

No. 75
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
90th Legislature
REGULAR SESSION OF 1999

House Chamber, Lansing, Thursday, October 28, 1999.

12:00 Noon.

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—present
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—excused	Gilbert—present	Lemmons—present	Schermesser—present
Bogardus—present	Godchaux—present	Lockwood—present	Scott—present
Bovin—present	Gosselin—present	Mans—present	Scranton—e/d/s
Bradstreet—present	Green—e/d/s	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—e/d/s	Thomas—present
Clark—present	Jansen—present	Pestka—present	Toy—present
Clarke—e/d/s	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—e/d/s	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—excused	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Rep. Mary Ann Middaugh, from the 80th District, offered the following invocation:

“Dear Father in Heaven, we pause a moment to thank You for all the many blessings that You have given us. We look at our surroundings and we are ever increasingly aware of the beauty of this world. We ask that You would guide each one of us today as we begin our deliberations. Give us wisdom and courage of conviction. In this we ask in Your name. Amen.”

Rep. Scott moved that Rep. Kilpatrick be excused from today’s session.
The motion prevailed.

Rep. DeWeese moved that Rep. Bishop be excused from today’s session.
The motion prevailed.

Rep. DeWeese moved that Rep. DeVuyst be excused temporarily from today’s session.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 106, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 535a (MCL 750.535a), as amended by 1988 PA 140.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Criminal Law and Corrections (for amendments, see House Journal No. 41, p. 791),

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

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

The motion prevailed and the substitute (H-2) 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. 106, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 535a (MCL 750.535a), as amended by 1988 PA 140.

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

Roll Call No. 928

Yeas—101

Allen	Garza	Kukuk	Rivet
Baird	Geiger	LaForge	Rocca
Basham	Gielegem	LaSata	Sanborn
Birkholz	Gilbert	Law	Schauer
Bisbee	Godchaux	Lockwood	Schermesser
Bogardus	Gosselin	Mans	Scott
Bovin	Hager	Martinez	Shackleton
Bradstreet	Hale	Mead	Sheltrown
Brater	Hanley	Middaugh	Shulman
Brewer	Hansen	Minore	Spade
Brown, B.	Hardman	Mortimer	Stallworth

Brown, C.	Hart	Neumann	Stamas
Byl	Howell	O'Neil	Switalski
Callahan	Jacobs	Pappageorge	Tabor
Cassis	Jamnick	Patterson	Tesanovich
Caul	Jansen	Pestka	Thomas
Cherry	Jelinek	Price	Toy
Clark, I.	Jellema	Prusi	Van Woerkom
Daniels	Johnson, Rick	Pumford	Vander Roest
DeHart	Johnson, Ruth	Quarles	Vaughn
DeRossett	Julian	Raczkowski	Vear
DeWeese	Kelly	Reeves	Voorhees
Ehardt	Koetje	Richardville	Wojno
Faunce	Kowall	Richner	Woodward
Frank	Kuipers	Rison	Woronchak
Garcia			

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.

Rep. Green entered the House Chambers.

Second Reading of Bills

Senate Bill No. 288, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16z of chapter XVII (MCL 777.16z), as added by 1998 PA 317.

The bill was read a second time.

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

The motion prevailed and the substitute (H-2) 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. 288, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16z of chapter XVII (MCL 777.16z), as added by 1998 PA 317.

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

Roll Call No. 929**Yeas—102**

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

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, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The House agreed to the full title.

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; amended, amendments offered and bill postponed for the day on October 27, see House Journal No. 74, p. 2080.)

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

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

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

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

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

The question being on the adoption of the amendments offered previously by Rep. Rick Johnson, Rep. Rick Johnson withdrew the amendments.

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

House Bill No. 4852, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 267.

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

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

Rep. Woronchak 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. 4852, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 267.

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

Roll Call No. 930

Yeas—102

Allen	Garza	Kukuk	Rivet
Baird	Geiger	LaForge	Rocca
Basham	Gielegem	LaSata	Sanborn
Birkholz	Gilbert	Law	Schauer

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

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. Allen, Baird, Basham, Birkholz, Bogardus, Bovin, Bradstreet, Brater, Brewer, Bob Brown, Cameron Brown, Callahan, Caul, Clark, Clarke, DeHart, DeWeese, Ehardt, Frank, Garcia, Garza, Gielegem, Gosselin, Hager, Hansen, Hardman, Hart, Howell, Jacobs, Jamnick, Jelinek, Jellema, Rick Johnson, Kelly, Koetje, Kowall, Kuipers, Kukuk, LaForge, LaSata, Law, Lemmons, Lockwood, Mans, Martinez, Mead, Middaugh, Minore, Mortimer, Neumann, O'Neil, Pappageorge, Patterson, Pestka, Price, Prusi, Pumford, Rackowski, Reeves, Richardville, Richner, Rocca, Schauer, Schermesser, Scott, Shackleton, Sheltrown, Shulman, Spade, Stallworth, Stamas, Switalski, Tabor, Tesanovich, Thomas, Van Woerkom, Vander Roest, Vaughn, Vear, Voorhees, Wojno and Woodward were named co-sponsors of the bill.

Rep. Scranton entered the House Chambers.

Second Reading of Bills

House Bill No. 4812, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 267.

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

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

Rep. Switalski 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.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4812, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 267.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 931

Yeas—105

Allen	Garza	Kukuk	Rivet
Baird	Geiger	LaForge	Rocca
Basham	Gielegem	LaSata	Sanborn
Birkholz	Gilbert	Law	Schauer
Bisbee	Godchaux	Lemmons	Schermesser
Bogardus	Gosselin	Lockwood	Scott
Bovin	Green	Mans	Scranton
Bradstreet	Hager	Martinez	Shackleton
Brater	Hale	Mead	Sheltrown
Brewer	Hanley	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	Jamnack	Patterson	Tesanovich
Cherry	Jansen	Pestka	Thomas
Clark, I.	Jelinek	Price	Toy
Clarke, H.	Jellema	Prusi	Van Woerkom
Daniels	Johnson, Rick	Pumford	Vander Roest
DeHart	Johnson, Ruth	Quarles	Vaughn
DeRossett	Julian	Raczkowski	Vear
DeWeese	Kelly	Reeves	Voorhees
Ehardt	Koetje	Richardville	Wojno
Faunce	Kowall	Richner	Woodward
Frank	Kuipers	Rison	Woronchak
Garcia			

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 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 268.

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.

Reps. Baird, Birkholz, Bob Brown, Callahan, Cassis, Caul, Cherry, Hanley, Kelly, Koetje, Kukuk, Mead, Mortimer, Raczkowski, Rocca, Shulman, Spade, Tabor and Toy were named co-sponsors of the bill.

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

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 and postponed temporarily on October 27, see House Journal No. 74, p. 2082.)

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. 932**Yeas—57**

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

Nays—44

Baird	Frank	Lockwood	Schauer
Bogardus	Garza	Martinez	Schermesser
Bovin	Gielegem	Minore	Scott
Brater	Hale	Neumann	Shackleton
Brewer	Hanley	O'Neil	Sheltrown
Brown, B.	Hansen	Pestka	Spade
Callahan	Hardman	Price	Tesanovich
Caul	Jacobs	Prusi	Thomas
Cherry	Jamnick	Quarles	Vaughn
Clark, I.	LaForge	Reeves	Wojno
Daniels	Lemmons	Rivet	Woodward

In The Chair: Patterson

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.

Rep. Perricone entered the House Chambers.

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

The Speaker laid before the House

House Bill No. 4479, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 401h.

(The bill was received from the Senate on October 21 with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 26, see House Journal No. 72, p. 2034.)

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. 933

Yeas—105

Allen	Garza	Kukuk	Rison
Baird	Geiger	LaForge	Rivet
Basham	Gielegem	LaSata	Rocca
Birkholz	Gilbert	Law	Sanborn
Bisbee	Godchaux	Lemmons	Schermesser
Bogardus	Gosselin	Lockwood	Scott
Bovin	Green	Mans	Scranton
Bradstreet	Hager	Martinez	Shackleton
Brater	Hale	Mead	Sheltrown
Brewer	Hanley	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	Jamnick	Patterson	Tesanovich
Cherry	Jansen	Perricone	Thomas
Clark, I.	Jelinek	Pestka	Toy
Clarke, H.	Jellema	Price	Van Woerkom
Daniels	Johnson, Rick	Prusi	Vander Roest
DeHart	Johnson, Ruth	Pumford	Vaughn
DeRossett	Julian	Quarles	Vear
DeWeese	Kelly	Raczkowski	Voorhees
Ehardt	Koetje	Reeves	Wojno
Faunce	Kowall	Richardville	Woodward
Frank	Kuipers	Richner	Woronchak
Garcia			

Nays—0

In The Chair: Patterson

The House agreed to the full 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.

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

The Speaker laid before the House

House Bill No. 4480, entitled

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

(The bill was received from the Senate on October 21 with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 26, see House Journal No. 72, p. 2035.)

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. 934

Yeas—106

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

Nays—0

In The Chair: Patterson

The House agreed to the full 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.

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

The Speaker laid before the House

House Bill No. 4481, entitled

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

(The bill was received from the Senate on October 21 with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 26, see House Journal No. 72, p. 2035.)

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. 935**Yeas—103**

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

Nays—0

In The Chair: Patterson

The House agreed to the full 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.

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

Rep. Scott moved that Rep. Prusi be excused temporarily from today's session.

The motion prevailed.

The Speaker laid before the House

House Bill No. 4482, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 401g.

(The bill was received from the Senate on October 21 with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 26, see House Journal No. 72, p. 2035.)

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. 936**Yeas—103**

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

Nays—0

In The Chair: Patterson

The House agreed to the full 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.

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

The Speaker laid before the House

House Bill No. 4483, entitled

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

(The bill was received from the Senate on October 21 with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 26, see House Journal No. 72, p. 2035.)

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. 937**Yeas—104**

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

Nays—0

In The Chair: Patterson

The House agreed to the full 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.

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

The Speaker laid before the House

House Bill No. 4484, entitled

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

(The bill was received from the Senate on October 21 with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 26, see House Journal No. 72, p. 2035.)

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. 938**Yeas—106**

Allen	Garza	LaForge	Rivet
Baird	Geiger	LaSata	Rocca

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

Nays—0

In The Chair: Patterson

The House agreed to the full 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.

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

The Speaker laid before the House

House Bill No. 4485, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 402c.

(The bill was received from the Senate on October 21 with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 26, see House Journal No. 72, p. 2035.)

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

Rep. Jacobs moved to amend the Senate substitute (S-1) as follows:

1. Amend page 2, following line 18, by inserting:

"(D) IF A MEMBER IS DIAGNOSED WITH CANCER PRIOR TO A PHYSICIAN'S TERMINATION OR KNOWLEDGE OF THE TERMINATION AND THE PHYSICIAN WAS TREATING THE CANCER BEFORE THE DATE OF TERMINATION OR KNOWLEDGE OF THE TERMINATION, FOR THE REMAINDER OF THE MEMBER'S LIFE FOR CARE DIRECTLY RELATED TO THE TREATMENT OF THAT CANCER."

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

Rep. Jacobs demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 939**Yeas—84**

Allen	Faunce	Kowall	Rivet
Baird	Frank	LaSata	Rocca
Basham	Garcia	Lemmons	Schauer
Birkholz	Garza	Lockwood	Schermesser
Bisbee	Gielegem	Mans	Scott
Bogardus	Gilbert	Martinez	Scranton
Bovin	Godchaux	Middaugh	Shackleton
Brater	Hager	Minore	Sheltrown
Brewer	Hale	Mortimer	Shulman
Brown, B.	Hanley	Neumann	Spade
Brown, C.	Hansen	O'Neil	Stallworth
Byl	Hardman	Patterson	Stamas
Callahan	Howell	Pestka	Switalski
Cassis	Jacobs	Price	Thomas
Caul	Jamnick	Prusi	Toy
Cherry	Jelinek	Quarles	Van Woerkom
Clark, I.	Jellema	Raczkowski	Vander Roest
Clarke, H.	Johnson, Rick	Reeves	Vaughn
Daniels	Johnson, Ruth	Richardville	Wojno
DeHart	Julian	Richner	Woodward
Ehardt	Kelly	Rison	Woronchak

Nays—20

Bradstreet	Green	Kukuk	Pumford
DeRossett	Hart	Law	Sanborn
DeWeese	Jansen	Mead	Tabor
Geiger	Koetje	Pappageorge	Vear
Gosselin	Kuipers	Perricone	Voorhees

In The Chair: Patterson

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

Rep. Dennis moved to amend the Senate substitute (S-1) as follows:

1. Amend page 2, following line 18, following subdivision (D), by inserting:

“(E) IF A MEMBER IS 65 YEARS OLD OR OLDER, FOR THE REMAINDER OF THE MEMBER’S LIFE.”.

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

Rep. Schauer demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 940**Yeas—70**

Baird	Garza	Lockwood	Schermesser
Basham	Gielegem	Mans	Scott

Bisbee	Gilbert	Martinez	Scranton
Bogardus	Godchaux	Minore	Shackleton
Bovin	Hager	Mortimer	Sheltrown
Brater	Hale	Neumann	Spade
Brewer	Hanley	O'Neil	Stallworth
Brown, B.	Hansen	Pestka	Stamas
Byl	Hardman	Price	Switalski
Callahan	Howell	Prusi	Tesanovich
Caul	Jacobs	Quarles	Thomas
Cherry	Jamnick	Reeves	Van Woerkom
Clark, I.	Jellema	Richardville	Vander Roest
Clarke, H.	Johnson, Ruth	Rison	Vaughn
Daniels	Julian	Rivet	Wojno
DeHart	Kelly	Rocca	Woodward
Faunce	Kowall	Schauer	Woronchak
Frank	Lemmons		

Nays—34

Allen	Gosselin	LaSata	Raczkowski
Birkholz	Green	Law	Richner
Bradstreet	Hart	Mead	Sanborn
Brown, C.	Jansen	Middaugh	Shulman
Cassis	Jelinek	Pappageorge	Tabor
DeRossett	Johnson, Rick	Patterson	Toy
DeWeese	Koetje	Perricone	Vear
Garcia	Kuipers	Pumford	Voorhees
Geiger	Kukuk		

In The Chair: Patterson

The question being on concurring in the Senate substitute (S-1), as amended,

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

Roll Call No. 941**Yeas—105**

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

Cherry	Jansen	Pestka	Thomas
Clark, I.	Jelinek	Price	Toy
Clarke, H.	Jellema	Prusi	Van Woerkom
Daniels	Johnson, Rick	Pumford	Vander Roest
DeHart	Johnson, Ruth	Quarles	Vaughn
DeRossett	Julian	Raczkowski	Vear
DeWeese	Kelly	Reeves	Voorhees
Ehardt	Koetje	Richardville	Wojno
Faunce	Kowall	Richner	Woodward
Frank	Kuipers	Rison	Woronchak
Garcia			

Nays—0

In The Chair: Patterson

The Speaker laid before the House

House Bill No. 4486, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 21052b.

(The bill was received from the Senate on October 21 with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 26, see House Journal No. 72, p. 2035.)

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

Rep. Jacobs moved to amend the Senate substitute (S-1) as follows:

1. Amend page 2, following line 18, by inserting:

“(D) IF AN ENROLLEE IS DIAGNOSED WITH CANCER PRIOR TO A PHYSICIAN’S TERMINATION OR KNOWLEDGE OF THE TERMINATION AND THE PHYSICIAN WAS TREATING THE CANCER BEFORE THE DATE OF TERMINATION OR KNOWLEDGE OF THE TERMINATION, FOR THE REMAINDER OF THE ENROLLEE’S LIFE FOR CARE DIRECTLY RELATED TO THE TREATMENT OF THAT CANCER.”.

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

Rep. Jacobs demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 942

Yeas—77

Allen	Frank	Lockwood	Schermesser
Baird	Garcia	Mans	Scott
Basham	Garza	Martinez	Scranton
Birkholz	Gielegem	Middaugh	Shackleton
Bisbee	Gilbert	Minore	Sheltrown
Bogardus	Hager	Mortimer	Shulman
Bovin	Hale	Neumann	Spade
Brater	Hanley	O’Neil	Stamas
Brewer	Hansen	Patterson	Switalski
Brown, B.	Hardman	Pestka	Tabor
Byl	Howell	Price	Tesanovich
Callahan	Jacobs	Prusi	Thomas
Cassis	Jamnick	Raczkowski	Toy
Caul	Jelinek	Reeves	Van Woerkom
Cherry	Johnson, Rick	Richardville	Vander Roest

Clark, I.	Johnson, Ruth	Rison	Vaughn
Clarke, H.	Julian	Rivet	Wojno
Daniels	Kelly	Rocca	Woodward
DeHart	Kowall	Schauer	Woronchak
Faunce			

Nays—23

Bradstreet	Gosselin	Kuipers	Pumford
Brown, C.	Green	Kukuk	Richner
DeRossett	Hart	LaSata	Sanborn
DeWeese	Jansen	Law	Vear
Ehardt	Jellema	Mead	Voorhees
Geiger	Koetje	Pappageorge	

In The Chair: Patterson

Rep. Dennis moved to amend the Senate substitute (S-1) as follows:

1. Amend page 2, following line 18, following subdivision (D), by inserting:

“(E) IF AN ENROLLEE IS 65 YEARS OLD OR OLDER, FOR THE REMAINDER OF THE ENROLLEE’S LIFE.”.

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

Rep. Callahan demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 943**Yeas—72**

Baird	Frank	Kowall	Rocca
Basham	Garcia	Lemmons	Schauer
Birkholz	Garza	Lockwood	Schermesser
Bisbee	Gielegem	Mans	Scott
Bogardus	Gilbert	Martinez	Shackleton
Bovin	Godchaux	Middaugh	Sheltrown
Brater	Hager	Minore	Spade
Brewer	Hale	Mortimer	Stallworth
Brown, B.	Hanley	Neumann	Stamas
Byl	Hansen	O’Neil	Switalski
Callahan	Hardman	Pestka	Tesanovich
Caul	Howell	Price	Thomas
Cherry	Jacobs	Prusi	Van Woerkom
Clark, I.	Jamnick	Quarles	Vander Roest
Clarke, H.	Jellema	Reeves	Vaughn
Daniels	Johnson, Ruth	Richardville	Wojno
DeHart	Julian	Rison	Woodward
Faunce	Kelly	Rivet	Woronchak

Nays—33

Allen	Green	LaSata	Richner
Bradstreet	Hart	Law	Sanborn

Brown, C.	Jansen	Mead	Scranton
Cassis	Jelinek	Pappageorge	Shulman
DeRossett	Johnson, Rick	Patterson	Tabor
DeWeese	Koetje	Perricone	Toy
Ehardt	Kuipers	Pumford	Vear
Geiger	Kukuk	Raczkowski	Voorhees
Gosselin			

In The Chair: Patterson

Rep. Jacobs moved to amend the Senate substitute (S-1) as follows:

1. Amend page 2, line 10, after "IS" by striking out the balance of the line through "PREGNANCY" on line 11 and inserting "PREGNANT".

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

Rep. Jacobs demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 944

Yeas—67

Baird	Faunce	Lemmons	Schauer
Basham	Frank	Lockwood	Schermesser
Birkholz	Garcia	Mans	Scott
Bisbee	Garza	Martinez	Shackleton
Bogardus	Gielegem	Middaugh	Sheltroun
Bovin	Green	Minore	Spade
Brater	Hager	Neumann	Stallworth
Brewer	Hale	O'Neil	Switalski
Brown, B.	Hanley	Pestka	Tesanovich
Byl	Hansen	Price	Thomas
Callahan	Hardman	Prusi	Van Woerkom
Cassis	Howell	Quarles	Vander Roest
Cherry	Jacobs	Reeves	Vaughn
Clark, I.	Jamnick	Richardville	Wojno
Clarke, H.	Julian	Rison	Woodward
Daniels	Kelly	Rivet	Woronchak
DeHart	Kowall	Rocca	

Nays—37

Allen	Gosselin	Kukuk	Richner
Bradstreet	Hart	LaSata	Sanborn
Brown, C.	Jansen	Law	Scranton
Caul	Jelinek	Mead	Shulman
DeRossett	Jellema	Mortimer	Stamas
DeWeese	Johnson, Rick	Pappageorge	Tabor
Ehardt	Johnson, Ruth	Patterson	Toy
Geiger	Koetje	Pumford	Vear
Gilbert	Kuipers	Raczkowski	Voorhees
Godchaux			

In The Chair: Patterson

Reps. Jacobs and Brater moved to amend the Senate substitute (S-1) as follows:

1. Amend page 3, line 22, after "PHYSICIAN" by inserting "OR A MENTAL HEALTH PROFESSIONAL".

The question being on the adoption of the amendment offered by Reps. Jacobs and Brater, Rep. Brater demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Jacobs and Brater,

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

Roll Call No. 945**Yeas—63**

Baird	Frank	Lockwood	Schauer
Basham	Garza	Mans	Schermesser
Birkholz	Gielegem	Martinez	Scott
Bogardus	Hager	Middaugh	Shackleton
Bovin	Hale	Minore	Sheltrown
Brater	Hanley	Neumann	Spade
Brewer	Hansen	O'Neil	Stallworth
Brown, B.	Hardman	Pestka	Switalski
Callahan	Howell	Price	Tabor
Caul	Jacobs	Prusi	Tesanovich
Cherry	Jamnick	Quarles	Thomas
Clark, I.	Johnson, Ruth	Raczkowski	Vaughn
Clarke, H.	Julian	Reeves	Voorhees
Daniels	Kelly	Richardville	Wojno
DeHart	Kowall	Rison	Woodward
DeWeese	Lemmons	Rocca	

Nays—40

Allen	Geiger	Koetje	Richner
Bisbee	Gilbert	Kuipers	Sanborn
Bradstreet	Godchaux	Kukuk	Scranton
Brown, C.	Gosselin	LaSata	Shulman
Byl	Green	Law	Stamas
Cassis	Hart	Mead	Toy
DeRossett	Jansen	Mortimer	Van Woerkom
Ehardt	Jelinek	Pappageorge	Vander Roest
Faunce	Jellema	Patterson	Vear
Garcia	Johnson, Rick	Pumford	Woronchak

In The Chair: Patterson

The question being on concurring in the Senate substitute (S-1), as amended,

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

Roll Call No. 946**Yeas—101**

Allen	Garcia	Kuipers	Rivet
Baird	Garza	Kukuk	Rocca
Basham	Geiger	LaSata	Sanborn

Birkholz	Gielegem	Law	Schauer
Bisbee	Gilbert	Lemmons	Schermesser
Bogardus	Godchaux	Lockwood	Scott
Bovin	Gosselin	Mans	Scranton
Bradstreet	Green	Martinez	Shackleton
Brater	Hager	Mead	Sheltrown
Brewer	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	Jamnack	Patterson	Tesanovich
Cherry	Jansen	Pestka	Thomas
Clark, I.	Jelinek	Price	Toy
Clarke, H.	Jellema	Prusi	Van Woerkom
Daniels	Johnson, Rick	Pumford	Vander Roest
DeHart	Johnson, Ruth	Raczkowski	Vear
DeRossett	Julian	Reeves	Voorhees
DeWeese	Kelly	Richardville	Wojno
Ehardt	Koetje	Richner	Woodward
Faunce	Kowall	Rison	Woronchak
Frank			

Nays—0

In The Chair: Patterson

Rep. Raczkowski moved that Rep. Perricone be excused temporarily from today's session.
The motion prevailed.

The Speaker laid before the House

House Bill No. 4487, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2212b.

(The bill was received from the Senate on October 21 with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 26, see House Journal No. 72, p. 2036.)

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

Rep. Jacobs moved to amend the Senate substitute (S-1) as follows:

1. Amend page 2, following line 18, by inserting:

"(D) IF AN INSURED IS DIAGNOSED WITH CANCER PRIOR TO A PHYSICIAN'S TERMINATION OR KNOWLEDGE OF THE TERMINATION AND THE PHYSICIAN WAS TREATING THE CANCER BEFORE THE DATE OF TERMINATION OR KNOWLEDGE OF THE TERMINATION, FOR THE REMAINDER OF THE INSURED'S LIFE FOR CARE DIRECTLY RELATED TO THE TREATMENT OF THAT CANCER."

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

Rep. Jacobs demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 947**Yeas—82**

Allen	Faunce	Kowall	Rivet
Baird	Frank	LaSata	Rocca
Basham	Garcia	Lemmons	Schauer
Birkholz	Garza	Lockwood	Schermesser
Bisbee	Gielegem	Mans	Scott
Bogardus	Gilbert	Martinez	Shackleton
Bovin	Godchaux	Middaugh	Sheltrown
Brater	Hager	Minore	Shulman
Brewer	Hale	Neumann	Spade
Brown, B.	Hanley	O'Neil	Stallworth
Brown, C.	Hansen	Patterson	Stamas
Byl	Hardman	Pestka	Switalski
Callahan	Howell	Price	Tesanovich
Cassis	Jacobs	Prusi	Thomas
Caul	Jamnick	Quarles	Van Woerkom
Cherry	Jelinek	Raczkowski	Vander Roest
Clark, I.	Jellema	Reeves	Vaughn
Clarke, H.	Johnson, Rick	Richardville	Wojno
Daniels	Johnson, Ruth	Richner	Woodward
DeHart	Julian	Rison	Woronchak
DeWeese	Kelly		

Nays—21

Bradstreet	Hart	Law	Sanborn
DeRossett	Jansen	Mead	Tabor
Ehardt	Koetje	Mortimer	Toy
Geiger	Kuipers	Pappageorge	Vear
Gosselin	Kukuk	Pumford	Voorhees
Green			

In The Chair: Patterson

Rep. Dennis moved to amend the Senate substitute (S-1) as follows:

1. Amend page 2, following line 18, following subdivision (D), by inserting:

“(E) IF AN INSURED IS 65 YEARS OLD OR OLDER, FOR THE REMAINDER OF THE INSURED’S LIFE.”.

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

Rep. Schauer demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 948**Yeas—75**

Baird	Faunce	Kowall	Schauer
Basham	Frank	Lemmons	Schermesser
Birkholz	Garcia	Lockwood	Scott
Bisbee	Garza	Mans	Scranton
Bogardus	Gielegem	Martinez	Shackleton
Bovin	Gilbert	Middaugh	Sheltrown

Brater	Godchaux	Minore	Spade
Brewer	Hager	Neumann	Stallworth
Brown, B.	Hale	O'Neil	Stamas
Byl	Hanley	Pestka	Switalski
Callahan	Hansen	Price	Tesanovich
Cassis	Hardman	Prusi	Thomas
Caul	Howell	Quarles	Van Woerkom
Cherry	Jacobs	Raczkowski	Vander Roest
Clark, I.	Jamnick	Reeves	Vaughn
Clarke, H.	Jellema	Richardville	Wojno
Daniels	Johnson, Ruth	Rison	Woodward
DeHart	Julian	Rivet	Woronchak
DeWeese	Kelly	Rocca	

Nays—28

Allen	Hart	LaSata	Richner
Bradstreet	Jansen	Law	Sanborn
Brown, C.	Jelinek	Mead	Shulman
DeRossett	Johnson, Rick	Mortimer	Tabor
Ehardt	Koetje	Pappageorge	Toy
Geiger	Kuipers	Patterson	Vear
Green	Kukuk	Pumford	Voorhees

In The Chair: Patterson

The question being on concurring in the Senate substitute (S-1), as amended,

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

Roll Call No. 949**Yeas—103**

Allen	Garcia	Kukuk	Rocca
Baird	Garza	LaSata	Sanborn
Basham	Geiger	Law	Schauer
Birkholz	Gielegem	Lemmons	Schermesser
Bisbee	Gilbert	Lockwood	Scott
Bogardus	Godchaux	Mans	Scranton
Bovin	Gosselin	Martinez	Shackleton
Bradstreet	Green	Mead	Sheltrown
Brater	Hager	Middaugh	Shulman
Brewer	Hale	Minore	Spade
Brown, B.	Hanley	Mortimer	Stallworth
Brown, C.	Hansen	Neumann	Stamas
Byl	Hardman	O'Neil	Switalski
Callahan	Hart	Pappageorge	Tabor
Cassis	Howell	Patterson	Tesanovich
Caul	Jacobs	Pestka	Thomas
Cherry	Jamnick	Price	Toy
Clark, I.	Jansen	Prusi	Van Woerkom
Clarke, H.	Jelinek	Pumford	Vander Roest
Daniels	Jellema	Quarles	Vaughn
DeHart	Johnson, Rick	Raczkowski	Vear

DeRossett
DeWeese
Ehardt
Faunce
Frank

Johnson, Ruth
Julian
Koetje
Kowall
Kuipers

Reeves
Richardville
Richner
Rison
Rivet

Voorhees
Wojno
Woodward
Woronchak

Nays—0

In The Chair: Patterson

The Speaker Pro Tempore resumed the Chair.

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

Second Reading of Bills

House Bill No. 4927, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8379 (MCL 600.8379), as amended by 1990 PA 54.

The bill was read a second time.

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

1. Amend page 3, line 17, after "LAW." by inserting "A LOCAL UNIT OF GOVERNMENT, BY MAJORITY VOTE OF ITS LEGISLATIVE BODY, MAY ELECT NOT TO BE SUBJECT TO THIS SUBDIVISION."

2. Amend page 3, line 22, after "LAW." by inserting "A CITY, VILLAGE, OR TOWNSHIP, BY MAJORITY VOTE OF ITS LEGISLATIVE BODY, MAY ELECT NOT TO BE SUBJECT TO THIS SUBDIVISION."

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

Rep. O'Neil demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 950

Yeas—40

Baird
Basham
Bogardus
Bovin
Brown, B.
Byl
Daniels
DeHart
Faunce
Gielegem

Hanley
Hansen
Hardman
Jacobs
Law
Lemmons
Lockwood
Mans
Neumann
O'Neil

Patterson
Price
Prusi
Reeves
Richardville
Rivet
Schauer
Schermesser
Scott
Scranton

Stallworth
Switalski
Tesanovich
Thomas
Toy
Vander Roest
Vaughn
Wojno
Woodward
Woronchak

Nays—60

Allen
Birkholz

Garcia
Garza

Johnson, Ruth
Julian

Quarles
Raczkowski

Bisbee	Geiger	Kelly	Richner
Bradstreet	Gilbert	Koetje	Rison
Brewer	Godchaux	Kowall	Rocca
Brown, C.	Gosselin	Kuipers	Sanborn
Cassis	Green	Kukuk	Shackleton
Caul	Hager	LaSata	Sheltrown
Cherry	Hale	Martinez	Shulman
Clark, I.	Hart	Mead	Spade
Clarke, H.	Howell	Middaugh	Stamas
DeRossett	Jansen	Mortimer	Tabor
DeWeese	Jelinek	Pappageorge	Van Woerkom
Ehardt	Jellema	Perricone	Vear
Frank	Johnson, Rick	Pumford	Voorhees

In The Chair: Birkholz

Rep. Cassis moved to amend the bill as follows:

1. Amend page 3, line 17, after “AND” by striking out the balance of the line and inserting “ALLOCATED AS FOLLOWS:

(i) THIRTY PERCENT TO THE CITY, VILLAGE, OR COUNTY FOR REPAIR AND MAINTENANCE ON LOCAL ROADS. IF THE CITATION IS ISSUED UNDER TOWNSHIP ORDINANCE, THE COUNTY SHALL ALLOCATE THE FUNDS FOR REPAIR AND MAINTENANCE ON LOCAL ROADS WITHIN THAT TOWNSHIP.

(ii) FORTY PERCENT TO THE JURISDICTION IN WHICH THE CITATION WAS ISSUED FOR LIBRARY PURPOSES AS PROVIDED BY LAW.

(iii) THIRTY PERCENT TO THE COURT IN WHICH THE POLITICAL SUBDIVISION IS LOCATED.”.

2. Amend page 3, line 22, after “AND” by striking out the balance of the line and inserting “ALLOCATED AS FOLLOWS:

(i) THIRTY PERCENT TO THE CITY, VILLAGE, OR COUNTY FOR REPAIR AND MAINTENANCE ON LOCAL ROADS. IF THE CITATION IS ISSUED UNDER TOWNSHIP ORDINANCE, THE COUNTY SHALL ALLOCATE THE FUNDS FOR REPAIR AND MAINTENANCE ON LOCAL ROADS WITHIN THAT TOWNSHIP.

(ii) FORTY PERCENT TO THE JURISDICTION IN WHICH THE CITATION WAS ISSUED FOR LIBRARY PURPOSES AS PROVIDED BY LAW.

(iii) THIRTY PERCENT TO THE COURT IN WHICH THE POLITICAL SUBDIVISION IS LOCATED.”.

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

Rep. Wojno moved to amend the bill as follows:

1. Amend page 3, line 17, after “LAW.” by inserting “THIS SUBDIVISION APPLIES TO ORDINANCES OR A PROVISION OF A CODE ADOPTED ON OR AFTER THE EFFECTIVE DATE OF THIS SUBDIVISION.”.

2. Amend page 3, line 22, after “LAW.” by inserting “THIS SUBDIVISION APPLIES TO ORDINANCES OR A PROVISION OF A CODE ADOPTED ON OR AFTER THE EFFECTIVE DATE OF THIS SUBDIVISION.”.

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

Rep. Wojno demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 951

Yeas—41

Baird	Garza	Minore	Scott
Basham	Gielegem	O’Neil	Scranton
Bogardus	Hanley	Patterson	Switalski
Bovin	Hansen	Price	Tesanovich
Brater	Hardman	Prusi	Thomas
Brown, B.	Jacobs	Reeves	Toy

Byl	Lemmons	Richardville	Vander Roest
Clark, I.	Lockwood	Rocca	Wojno
Daniels	Mans	Schauer	Woodward
DeHart	Martinez	Schermesser	Woronchak
Faunce			

Nays—60

Allen	Geiger	Kelly	Richner
Birkholz	Gilbert	Koetje	Rison
Bisbee	Godchaux	Kowall	Rivet
Bradstreet	Gosselin	Kuipers	Sanborn
Brewer	Green	Kukuk	Shackleton
Brown, C.	Hager	LaSata	Sheltrown
Cassis	Hale	Mead	Shulman
Caul	Hart	Middaugh	Spade
Cherry	Howell	Mortimer	Stallworth
Clarke, H.	Jansen	Neumann	Stamas
DeRossett	Jelinek	Pappageorge	Tabor
DeWeese	Jellema	Perricone	Van Woerkom
Ehardt	Johnson, Rick	Pestka	Vaughn
Frank	Johnson, Ruth	Pumford	Vear
Garcia	Julian	Rackowski	Voorhees

In The Chair: Birkholz

Rep. Rick Johnson 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. Gielegem asked and obtained an excuse from the balance of today's session.

Rep. Dennis entered the House Chambers.

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

House Bill No. 4927, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8379 (MCL 600.8379), as amended by 1990 PA 54.

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

Roll Call No. 952**Yeas—81**

Allen	Garcia	Julian	Pumford
Baird	Garza	Kelly	Quarles
Birkholz	Geiger	Koetje	Reeves

Bisbee	Gilbert	Kowall	Richner
Bovin	Gosselin	Kuipers	Rison
Bradstreet	Green	Kukuk	Rivet
Brater	Hager	LaSata	Sanborn
Brewer	Hale	Lemmons	Scranton
Brown, B.	Hanley	Lockwood	Shackleton
Brown, C.	Hansen	Martinez	Sheltrown
Cassis	Hardman	Mead	Shulman
Caul	Hart	Middaugh	Spade
Cherry	Howell	Minore	Stamas
Clark, I.	Jacobs	Mortimer	Switalski
Clarke, H.	Jamnick	Neumann	Tabor
Daniels	Jansen	Pappageorge	Tesanovich
Dennis	Jelinek	Perricone	Van Woerkom
DeRossett	Jellema	Pestka	Vear
DeWeese	Johnson, Rick	Price	Voorhees
Ehardt	Johnson, Ruth	Prusi	Woodward
Frank			

Nays—23

Basham	Law	Rocca	Toy
Bogardus	Mans	Schauer	Vander Roest
Byl	O'Neil	Schermesser	Vaughn
DeHart	Patterson	Scott	Wojno
Faunce	Raczkowski	Stallworth	Woronchak
Godchaux	Richardville	Thomas	

In The Chair: Birkholz

The House agreed to the title of the bill.

Second Reading of Bills

The House returned to the consideration of

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 considered earlier today, see today's journal, p. 2093.)

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

Rep. Rocca moved that Rep. Ruth Johnson be excused temporarily from today's session. The motion prevailed.

The question being on the adoption of the amendment offered previously by Rep. O'Neil, Rep. O'Neil demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 953**Yeas—33**

Basham	Johnson, Ruth	Price	Switalski
Bogardus	Kowall	Prusi	Tesanovich
Bovin	Lemmons	Richardville	Thomas
Brown, B.	Lockwood	Rocca	Toy
Byl	Mans	Schauer	Vander Roest
DeHart	Martinez	Schermesser	Wojno
Dennis	O'Neil	Scott	Woodward
Faunce	Patterson	Scranton	Woronchak
Jacobs			

Nays—66

Allen	Garza	Kelly	Reeves
Birkholz	Geiger	Koetje	Richner
Bisbee	Gilbert	Kuipers	Rison
Bradstreet	Godchaux	Kukuk	Rivet
Brater	Gosselin	LaSata	Sanborn
Brewer	Green	Law	Shackleton
Brown, C.	Hager	Mead	Sheltrown
Cassis	Hale	Middaugh	Shulman
Caul	Hansen	Mortimer	Spade
Cherry	Hardman	Neumann	Stallworth
Clark, I.	Hart	Pappageorge	Stamas
Clarke, H.	Howell	Perricone	Tabor
DeRossett	Jansen	Pestka	Van Woerkom
DeWeese	Jelinek	Pumford	Vaughn
Ehardt	Jellema	Quarles	Vear
Frank	Johnson, Rick	Rackowski	Voorhees
Garcia	Julian		

In The Chair: Birkholz

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

The question being on the adoption of the amendments offered previously by Rep. O'Neil, Rep. O'Neil demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 954**Yeas—27**

Basham	Hanley	Price	Scranton
Bogardus	Law	Prusi	Tesanovich
Bovin	Lemmons	Richardville	Thomas
Brown, B.	Lockwood	Rocca	Toy
Byl	Mans	Schauer	Wojno
DeHart	O'Neil	Schermesser	Woodward
Faunce	Patterson	Scott	

Nays—74

Allen	Garza	Kelly	Richner
Baird	Geiger	Koetje	Rison
Birkholz	Gilbert	Kowall	Rivet
Bisbee	Godchaux	Kuipers	Sanborn
Bradstreet	Gosselin	Kukuk	Shackleton
Brater	Green	LaSata	Sheltrown
Brewer	Hager	Martinez	Shulman
Brown, C.	Hale	Mead	Spade
Cassis	Hansen	Middaugh	Stallworth
Caul	Hardman	Mortimer	Stamas
Clark, I.	Hart	Neumann	Switalski
Clarke, H.	Howell	Pappageorge	Tabor
Daniels	Jacobs	Perricone	Van Woerkom
Dennis	Jansen	Pestka	Vander Roest
DeRossett	Jelinek	Pumford	Vaughn
DeWeese	Jellema	Quarles	Vear
Ehardt	Johnson, Rick	Raczkowski	Voorhees
Frank	Johnson, Ruth	Reeves	Woronchak
Garcia	Julian		

In The Chair: Birkholz

Rep. Cassis 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 “SHALL BE ALLOCATED AS FOLLOWS:

(A) THIRTY PERCENT TO THE CITY, VILLAGE, COUNTY, OR TOWNSHIP FOR REPAIR AND MAINTENANCE ON LOCAL ROADS. IF THE CITATION IS ISSUED UNDER TOWNSHIP ORDINANCE, THE COUNTY SHALL ALLOCATE THE FUNDS FOR REPAIR AND MAINTENANCE ON LOCAL ROADS WITHIN THAT TOWNSHIP.

(B) FORTY PERCENT TO THE JURISDICTION IN WHICH THE CITATION WAS ISSUED FOR LIBRARY PURPOSES AS PROVIDED BY LAW.

(C) THIRTY PERCENT TO THE COURT FUNDING UNIT IN WHICH THE LOCAL UNIT OF GOVERNMENT IS LOCATED.”.

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

Rep. Kelly 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. 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.

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

Roll Call No. 955

Yeas—84

Allen	Garcia	Julian	Quarles
Baird	Garza	Kelly	Reeves

Birkholz	Geiger	Koetje	Richner
Bisbee	Gilbert	Kowall	Rison
Bovin	Godchaux	Kuipers	Rivet
Bradstreet	Gosselin	Kukuk	Sanborn
Brater	Green	LaSata	Scranton
Brewer	Hager	Lemmons	Shackleton
Brown, B.	Hale	Lockwood	Sheltrown
Brown, C.	Hanley	Martinez	Shulman
Cassis	Hansen	Mead	Spade
Caul	Hardman	Middaugh	Stallworth
Cherry	Hart	Minore	Stamas
Clark, I.	Howell	Mortimer	Switalski
Clarke, H.	Jacobs	Neumann	Tabor
Daniels	Jamnack	Pappageorge	Tesanovich
Dennis	Jansen	Perricone	Van Woerkom
DeRossett	Jelinek	Pestka	Vaughn
DeWeese	Jellema	Price	Vear
Ehardt	Johnson, Rick	Prusi	Voorhees
Frank	Johnson, Ruth	Pumford	Woodward

Nays—20

Basham	Law	Richardville	Thomas
Bogardus	Mans	Rocca	Toy
Byl	O'Neil	Schauer	Vander Roest
DeHart	Patterson	Schermesser	Wojno
Faunce	Raczkowski	Scott	Woronchak

In The Chair: Birkholz

The House agreed to the title of the bill.

Second Reading of Bills**House Bill No. 4932, entitled**

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending sections 7 and 7c (MCL 480.17 and 480.17c), section 7 as amended and section 7c as added by 1995 PA 265.

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

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

Rep. Wojno moved to amend the bill as follows:

1. Amend page 4, line 17, after "LAW." by inserting "THIS SUBSECTION APPLIES TO AN ORDINANCE OR RESOLUTION ADOPTED ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION."

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

Rep. Wojno demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 956**Yeas—40**

Baird	Hansen	O'Neil	Shackleton
Basham	Hardman	Patterson	Switalski

Bogardus	Jacobs	Price	Tesanovich
Brater	Kowall	Prusi	Thomas
Brown, B.	Law	Richardville	Toy
Byl	Lemmons	Rocca	Vander Roest
DeHart	Lockwood	Schauer	Vaughn
Faunce	Mans	Schermesser	Wojno
Garza	Martinez	Scott	Woodward
Hanley	Minore	Scranton	Woronchak

Nays—61

Allen	Frank	Julian	Rackowski
Birkholz	Garcia	Kelly	Reeves
Bisbee	Gilbert	Koetje	Richner
Bovin	Godchaux	Kuipers	Rison
Bradstreet	Gosselin	Kukuk	Rivet
Brewer	Green	LaSata	Sanborn
Brown, C.	Hager	Mead	Sheltrown
Cassis	Hale	Middaugh	Shulman
Caul	Hart	Mortimer	Spade
Cherry	Howell	Neumann	Stallworth
Clark, I.	Jansen	Pappageorge	Stamas
Clarke, H.	Jelinek	Perricone	Tabor
Daniels	Jellema	Pestka	Van Woerkom
DeRossett	Johnson, Rick	Pumford	Vear
DeWeese	Johnson, Ruth	Quarles	Voorhees
Ehardt			

In The Chair: Birkholz

Rep. Richner moved to amend the bill as follows:

1. Amend page 3, line 1, after the first "PAID" by inserting "BY THE DISTRICT COURT".
2. Amend page 3, line 2, after "LAW." by inserting "A FINE ORDERED TO BE PAID BY A MUNICIPAL COURT SHALL BE PAID TO THE TREASURER OF THE POLITICAL SUBDIVISION WHOSE ORDINANCE IS VIOLATED.".
3. Amend page 4, line 16, after "PAID" by inserting "AS FOLLOWS:
(A) IF THE FINE IS IMPOSED BY THE DISTRICT COURT,".
4. Amend page 4, following line 17, by inserting:
"(B) IF THE FINE IS IMPOSED BY A MUNICIPAL COURT, TO THE TREASURER OF THE POLITICAL SUBDIVISION WHOSE ORDINANCE IS VIOLATED.".

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

Rep. Scranton moved that Rep. Godchaux be excused temporarily from today's session.
The motion prevailed.

Rep. Cassis moved to amend the bill as follows:

1. Amend page 4, line 16, after "BE" by striking out the balance of the subsection and inserting "ALLOCATED AS FOLLOWS:
(A) THIRTY PERCENT TO THE CITY, VILLAGE, OR COUNTY FOR REPAIR AND MAINTENANCE ON LOCAL ROADS. IF THE CITATION IS ISSUED UNDER TOWNSHIP ORDINANCE, THE COUNTY SHALL ALLOCATE THE FUNDS FOR REPAIR AND MAINTENANCE ON LOCAL ROADS WITHIN THAT TOWNSHIP.

(B) FORTY PERCENT TO THE JURISDICTION IN WHICH THE CITATION WAS ISSUED FOR LIBRARY PURPOSES AS PROVIDED BY LAW.

(C) THIRTY PERCENT TO THE COURT FUNDING UNIT IN WHICH THE LOCAL UNIT OF GOVERNMENT IS LOCATED.”.

The question being on the adoption of the amendment offered by Rep. Cassis, Rep. O’Neil demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 957

Yeas—78

Allen	Geiger	Kowall	Reeves
Baird	Gilbert	Kuipers	Richner
Birkholz	Gosselin	Kukuk	Sanborn
Bisbee	Green	LaSata	Scranton
Bovin	Hager	Law	Shackleton
Bradstreet	Hale	Lemmons	Shulman
Brater	Hanley	Lockwood	Spade
Brown, B.	Hansen	Martinez	Stallworth
Brown, C.	Hardman	Mead	Stamas
Byl	Hart	Middaugh	Switalski
Cassis	Howell	Minore	Tabor
Clark, I.	Jacobs	Mortimer	Toy
Clarke, H.	Jamnick	Neumann	Van Woerkom
Dennis	Jansen	Pappageorge	Vander Roest
DeRossett	Jelinek	Patterson	Vaughn
DeWeese	Jellema	Perricone	Vear
Ehardt	Johnson, Rick	Pestka	Voorhees
Frank	Johnson, Ruth	Price	Woodward
Garcia	Julian	Pumford	Woronchak
Garza	Koetje		

Nays—21

Basham	Mans	Rison	Scott
Bogardus	O’Neil	Rivet	Sheltrown
Caul	Prusi	Rocca	Tesanovich
Cherry	Raczkowski	Schauer	Thomas
DeHart	Richardville	Schermesser	Wojno
Faunce			

In The Chair: Birkholz

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

House Bill No. 4932, entitled

A bill to amend 1963 PA 181, entitled “Motor carrier safety act of 1963,” by amending sections 7 and 7c (MCL 480.17 and 480.17c), section 7 as amended and section 7c as added by 1995 PA 265.

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

Roll Call No. 958**Yeas—82**

Allen	Garcia	Koetje	Reeves
Baird	Garza	Kowall	Richner
Birkholz	Gilbert	Kuipers	Rison
Bisbee	Gosselin	Kukuk	Rivet
Bovin	Green	LaSata	Sanborn
Bradstreet	Hager	Lemmons	Scranton
Brater	Hale	Lockwood	Shackleton
Brewer	Hanley	Martinez	Sheltrown
Brown, B.	Hansen	Mead	Shulman
Brown, C.	Hardman	Middaugh	Spade
Cassis	Hart	Minore	Stallworth
Caul	Howell	Mortimer	Stamas
Cherry	Jacobs	Neumann	Switalski
Clark, I.	Jamnick	Pappageorge	Tabor
Clarke, H.	Jansen	Perricone	Tesanovich
Daniels	Jelinek	Pestka	Van Woerkom
Dennis	Jellema	Price	Vaughn
DeRossett	Johnson, Rick	Prusi	Vear
DeWeese	Johnson, Ruth	Pumford	Voorhees
Ehardt	Julian	Quarles	Woodward
Frank	Kelly		

Nays—20

Basham	Law	Richardville	Thomas
Bogardus	Mans	Rocca	Toy
Byl	O'Neil	Schauer	Vander Roest
DeHart	Patterson	Schermesser	Wojno
Faunce	Rackowski	Scott	Woronchak

In The Chair: Birkholz

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

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

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending sections 7, 7b, 7c, and 11 (MCL 480.17, 480.17b, 480.17c, and 480.21), sections 7 and 11 as amended and section 7c as added by 1995 PA 265 and section 7b as amended by 1990 PA 339.

The motion prevailed.

The House agreed to the title as amended.

Rep. Jacobs moved that Rep. Hanley be excused temporarily from today's session.

The motion prevailed.

Second Reading of Bills**House Bill No. 4930, entitled**

A bill to amend 1933 PA 254, entitled "The motor carrier act," by amending section 18 of article V (MCL 479.18), as amended by 1988 PA 355.

The bill was read a second time.

Rep. Wojno moved to amend the bill as follows:

1. Amend page 3, following line 13, by inserting:

“(7) SUBSECTIONS (4), (5), AND (6) APPLY TO A LOCAL LAW ADOPTED ON OR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION.” and renumbering the remaining subsection.

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

Rep. Wojno demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 959

Yeas—35

Basham	Jacobs	Prusi	Switalski
Bogardus	Kowall	Richardville	Tesanovich
Bovin	Law	Rocca	Thomas
Bradstreet	Lockwood	Schauer	Toy
Brater	Mans	Schermesser	Vander Roest
Brown, B.	Minore	Scott	Wojno
Byl	O’Neil	Scranton	Woodward
DeHart	Patterson	Shackleton	Woronchak
Faunce	Price	Stallworth	

Nays—63

Allen	Garza	Kelly	Raczkowski
Birkholz	Gilbert	Koetje	Reeves
Bisbee	Gosselin	Kuipers	Richner
Brewer	Green	Kukuk	Rison
Brown, C.	Hager	LaSata	Rivet
Cassis	Hale	Lemmons	Sanborn
Caul	Hansen	Martinez	Sheltrown
Cherry	Hardman	Mead	Shulman
Clark, I.	Hart	Middaugh	Spade
Clarke, H.	Howell	Mortimer	Stamas
Daniels	Jansen	Neumann	Tabor
Dennis	Jelinek	Pappageorge	Van Woerkom
DeRossett	Jellema	Perricone	Vaughn
Ehardt	Johnson, Rick	Pestka	Vear
Frank	Johnson, Ruth	Pumford	Voorhees
Garcia	Julian	Quarles	

In The Chair: Birkholz

Rep. Richner moved to amend the bill as follows:

1. Amend page 3, line 7, after “(6)” by inserting “EXCEPT FOR CIVIL INFRACTION ACTIONS IN A MUNICIPAL COURT,”.

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

Rep. Cassis moved to amend the bill as follows:

1. Amend page 3, line 10, after “AND” by striking out the balance of the subsection and inserting “SHALL BE ALLOCATED AS FOLLOWS:

(A) THIRTY PERCENT TO THE CITY, VILLAGE, OR COUNTY FOR REPAIR AND MAINTENANCE ON LOCAL ROADS. IF THE CITATION IS ISSUED UNDER TOWNSHIP ORDINANCE, THE COUNTY SHALL ALLOCATE THE FUNDS FOR REPAIR AND MAINTENANCE ON LOCAL ROADS WITHIN THAT TOWNSHIP.

(B) FORTY PERCENT TO THE JURISDICTION IN WHICH THE CITATION WAS ISSUED FOR LIBRARY PURPOSES AS PROVIDED BY LAW.

(C) THIRTY PERCENT TO THE COURT FUNDING UNIT IN WHICH THE LOCAL UNIT OF GOVERNMENT IS LOCATED.”.

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

Rep. Koetje 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. 4930, entitled

A bill to amend 1933 PA 254, entitled “The motor carrier act,” by amending section 18 of article V (MCL 479.18), as amended by 1988 PA 355.

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

Roll Call No. 960

Yeas—79

Allen	Garcia	Koetje	Richner
Baird	Garza	Kowall	Rison
Birkholz	Gilbert	Kuipers	Rivet
Bisbee	Gosselin	Kukuk	Sanborn
Bovin	Green	LaSata	Scranton
Bradstreet	Hager	Lemmons	Shackleton
Brater	Hale	Lockwood	Sheltrown
Brown, B.	Hansen	Martinez	Shulman
Brown, C.	Hardman	Mead	Spade
Cassis	Hart	Middaugh	Stallworth
Caul	Howell	Minore	Stamas
Cherry	Jacobs	Mortimer	Switalski
Clark, I.	Jamnick	Neumann	Tabor
Clarke, H.	Jansen	Pappageorge	Tesanovich
Daniels	Jelinek	Pestka	Van Woerkom
Dennis	Jellema	Price	Vaughn
DeRossett	Johnson, Rick	Prusi	Vear
DeWeese	Johnson, Ruth	Pumford	Voorhees
Ehardt	Julian	Quarles	Woodward
Frank	Kelly	Reeves	

Nays—20

Basham	Law	Richardville	Thomas
Bogardus	Mans	Rocca	Toy
Byl	O’Neil	Schauer	Vander Roest
DeHart	Patterson	Schermesser	Wojno
Faunce	Raczkowski	Scott	Woronchak

In The Chair: Birkholz

The House agreed to the title of the bill.

Second Reading of Bills

House Bill No. 4929, entitled

A bill to amend 1956 PA 62, entitled "An act to authorize the director of the department of state police to promulgate a uniform traffic code; to authorize a city, township, or village to adopt the uniform traffic code by reference without publication in full; and to prescribe criminal penalties and civil sanctions for violation of the code," (MCL 257.951 to 257.954) by adding section 5.

The bill was read a second time.

Rep. Wojno moved to amend the bill as follows:

1. Amend page 1, line 3, after "SECTION 1" by inserting "ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION".

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

Rep. Wojno demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 961

Yeas—26

Basham	Jacobs	Prusi	Switalski
Bovin	Law	Richardville	Tesanovich
Brater	Lockwood	Rocca	Toy
Brown, B.	Mans	Schauer	Vander Roest
Byl	O'Neil	Schermesser	Wojno
DeHart	Patterson	Scott	Woronchak
Faunce	Price		

Nays—67

Allen	Frank	Julian	Reeves
Birkholz	Garcia	Kelly	Richner
Bisbee	Garza	Koetje	Rison
Bogardus	Gilbert	Kowall	Sanborn
Bradstreet	Gosselin	Kuipers	Shackleton
Brewer	Green	Kukuk	Sheltrown
Brown, C.	Hager	LaSata	Shulman
Cassis	Hale	Mead	Spade
Caul	Hansen	Middaugh	Stallworth
Cherry	Hardman	Minore	Stamas
Clark, I.	Hart	Mortimer	Tabor
Clarke, H.	Howell	Pappageorge	Thomas
Daniels	Jansen	Perricone	Van Woerkom
Dennis	Jelinek	Pestka	Vaughn
DeRossett	Jellema	Pumford	Vear
DeWeese	Johnson, Rick	Quarles	Voorhees
Ehardt	Johnson, Ruth	Rackowski	

In The Chair: Birkholz

Rep. Richner moved to amend the bill as follows:

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

"(2) THIS SECTION DOES NOT APPLY TO A POLITICAL SUBDIVISION SERVED BY A MUNICIPAL COURT." and renumbering the remaining subsection.

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

Rep. O'Neil demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 962**Yeas—74**

Allen	Hansen	Martinez	Schauer
Baird	Hardman	Mead	Scranton
Birkholz	Hart	Middaugh	Shackleton
Bisbee	Howell	Minore	Sheltrown
Bovin	Jacobs	Neumann	Shulman
Brater	Jansen	O'Neil	Spade
Brewer	Jelinek	Pappageorge	Stamas
Brown, B.	Jellema	Patterson	Switalski
Brown, C.	Johnson, Rick	Perricone	Tabor
Byl	Johnson, Ruth	Pestka	Tesanovich
Cassis	Julian	Price	Thomas
Dennis	Koetje	Prusi	Toy
DeRossett	Kowall	Pumford	Van Woerkom
DeWeese	Kuipers	Raczkowski	Vaughn
Ehardt	Kukuk	Reeves	Voorhees
Frank	LaSata	Richner	Wojno
Gilbert	Lemmons	Rivet	Woodward
Gosselin	Lockwood	Sanborn	Woronchak
Hager	Mans		

Nays—25

Basham	Daniels	Kelly	Rocca
Bogardus	DeHart	Law	Schermesser
Bradstreet	Faunce	Mortimer	Scott
Caul	Garcia	Quarles	Stallworth
Cherry	Green	Richardville	Vander Roest
Clark, I.	Hale	Rison	Vear
Clarke, H.			

In The Chair: Birkholz

Rep. Cassis moved to amend the bill as follows:

1. Amend page 1, line 3, after "BE" by striking out the balance of the section and inserting "ALLOCATED AS FOLLOWS:

(A) THIRTY PERCENT TO THE CITY, VILLAGE, OR COUNTY FOR REPAIR AND MAINTENANCE ON LOCAL ROADS. IF THE CITATION IS ISSUED UNDER TOWNSHIP ORDINANCE, THE COUNTY SHALL ALLOCATE THE FUNDS FOR REPAIR AND MAINTENANCE ON LOCAL ROADS WITHIN THAT TOWNSHIP.

(B) FORTY PERCENT TO THE JURISDICTION IN WHICH THE CITATION WAS ISSUED FOR LIBRARY PURPOSES AS PROVIDED BY LAW.

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

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

Rep. Gilbert 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. Clark moved that Rep. Reeves 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. 4929, entitled

A bill to amend 1956 PA 62, entitled "An act to authorize the director of the department of state police to promulgate a uniform traffic code; to authorize a city, township, or village to adopt the uniform traffic code by reference without publication in full; and to prescribe criminal penalties and civil sanctions for violation of the code," (MCL 257.951 to 257.954) by adding section 5.

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

Roll Call No. 963

Yeas—80

Allen	Garcia	Kelly	Quarles
Baird	Garza	Koetje	Richner
Birkholz	Gilbert	Kowall	Rison
Bisbee	Gosselin	Kuipers	Rivet
Bovin	Green	Kukuk	Sanborn
Bradstreet	Hager	LaSata	Scranton
Brater	Hale	Lemmons	Shackleton
Brewer	Hanley	Lockwood	Sheltrown
Brown, B.	Hansen	Martinez	Shulman
Brown, C.	Hardman	Mead	Spade
Cassis	Hart	Middaugh	Stallworth
Caul	Howell	Minore	Stamas
Cherry	Jacobs	Mortimer	Switalski
Clarke, H.	Jamnick	Neumann	Tabor
Daniels	Jansen	Pappageorge	Tesanovich
Dennis	Jelinek	Perricone	Van Woerkom
DeRossett	Jellema	Pestka	Vaughn
DeWeese	Johnson, Rick	Price	Vear
Ehardt	Johnson, Ruth	Prusi	Voorhees
Frank	Julian	Pumford	Woodward

Nays—20

Basham	Law	Richardville	Thomas
Bogardus	Mans	Rocca	Toy
Byl	O'Neil	Schauer	Vander Roest
DeHart	Patterson	Schermesser	Wojno
Faunce	Raczkowski	Scott	Woronchak

In The Chair: Birkholz

The House agreed to the title of the bill.

Second Reading of Bills

House Bill No. 4928, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 909 (MCL 257.909).
The bill was read a second time.

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

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

Rep. Wojno moved to amend the bill as follows:

1. Amend page 1, line 5, after "ACT" by inserting "ADOPTED ON OR AFTER THE EFFECTIVE DATE OF THIS 1999 AMENDATORY ACT".

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

Rep. Wojno demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 964

Yeas—29

Basham	Law	Richardville	Tesanovich
Bogardus	Lockwood	Rocca	Thomas
Bovin	Mans	Schauer	Toy
Brater	O'Neil	Schermesser	Vander Roest
Brown, B.	Patterson	Scott	Wojno
DeHart	Price	Scranton	Woodward
Faunce	Prusi	Switalski	Woronchak
Jacobs			

Nays—64

Allen	Garcia	Kelly	Raczkowski
Birkholz	Gilbert	Koetje	Richner
Bisbee	Gosselin	Kowall	Rison
Bradstreet	Green	Kuipers	Rivet
Brewer	Hager	Kukuk	Sanborn
Brown, C.	Hale	LaSata	Shackleton
Cassis	Hansen	Mead	Sheltrown
Cherry	Hardman	Middaugh	Shulman
Clark, I.	Hart	Minore	Spade
Clarke, H.	Howell	Mortimer	Stallworth
Daniels	Jansen	Neumann	Stamas
Dennis	Jelinek	Pappageorge	Tabor
DeRossett	Jellema	Perricone	Van Woerkom
DeWeese	Johnson, Rick	Pestka	Vaughn
Ehardt	Johnson, Ruth	Pumford	Vear
Frank	Julian	Quarles	Voorhees

In The Chair: Birkholz

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

Rep. Richner moved to amend the bill as follows:

1. Amend page 1, line 1, after "(1)" by striking out "A" and inserting "EXCEPT AS PROVIDED IN SUBSECTION (2), A".

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

"(2) SUBSECTION (1) DOES NOT APPLY TO A CIVIL FINE ORDERED FOR A VIOLATION OF A CODE OR ORDINANCE OF A POLITICAL SUBDIVISION OF THIS STATE SERVED BY A MUNICIPAL COURT." and renumbering the remaining subsection.

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

Rep. Cassis moved to amend the bill as follows:

1. Amend page 1, line 9, after "state." by inserting "A CIVIL FINE ORDERED FOR A VIOLATION OF A CODE OR ORDINANCE OF A POLITICAL SUBDIVISION OF THIS STATE REGULATING COMMERCIAL MOTOR VEHICLES AND SUBSTANTIALLY CORRESPONDING TO A PROVISION OF THIS ACT SHALL BE ALLOCATED AS FOLLOWS:

(A) THIRTY PERCENT TO THE CITY, VILLAGE, OR COUNTY FOR REPAIR AND MAINTENANCE ON LOCAL ROADS. IF THE CITATION IS ISSUED UNDER TOWNSHIP ORDINANCE, THE COUNTY SHALL ALLOCATE THE FUNDS FOR REPAIR AND MAINTENANCE ON LOCAL ROADS WITHIN THAT TOWNSHIP.

(B) FORTY PERCENT TO THE JURISDICTION IN WHICH THE CITATION WAS ISSUED FOR LIBRARY PURPOSES AS PROVIDED BY LAW.

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

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

Rep. Richardville 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. Rocca moved that Rep. Ruth Johnson 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. 4928, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 909 (MCL 257.909).

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

Roll Call No. 965

Yeas—79

Allen	Garza	Kowall	Richardville
Baird	Gilbert	Kuipers	Richner
Bisbee	Gosselin	Kukuk	Rison
Bovin	Green	LaSata	Rivet
Bradstreet	Hager	Lemmons	Sanborn
Brater	Hale	Lockwood	Scranton
Brewer	Hanley	Mans	Shackleton
Brown, B.	Hansen	Martinez	Sheltrown
Brown, C.	Hardman	Mead	Shulman
Cassis	Hart	Middaugh	Spade
Caul	Howell	Minore	Stamas
Clark, I.	Jacobs	Mortimer	Switalski
Clarke, H.	Jamnick	Neumann	Tabor
Daniels	Jansen	Pappageorge	Tesanovich
Dennis	Jelinek	Perricone	Van Woerkom
DeRossett	Jellema	Pestka	Vaughn
DeWeese	Johnson, Rick	Price	Vear
Ehardt	Julian	Prusi	Voorhees
Frank	Kelly	Pumford	Woodward
Garcia	Koetje	Quarles	

Nays—17

Basham	Law	Rocca	Toy
Bogardus	O'Neil	Schermesser	Vander Roest
Byl	Patterson	Scott	Wojno
DeHart	Raczkowski	Thomas	Woronchak
Faunce			

In The Chair: Birkholz

The House agreed to the title of the bill.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Pestka, Callahan, Quarles, Brater, LaForge, Sheltroun, Bovin, Spade, Dennis, Rivet, Frank, Thomas, Neumann, Lockwood, Bob Brown, Minore, Schauer, Schermesser, Woodward, Bogardus, Clark, Hansen, Wojno, Hardman, Hager, Reeves, Clarke, Basham, Lemmons, Jacobs, Woronchak, Van Woerkom, Mortimer, Kelly, Prusi, Hale, Scott, Martinez, Gielegghem, Jellema, Jamnick, Baird and Cherry offered the following resolution:

House Resolution No. 211.

A resolution to urge the Department of Consumer and Industry Services to withdraw its proposed rules on child care centers and licensing and to redraft the rules with certain changes.

Whereas, The Department of Consumer and Industry Services has drafted proposed rules on child care centers and licensing. These rules, provided for in 1973 PA 116, were published in the July 1999 Michigan Register; and

Whereas, Public hearings and publicity on the rules have generated considerable concern. Many advocates of excellence in child care have indicated that the rules as proposed do not fulfill the aims of 1973 PA 116 and may contradict certain other provisions of state law. Specific areas of concern include provisions impacting child safety, health, and communications with parents on what state law requires of licensed child care facilities. Several requirements of the statute are omitted from the rules, including matters pertaining to nutrition, sanitation, and requirements of staff; and

Whereas, Pursuant to section 2 of 1973 PA 116, an ad hoc committee made recommendations to ensure the administrative rules meet the needs of Michigan children and families and carry out the intent of the legislation. The proposed rules, while they include well-developed standards in certain areas, fall far short of addressing the recommendations of the committee and providing the appropriate level of safety and accountability for child care centers. With the enormous load of child care licensing consultants, who are responsible for inspecting more than 4,700 centers serving over 230,000 children, it is of critical importance that rules establish standards that have structure, objectivity, and consistency; now, therefore, be it

Resolved by the House of Representatives, That we urge the Department of Consumer and Industry Services to withdraw its proposed rules on child care centers and licensing and to redraft the rules with changes that include the following:

- Reduce the child-caregiver ratio to the standard in current rules;
- Remove the bus driver, when in transit, from the ratio for supervision;
- Provide specific criteria for inspections; and
- Provide to parents written copies of center policies and a copy of 1973 PA 116.

We urge that the redraft of the rules include the recommendations of the ad hoc committee with regard to responsibilities of a primary caregiver, sleeping equipment, administering of medications, maintenance of records, personal care standards for infants, food service standards and inspections, infant feeding, immunization documentation, standards for water and lead testing, education and training of staff and directors, on-site requirements for directors, and drop-in facilities for school-aged children; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Consumer and Industry Services.

The resolution was referred to the Committee on Family and Children Services.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 65.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Eastern Michigan University relative to the Eastern Michigan University Health and Human Services Building.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Regents of Eastern Michigan University (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Eastern Michigan University Health and Human Services Building (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Eastern Michigan University Health and Human Services Building shall not exceed \$20,417,000 (the Authority share is \$15,312,600, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$5,104,300), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$15,312,600, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$1,468,000 and \$2,465,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Regents of Eastern Michigan University, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 66.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Northern Michigan University relative to the Northern Michigan University West Science Building Remodeling (Phase I).

Whereas, 1996 PA 480 established the Northern Michigan University West Science Remodeling at a total authorized project cost of \$46,935,000 (the Authority share is \$35,201,100, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$11,733,800). This project is comprised of two components, the construction of a new science building (the "Facility") and the renovation of the existing science building (the "Science Building Remodeling"); and

Whereas, The estimated project costs for the Facility and the Science Building Remodeling are \$27,527,039 and \$19,407,961, respectively, which in the aggregate is equal to the total project cost of \$46,935,000 for the Northern Michigan University West Science Building Remodeling; and

Whereas, The portions of the Facility and the Science Building Remodeling to be financed by the State Building Authority (the "Authority") shall be \$20,645,179 and \$14,555,921, respectively, which in the aggregate is equal to the share of the total authorized cost to be financed by the Authority; and

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Control of Northern Michigan University (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority; and

Whereas, The site for the Facility is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the total cost for the Northern Michigan University West Science Building Remodeling (Phase I) shall not exceed \$27,527,039 (the Authority share is \$20,645,179, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$6,881,760), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$20,645,179, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$2,087,000 and \$3,580,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Control of Northern Michigan University, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 67.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Ferris State University relative to the Ferris State University Library Addition and Renovation (Phase I).

Whereas, 1996 PA 480 established the Ferris State University Library Addition and Renovation at a total authorized project cost of \$50,000,000 (the Authority share is \$37,499,900, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$12,500,000). This project is comprised of two components, the construction of a new library (the "Facility") and the renovation of the existing library building (the "Library Renovation"); and

Whereas, The estimated project costs for the Facility and the Library Renovation are \$39,500,000 and \$10,500,000 respectively, which in the aggregate is equal to the total project cost of \$50,000,000 for the Ferris State University Library Addition and Renovation; and

Whereas, The portions of the Facility and the Library Renovation to be financed by the State Building Authority (the "Authority") shall be \$29,624,900 and \$7,875,000, respectively, which in the aggregate is equal to the share of the total authorized cost to be financed by the Authority; and

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Ferris State University (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the Authority; and

Whereas, The site for the Facility is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the total cost for the Ferris State University Library Addition and Renovation (Phase I) shall not exceed \$39,500,000 (the Authority share is \$29,624,900, the State General Fund/General Purpose share is \$100, and the Educational Institution share is \$9,875,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$29,624,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$2,993,000 and \$5,123,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Ferris State University, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

Reps. Pestka, Martinez, Callahan, Quarles, LaForge, Brater, Sheltroun, Bovin, Spade, Dennis, Rivet, Frank, Thomas, Neumann, Lockwood, Bob Brown, Minore, Schauer, Schermesser, Woodward, Bogardus, Clark, Hansen, Hardman, Wojno, Hager, Reeves, Clarke, Basham, Lemmons, Woronchak, Van Woerkom, Mortimer, Kelly, Prusi, Hale, Scott, Gielegem, Jellema, Jamnick, Baird and Cherry offered the following concurrent resolution:

House Concurrent Resolution No. 68.

A concurrent resolution to urge the Department of Consumer and Industry Services to withdraw its proposed rules on child care centers and licensing and to redraft the rules with certain changes.

Whereas, The Department of Consumer and Industry Services has drafted proposed rules on child care centers and licensing. These rules, provided for in 1973 PA 116, were published in the July 1999 Michigan Register; and

Whereas, Public hearings and publicity on the rules have generated considerable concern. Many advocates of excellence in child care have indicated that the rules as proposed do not fulfill the aims of 1973 PA 116 and may contradict certain other provisions of state law. Specific areas of concern include provisions impacting child safety, health, and communications with parents on what state law requires of licensed child care facilities. Several requirements of the statute are omitted from the rules, including matters pertaining to nutrition, sanitation, and requirements of staff; and

Whereas, Pursuant to section 2 of 1973 PA 116, an ad hoc committee made recommendations to ensure the administrative rules meet the needs of Michigan children and families and carry out the intent of the legislation. The proposed rules, while they include well-developed standards in certain areas, fall far short of addressing the recommendations of the committee and providing the appropriate level of safety and accountability for child care centers. With the enormous load of child care licensing consultants, who are responsible for inspecting more than 4,700 centers serving over 230,000 children, it is of critical importance that rules establish standards that have structure, objectivity, and consistency; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Department of Consumer and Industry Services to withdraw its proposed rules on child care centers and licensing and to redraft the rules with changes that include the following:

- Reduce the child-caregiver ratio to the standard in current rules;
- Remove the bus driver, when in transit, from the ratio for supervision;
- Provide specific criteria for inspections; and
- Provide to parents written copies of center policies and a copy of 1973 PA 116.

We urge that the redraft of the rules include the recommendations of the ad hoc committee with regard to responsibilities of a primary caregiver, sleeping equipment, administering of medications, maintenance of records, personal care standards for infants, food service standards and inspections, infant feeding, immunization documentation, standards for water and lead testing, education and training of staff and directors, on-site requirements for directors, and drop-in facilities for school-aged children; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Consumer and Industry Services.

The concurrent resolution was referred to the Committee on Family and Children Services.

Reports of Standing Committees

The Committee on Family and Civil Law, by Rep. Richner, Chair, reported

House Bill No. 4684, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2162 (MCL 600.2162), as amended by 1994 PA 67; and to repeal acts and parts of acts.

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 4684 To Report Out:

Yeas: Reps. Richner, Shulman, Hart, Koetje, Law, Sanborn, Voorhees, Switalski, Schermesser,

Nays: Rep. Baird.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Richner, Chair of the Committee on Family and Civil Law, was received and read:

Meeting held on: Thursday, October 28, 1999, at 9:00 a.m.,

Present: Reps. Richner, Shulman, Hart, Koetje, Law, Sanborn, Voorhees, Baird, Switalski, Schermesser,

Absent: Reps. Minore,

Excused: Rep. Minore.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Tabor, Vice-Chair of the Committee on Conservation and Outdoor Recreation, was received and read:

Meeting held on: Thursday, October 28, 1999, at 8:00 a.m.,

Present: Reps. DeVuyst, Tabor, DeRossett, Allen, Green, Kowall, Middaugh, Patterson, Sanborn, Callahan, Basham, Gielegghem, Mans, Sheltroun,

Absent: Rep. Brater,

Excused: Rep. Brater.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, October 28, 1999, at 9:00 a.m.,

Present: Reps. Birkholz, Hager, DeWeese, Julian, Vander Roest, Jamnick, Minore, Reeves,

Absent: Reps. Bishop, Tabor, Lockwood,

Excused: Reps. Bishop, Tabor, Lockwood.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Shackleton, Chair of the Committee on Great Lakes and Tourism, was received and read:

Meeting held on: Thursday, October 28, 1999, at 10:30 a.m.,

Present: Reps. Shackleton, Van Woerkom, Birkholz, Bisbee, Hager, Gilbert, Kowall, Middaugh, Richardville, Woronchak, Neumann, Clark, Hale, Rivet, Sheltroun, Woodward,

Absent: Rep. Lockwood,

Excused: Rep. Lockwood.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, October 28, 1999, at 10:30 a.m.,

Present: Reps. Law, DeWeese, DeRossett, Ehardt, Gosselin, Green, Ruth Johnson, Raczkowski, Rocca, Vear, Schauer, Baird, Jacobs, Neumann, Reeves, Woodward,

Absent: Rep. Dennis,

Excused: Rep. Dennis.

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 28:

House Bill Nos.	5025	5026	5027	5028	5029	5030	5031	5032	5033	5034	5035	5036	5037	5038
	5039	5040	5041	5042	5043	5044	5045	5046	5047	5048	5049	5050	5051	5052
	5053	5054	5055	5056	5057	5058	5059	5060	5061	5062	5063	5064	5065	5066

The Clerk announced that the following Senate bills had been received on Thursday, October 28:

Senate Bill Nos.	180	398	399	745	770	810	811	812	813	814	826	827	828	829
-------------------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------

By unanimous consent the House returned to the order of

Messages from the Senate**Senate Bill No. 180, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43902 and 43905 (MCL 324.43902 and 324.43905), as added by 1995 PA 57.

The Senate has passed the bill.

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

Senate Bill No. 398, entitled

A bill to amend 1974 PA 163, entitled "L.E.I.N. policy council act of 1974," by amending section 4 (MCL 28.214), as amended by 1998 PA 459.

The Senate has passed the bill.

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

Senate Bill No. 399, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending the part heading of part 465 and sections 46501 and 46509 (MCL 324.46501 and 324.46509), as added by 1995 PA 57, and by adding section 46510; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 745, entitled

A bill to revise and codify the laws relating to banks, out-of-state banks, and foreign banks; to provide for their regulation and supervision; to prescribe the powers and duties of banks; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties; and to repeal acts and parts of acts.

The Senate has passed the bill by a 2/3 vote.

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

Senate Bill No. 770, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811I.

The Senate has passed the bill.

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

Senate Bill No. 810, entitled

A bill to provide for the redistricting of congressional districts; and to establish guidelines for the decennial adoption of a redistricting plan for congressional districts.

The Senate has passed the bill.

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

Senate Bill No. 811, entitled

A bill to confer original jurisdiction on the supreme court to hear and decide cases on congressional redistricting; and to allow the supreme court to review and order congressional redistricting plans.

The Senate has passed the bill.

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

Senate Bill No. 812, entitled

A bill to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 4 and 8 (MCL 46.404 and 46.408).

The Senate has passed the bill.

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

Senate Bill No. 813, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 302 (MCL 600.302), as amended by 1993 PA 190.

The Senate has passed the bill.

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

Senate Bill No. 814, entitled

A bill to amend 1996 PA 463, entitled "An act to establish guidelines for the decennial adoption of redistricting plans for the senate and house of representatives; to provide original jurisdiction to the supreme court to review redistricting plans enacted by the legislature for compliance with those guidelines; and to provide a procedure for the supreme court to use to redistrict the senate and house of representatives under certain circumstances," by amending section 2 (MCL 4.262) and by adding section 1a.

The Senate has passed the bill.

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

Senate Bill No. 826, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 803/ and 804 (MCL 257.803/ and 257.804), section 803/ as amended by 1998 PA 68 and section 804 as amended by 1995 PA 129, and by adding sections 6d, 17b, 30b, 811d, 811e, 811f, 811g, and 811h; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 827, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811j.

The Senate has passed the bill.

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

Senate Bill No. 828, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811m.

The Senate has passed the bill.

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

Senate Bill No. 829, entitled

A bill to amend 1982 PA 249, entitled "An act to establish the state children's trust fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the trust fund," by amending section 1 (MCL 21.171), as amended by 1997 PA 34.

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 20.

A concurrent resolution to memorialize the Congress of the United States to take certain actions regarding the implementation of the Food Quality Protection Act of 1996.

Whereas, The Food Quality Protection Act of 1996 (FQPA) was signed into law on August 3, 1996, by President Clinton; and

Whereas, Among the purposes of the FQPA is to assure that pesticide tolerance decisions and policies are based upon sound science and reliable data; and

Whereas, Another purpose of the FQPA is to assure that pesticide tolerance decisions and policies are formulated in an open and transparent manner; and

Whereas, The EPA is required by the FQPA to have reviewed approximately 3,000 of the approximately 9,700 existing tolerances by August 1999 to determine whether these tolerances meet the safety standards established by the FQPA; and

Whereas, The implementation of the FQPA could have a profound negative impact on domestic agricultural production and on consumer food prices and availability. With Michigan's diverse agriculture, this impact could be especially severe on our numerous specialty crops; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to take the following actions:

1. Direct the EPA to initiate immediately appropriate administrative rulemaking to ensure that the policies and standards the agency intends to apply in evaluating pesticide tolerances are subject to thorough public notice and comment prior to final tolerance determinations being made by the agency.

2. Direct the EPA to use its authority under the FQPA to provide interested persons the opportunity to produce data needed to evaluate a pesticide tolerance so that the agency can avoid the use of unrealistic default assumptions in making pesticide tolerance decisions.

3. Direct the EPA to implement the FQPA in a manner that will not disrupt agricultural production nor have a negative impact on the availability, diversity, and affordability of food.

4. Conduct oversight hearings immediately to ensure that actions taken by the EPA are consistent with the FQPA provisions and congressional intent. Following oversight hearings, Congress should, if necessary, take appropriate actions or amend the FQPA to correct problem areas.

5. Encourage the Secretary of Agriculture and the United States Department of Agriculture to increase its commitment of manpower and budgetary resources to work with the EPA to gather scientific data. Furthermore, Congress should encourage the United States Department of Agriculture to conduct an economic impact statement on the implementation of the FQPA.

6. Clarify the role of Section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act as its provisions relate to the reestablishment of tolerances under the FQPA; and be it further

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

The Senate has adopted the concurrent resolution.

Reps. LaForge, Woodward, Middaugh, Faunce, Hardman, Rivet, Kelly, Prusi, Scott, Martinez, Vaughn, Sheltroun, Gielegghem, Hansen, Julian, Schauer, DeHart, Minore, Jamnick, Green, Baird, Thomas, Lemmons and Cherry were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Agriculture and Resource Management.

Senate Concurrent Resolution No. 24.

A concurrent resolution to memorialize the Congress of the United States to investigate the issue and extent of foreign agricultural products being dumped on American markets.

Whereas, The opening of markets around the world holds many opportunities for our nation and for specific enterprises. The global nature of business offers rewards both for the American consumer and for those exporting goods to other countries; and

Whereas, With the opportunities of free trade comes damage that can result from trade that enjoys an unfair advantage due to prices that are not based on the quality of a product or the true costs of making that product. There have been several examples of unfair trade based on external factors, including subsidization by other countries of certain industries. When goods are subsidized by governments and these goods are, in effect, dumped in this country and sold at less than their true costs, American industries and interests can be seriously jeopardized; and

Whereas, There are several areas of the United States farm economy facing threats from foreign growers and producers that are possibly the result of foreign goods being dumped on American markets. Imported farm products that are suspected of enjoying an unfair advantage include many key crops for Michigan farm families, including vegetables, fruit products, and some grains. Other states across our country face similar threats from foreign goods being traded with an unfair advantage; and

Whereas, American agriculture is far too essential to our nation's future to ignore warnings and concerns of the impact of unfair foreign trade and goods dumped on our markets; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to investigate the issue and extent of foreign agricultural products being dumped on American markets; 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 Senate has adopted the concurrent resolution.

Reps. Spade, Birkholz, Pappageorge, Koetje, Middaugh, Mead, Bradstreet, Ehardt, Van Woerkom, Mortimer, Faunce, Hardman, Kelly, Prusi, Kowall, Voorhees, Vaughn, Sheltroun, Gielegghem, Julian, Kukuk, Jellema, Garcia, Schauer, Jansen, Minore, Jamnick, Green, Allen, Vear, Raczkowski, Richardville, Lemmons, Tabor, Cassis and Perricone were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Agriculture and Resource Management.

Senate Concurrent Resolution No. 25.

A concurrent resolution to urge the National Collegiate Athletic Association to respect the education standards of the state of Michigan with regard to Jason Richardson, a student at Michigan State University.

Whereas, The National Collegiate Athletic Association (NCAA) has ruled Jason Richardson, a student at Michigan State University, ineligible to participate in interscholastic sports because of an alleged deficiency in the classes he took in high school. The NCAA Clearinghouse, which rendered the decision, has declared that Mr. Richardson, a graduate of Saginaw Arthur High School, did not meet the NCAA requirement for taking the appropriate core courses; and

Whereas, The class in question was from Mr. Richardson's freshman year. He took this class at the advice of school counselors. His subsequent transfer from a parochial school to the Saginaw Public School District apparently contributed to the misidentification of the course. The NCAA Clearinghouse had all of the appropriate information on Mr. Richardson's high school academic career more than a year before its announcement of his ineligibility. During this time, he could easily have remedied the alleged deficiency, but the NCAA did not act in a timely manner; and

Whereas, The questions of Jason Richardson's academic career do not include his grades or test scores, which more than meet the requirements for MSU and the NCAA. Instead, the criteria being used is the NCAA's interpretation of the core class requirements in Saginaw and Michigan. The appropriate authorities, those best positioned to verify Mr. Richardson's level of achievement in the classroom, have affirmed his completion of all scholastic requirements; and

Whereas, Section 1278 of the Michigan Revised School Code, being MCL § 380.1278, provides that each district is responsible for assuring compliance with state standards of academic skills and course work; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the National Collegiate Athletic Association to respect the education standards of the state of Michigan with regard to Jason Richardson, a student at Michigan State University, and declare him eligible to participate in interscholastic athletics; and be it further

Resolved, That copies of this resolution be transmitted to the NCAA Clearinghouse, NCAA Member Services, and the President of the NCAA.

The Senate has adopted the concurrent resolution.

Reps. Birkholz, Pappageorge, Ehardt, Faunce, Hardman, Kowall, Sheltroun, Julian, Jellema, Jansen, Raczkowski, Lemmons and Perricone were named co-sponsors of the concurrent resolution.

Pending the reference of the concurrent resolution to a committee,

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

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Notices

October 28, 1999

Mr. Gary Randall
Clerk of the House
3rd Floor House Office Building
Lansing, Michigan 48909
Dear Mr. Randall:

House Resolution 119, adopted on June 10, 1999, creates a Select Committee on Strategies to Reduce Teen Pregnancies. The resolution states that the membership of the select committee is to be appointed by the Speaker of the House in the same manner as standing committees of the House are appointed. I hereby appoint the following House members to serve in this capacity: Rep. James Howell - Chair, Rep. Stephen Ehardt - Vice Chair, Rep. Janet Kukuk, Rep. Wayne Kuipers, Rep. Joanne Voorhees, Rep. Gilda Jacobs, Rep. Lynne Martinez, Rep. Vera Rison, and Rep. A.T. Frank.

Thank you for your attention to this matter.

Sincerely,
Charles R. Perricone
Speaker of the House

Introduction of Bills

Reps. Shackleton, Lemmons, Tabor, Mortimer, Kowall, Bovin and Gilbert introduced

House Bill No. 5067, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 214 (MCL 330.1214).

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

Reps. Hager, DeHart, Jellema, Kowall, Ehardt, Shackleton, Tabor, Voorhees, Vander Roest, Garcia, Van Woerkom, Bovin and Birkholz introduced

House Bill No. 5068, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20113 (MCL 324.20113), as amended by 1996 PA 383.

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

Rep. Jamnick moved that the House adjourn.
The motion prevailed, the time being 4:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, November 2, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.

