights; and to create circuit court jurisdiction for proceedings for approval of structured settlement rights.

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

Rep. Jansen moved that the House adjourn.

The motion prevailed, the time being 6:10 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, October 28, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.