

No. 39
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House Chamber, Lansing, Wednesday, May 3, 2000.

2:00 p.m.

The House was called to order by Associate Speaker Pro Tempore Patterson.

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

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

e/d/s = entered during session

Rep. Lauren Hager, from the 81st District, offered the following invocation:

“Our Father in heaven, we come to You today in a spirit of thanksgiving. We are mindful of the many good things that You have done in our lives. Father, You have told us to come boldly before the throne of grace, and we do that right now. Father, we are asking for wisdom for each and every member of this body as we deliberate on the things that affect so many people in our great state. Now, Father, we ask that You would bless our time together. Help us to do that which would please You, in all that we do, and in all that we say. In the name of Jesus, we pray. Amen.”

Rep. Scott moved that Reps. Hanley, Kilpatrick, Rison, Schermesser and Stallworth be excused from today’s session. The motion prevailed.

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

Rep. Pappageorge, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 322-325. Had I been present, I would have voted ‘yea’.”

Second Reading of Bills

House Bill No. 4388, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 1606 (MCL 324.1606), as added by 1995 PA 60.

(The bill was read a second time, Committee substitute (H-2) adopted, amended, amendment offered and bill postponed for the day on April 18, see House Journal No. 32, p. 689.)

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

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

Roll Call No. 327

Yeas—100

Allen	Ehardt	Koetje	Reeves
Baird	Faunce	Kowall	Richardville
Basham	Frank	Kuipers	Richner
Birkholz	Garcia	Kukuk	Rivet
Bisbee	Garza	LaForge	Rocca
Bishop	Geiger	LaSata	Sanborn
Bogardus	Gielegem	Law	Schauer
Bovin	Gilbert	Lemmons	Scott
Bradstreet	Godchaux	Lockwood	Scranton
Brater	Gosselin	Mans	Shackleton
Brewer	Green	Martinez	Sheltrown
Brown, B.	Hager	Mead	Shulman
Brown, C.	Hale	Middaugh	Spade
Callahan	Hansen	Minore	Stamas
Cassis	Hardman	Mortimer	Switalski
Caul	Hart	Neumann	Tabor
Cherry	Howell	O’Neil	Tesanovich
Clark, I.	Jacobs	Pappageorge	Thomas
Clarke, H.	Jansen	Patterson	Van Woerkom
Daniels	Jelinek	Pestka	Vander Roest

DeHart	Jellema	Price	Vaughn
Dennis	Johnson, Rick	Prusi	Voorhees
DeRossett	Johnson, Ruth	Pumford	Wojno
DeVuyst	Julian	Quarles	Woodward
DeWeese	Kelly	Rackowski	Woronchak

Nays—0

In The Chair: Patterson

Rep. Byl entered the House Chambers.

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

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

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

Reps. Basham and Jelinek moved to amend the bill as follows:

1. Amend page 2, line 8, after “state.” by inserting “HOWEVER, A PARK AND RECREATION OFFICER ENFORCING RULES, ORDERS, OR LAWS DESCRIBED IN THIS SUBSECTION ON PROPERTY REGULATED UNDER PART 781 MAY ARREST AN INDIVIDUAL ONLY FOR A MINOR OFFENSE COMMITTED IN THE OFFICER’S PRESENCE AND SHALL ISSUE AN APPEARANCE TICKET AS PROVIDED IN SUBSECTION (6).”.

2. Amend page 2, line 10, after “741” by striking out “OR 781”.

3. Amend page 3, following line 4, by inserting:

“(4) IN ADDITION TO THE LIMITED ARREST AUTHORITY GRANTED IN SUBSECTION (2), ON PROPERTY REGULATED UNDER PART 781, A COMMISSIONED PARK AND RECREATION OFFICER MAY ARREST AN INDIVIDUAL WITHOUT A WARRANT FOR A MINOR OFFENSE LISTED IN SUBSECTION (3) COMMITTED IN THE OFFICER’S PRESENCE AND SHALL ISSUE AN APPEARANCE TICKET AS PROVIDED IN SUBSECTION (6).” and renumbering the remaining subsections.

4. Amend page 3, line 11, after the second “a” by striking out “misdemeanor” and inserting “MINOR OFFENSE”.

5. Amend page 3, line 12, after “presence” by striking out the balance of the line through “both” on line 13.

6. Amend page 3, line 15, after “officer” by striking out “may” and inserting a comma and “ON PROPERTY REGULATED UNDER PART 741, MAY AND, ON PROPERTY REGULATED UNDER PART 781, SHALL”.

7. Amend page 3, line 16, after “sections” by striking out “9a” and inserting “9C”.

8. Amend page 5, following line 3, by inserting:

“(10) AS USED IN THIS SECTION, “MINOR OFFENSE” MEANS THAT TERM AS DEFINED IN SECTION 1 OF CHAPTER I OF THE CODE OF CRIMINAL PROCEDURE, 1927 PA 175, MCL 761.1.”.

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

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

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

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

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

Rep. Perricone entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4388, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 1606 (MCL 324.1606), as added by 1995 PA 60.

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

Roll Call No. 328

Yeas—91

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

Nays—12

Bovin	Kuipers	Prusi	Tesanovich
Brewer	Martinez	Shackleton	Vander Roest
Gosselin	Neumann	Sheltrown	Voorhees

In The Chair: Patterson

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

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

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 1606 (MCL 324.1606), as added by 1995 PA 60; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 4427, entitled

A bill to define, develop, and regulate captive cervidae as an agricultural enterprise in this state; to provide powers and duties of certain state agencies and departments; and to provide for certain penalties and remedies.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

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

The motion did not prevail and the substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Green moved to substitute (H-3) the bill.

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

Rep. Green 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. 4427, entitled

A bill to define, develop, and regulate captive cervidae as an agricultural enterprise in this state; to provide powers and duties of certain state agencies and departments; and to provide for certain penalties and remedies.

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

Roll Call No. 329

Yeas—102

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

Nays—0

In The Chair: Patterson

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 define, develop, and regulate privately owned cervidae as an agricultural enterprise in this state; to provide powers and duties of certain state agencies and departments; and to provide for certain penalties and remedies.

The motion prevailed.

The House agreed to the title as amended.

Second Reading of Bills**House Bill No. 4428, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40103, 40106, 40107, 40109, and 41102 (MCL 324.40103, 324.40106, 324.40107, 324.40109, and 324.41102), sections 40103 and 40107 as amended by 1998 PA 86 and sections 40106, 40109, and 41102 as added by 1995 PA 57.

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

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4428, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40103, 40106, 40107, 40109, and 41102 (MCL 324.40103, 324.40106, 324.40107, 324.40109, and 324.41102), sections 40103 and 40107 as amended by 1998 PA 86 and sections 40106, 40109, and 41102 as added by 1995 PA 57.

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

Roll Call No. 330**Yeas—102**

Allen	Ehardt	Koetje	Reeves
Baird	Faunce	Kowall	Richardville
Basham	Frank	Kuipers	Richner
Birkholz	Garcia	Kukuk	Rivet
Bisbee	Garza	LaForge	Rocca
Bishop	Geiger	LaSata	Sanborn
Bogardus	Gielegem	Law	Schauer
Bovin	Gilbert	Lemmons	Scott
Bradstreet	Godchaux	Lockwood	Scranton
Brater	Gosselin	Mans	Shackleton
Brewer	Green	Mead	Sheltrown
Brown, B.	Hager	Middaugh	Shulman
Brown, C.	Hale	Minore	Spade
Byl	Hansen	Mortimer	Stamas
Callahan	Hardman	Neumann	Switalski
Cassis	Hart	O'Neil	Tabor

Caul	Howell	Pappageorge	Tesanovich
Cherry	Jacobs	Patterson	Van Woerkom
Clark, I.	Jamnick	Perricone	Vander Roest
Clarke, H.	Jansen	Pestka	Vaughn
Daniels	Jelinek	Price	Vear
DeHart	Jellema	Prusi	Voorhees
Dennis	Johnson, Rick	Pumford	Wojno
DeRossett	Johnson, Ruth	Quarles	Woodward
DeVuyst	Julian	Raczkowski	Woronchak
DeWeese	Kelly		

Nays—0

In The Chair: Patterson

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

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

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 40103, 41102, and 42702 (MCL 324.40103, 324.41102, and 324.42702), section 40103 as amended by 1999 PA 66 and sections 41102 and 42702 as added by 1995 PA 57; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

Second Reading of Bills

House Bill No. 5582, entitled

A bill to amend 1929 PA 313, entitled “An act to provide for the control and eradication of white pine blister rust; to provide for the destruction of trees, plants and bushes infected with white pine blister rust; to authorize the commissioner of agriculture to remove, appraise and pay for healthy host plants necessarily destroyed; to declare certain plants and bushes a public nuisance; to authorize the commissioner to set aside fruiting currant and gooseberry and white pine growing districts as control areas; to provide for co-operation between state departments; to authorize the promulgation of rules and regulations; to provide funds for carrying out the purposes of this act; and to provide penalties for its violation,” by amending section 2 (MCL 286.102).

The bill was read a second time.

Rep. Mead 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. 5582, entitled

A bill to amend 1929 PA 313, entitled “An act to provide for the control and eradication of white pine blister rust; to provide for the destruction of trees, plants and bushes infected with white pine blister rust; to authorize the commissioner of agriculture to remove, appraise and pay for healthy host plants necessarily destroyed; to declare certain plants and bushes a public nuisance; to authorize the commissioner to set aside fruiting currant and gooseberry and white pine growing districts as control areas; to provide for co-operation between state departments; to authorize the promulgation of rules and regulations; to provide funds for carrying out the purposes of this act; and to provide penalties for its violation,” by amending section 2 (MCL 286.102).

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

Roll Call No. 331**Yeas—103**

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

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 5633, entitled**

A bill to amend 1955 PA 162, entitled "An act to provide for the licensing and inspection of agricultural liming material and to regulate the sale thereof; and to prescribe penalties for the violations of the provisions of this act," by amending section 8 (MCL 290.538).

The bill was read a second time.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5633, entitled

A bill to amend 1955 PA 162, entitled "An act to provide for the licensing and inspection of agricultural liming material and to regulate the sale thereof; and to prescribe penalties for the violations of the provisions of this act," by amending section 8 (MCL 290.538).

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

Roll Call No. 332

Yeas—100

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

Nays—0

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.

Second Reading of Bills

Senate Bill No. 1068, entitled

A bill to repeal 1927 PA 275, entitled "An act to authorize the governor and state treasurer to refund the 6 per cent bonds secured by mortgage deed of trust of the Michigan state fair grounds; to call, pay and retire the outstanding bonds, and to issue new bonds to procure the funds to pay and retire said outstanding bonds," (MCL 12.31 to 12.35).

The bill was read a second time.

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. 1068, entitled

A bill to repeal 1927 PA 275, entitled "An act to authorize the governor and state treasurer to refund the 6 per cent bonds secured by mortgage deed of trust of the Michigan state fair grounds; to call, pay and retire the outstanding bonds, and to issue new bonds to procure the funds to pay and retire said outstanding bonds," (MCL 12.31 to 12.35).

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

Roll Call No. 333

Yeas—102

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

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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

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

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

Second Reading of Bills**Senate Bill No. 1072, entitled**

A bill to repeal 1978 PA 116, entitled "The John C. Hertel toxic substance control commission act," (MCL 286.181 to 286.194).

The bill was read a second time.

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. 1072, entitled**

A bill to repeal 1978 PA 116, entitled "The John C. Hertel toxic substance control commission act," (MCL 286.181 to 286.194).

Was read a third time and not passed, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 334**Yeas—50**

Allen	Geiger	Kuipers	Richardville
Birkholz	Gilbert	Kukuk	Richner
Bisbee	Gosselin	LaSata	Sanborn
Bishop	Green	Law	Shulman
Bradstreet	Hager	Mead	Spade
Brown, C.	Howell	Middaugh	Stamas
Cassis	Jansen	Mortimer	Tabor
DeRossett	Jelinek	Pappageorge	Van Woerkom
DeVuyst	Johnson, Rick	Patterson	Vander Roest
DeWeese	Johnson, Ruth	Perricone	Vear
Ehardt	Julian	Pumford	Voorhees
Faunce	Koetje	Raczkowski	Woronchak
Garcia	Kowall		

Nays—51

Baird	Daniels	LaForge	Rivet
Basham	Dennis	Lemmons	Schauer
Bogardus	Frank	Lockwood	Scott
Bovin	Garza	Mans	Scranton
Brater	Gielegem	Martinez	Shackleton
Brewer	Godchaux	Minore	Sheltrown
Brown, B.	Hale	Neumann	Switalski
Byl	Hansen	O'Neil	Tesanovich
Callahan	Hardman	Pestka	Thomas
Caul	Jacobs	Price	Vaughn
Cherry	Jamnick	Prusi	Wojno
Clark, I.	Jellema	Quarles	Woodward
Clarke, H.	Kelly	Reeves	

Rep. Callahan, having reserved the right to explain his protest against passage of the bill, made the following statement:
 “Mr. Speaker and members of the House:

The “Toxic Substance Control Commission needs to continue and deal with cattle, livestock, and wildlife.
 We should repeal the sunset date (or at least extend it) but don’t throw the baby out with the bath water.”

Rep. Raczkowski moved to reconsider the vote by which the House did not pass the bill.
 The motion prevailed, a majority of the members present voting therefor.
 The question being on the passage of the bill,

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

Second Reading of Bills

House Bill No. 5669, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 801 (MCL 257.801), as amended by 2000 PA 47.

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 not adopted, a majority of the members serving not voting therefor.

Rep. Green 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. Basham moved to amend the bill as follows:

1. Amend page 3, line 7, after “A” by striking out “van which is” and inserting “VEHICLE”.
2. Amend page 3, line 8, after the first “who” by striking out “uses” and inserting “IS PERMANENTLY CONFINED TO”.
3. Amend page 3, line 9, after “who” by striking out “uses” and inserting “IS PERMANENTLY CONFINED TO”.
4. Amend page 3, line 12, after “subdivision.” by inserting “HOWEVER, ONLY 1 REGISTRATION PLATE SHALL BE ISSUED AND ASSESSED AT THIS 50% RATE PER HOUSEHOLD.”.
5. Amend page 13, line 5, after “A” by striking out “van which is” and inserting “VEHICLE”.
6. Amend page 13, line 6, after the first “who” by striking out “uses” and inserting “IS PERMANENTLY CONFINED TO”.
7. Amend page 13, line 7, after “who” by striking out “uses” and inserting “IS PERMANENTLY CONFINED TO”.
8. Amend page 13, line 10, after “subdivision.” by inserting “HOWEVER, ONLY 1 REGISTRATION PLATE SHALL BE ISSUED AND ASSESSED AT THIS 50% RATE PER HOUSEHOLD.”.

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

Rep. Green 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. 5669, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 801 (MCL 257.801), as amended by 2000 PA 47.

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

Roll Call No. 335

Yeas—101

Allen	Frank	Kowall	Richardville
Baird	Garcia	Kuipers	Richner
Basham	Garza	Kukuk	Rivet
Birkholz	Geiger	LaForge	Rocca

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

Nays—0

In The Chair: Patterson

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 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2000 PA 82.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

Reports of Standing Committees

The Committee on Education, by Rep. Allen, Chair, reported

House Bill No. 5534, entitled

A bill to establish career and technical preparation enrollment options for certain students enrolled in Michigan schools; to prescribe certain duties of public schools and certain postsecondary institutions; to prescribe certain powers and duties of certain state departments, officials, and agencies; 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 5534 To Report Out:

Yeas: Reps. Allen, Ruth Johnson, Bradstreet, DeWeese, Hager, Hart, Rick Johnson, Kuipers, Van Woerkom, Voorhees, Bogardus, Clark, Daniels, Gielegem, Hansen, Spade,
Nays: None.

The Committee on Education, by Rep. Allen, Chair, reported

Senate Bill No. 1120, entitled

A bill to amend 1851 PA 151, entitled "An act to provide for the government of the state university, and to repeal chapter 57 of the Revised Statutes of 1846," by repealing sections 12 and 13 (MCL 390.12 and 390.13).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1120 To Report Out:

Yeas: Reps. Allen, Bradstreet, DeWeese, Hager, Hart, Rick Johnson, Kuipers, Van Woerkom, Voorhees, Bogardus, Clark, Daniels, Hansen, Spade,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 2, 2000, at 10:30 a.m.,

Present: Reps. Allen, Ruth Johnson, Bradstreet, DeWeese, Hager, Hart, Rick Johnson, Kuipers, Van Woerkom, Voorhees, Bogardus, Clark, Daniels, Gielegem, Hansen, Spade,

Absent: Rep. Scott,

Excused: Rep. Scott.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

House Bill No. 5595, entitled

A bill to repeal 1921 PA 350, entitled "An act to authorize and direct the state highway commissioner to lay out and establish a trunk line highway from a point on the boundary line between the states of Michigan and Indiana southwest to Mottville on the Elkhart road to Port Sanilac in Sanilac county, and from New Buffalo in Berrien county, through Buchanan, Niles, Cassopolis, Vandalia, Fabius, Three Rivers, Fishers' Lake, Mendon, Leonidas, Union City, Burlington, Tekonsha, Homer, Concord, Spring Arbor, to Jackson in Jackson county, passing through certain intermediate towns, villages and cities, to be known and designated as the Colgrove highway," (MCL 250.171).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5595 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Hart, Ruth Johnson, Middaugh, Kilpatrick, Bovin, Jamnick, Lemmons, Reeves,
Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

House Bill No. 5596, entitled

A bill to repeal 1919 PA 36, entitled "An act to regulate the planting of ornamental, nut bearing or other food producing trees along the highways of the state of Michigan, or in public places, and for the maintenance, protection and care of such trees and to provide a penalty for injury thereof, or for stealing the products thereof," (MCL 247.231 to 247.235).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5596 To Report Out:

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

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

House Bill No. 5597, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by repealing sections 663, 664, 665, and 666 (MCL 257.663, 257.664, 257.665, and 257.666).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5597 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Hart, Ruth Johnson, Middaugh, Kilpatrick, Bovin, Jamnick, Lemmons, Reeves,

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

House Bill No. 5598, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 709 (MCL 257.709), as amended by 1988 PA 470.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5598 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Hart, Ruth Johnson, Middaugh, Kilpatrick, Bovin, Jamnick, Reeves,

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

House Bill No. 5599, entitled

A bill to amend 1929 PA 269, entitled "An act to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems; to provide penalties for the violation thereof; and to repeal Act No. 255 of the Public Acts of 1909," by repealing section 3 (MCL 430.53).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5599 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, Hart, Ruth Johnson, Middaugh, Kilpatrick, Bovin, Jamnick, Lemmons, Reeves,

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

House Bill No. 5600, entitled

A bill to repeal 1921 PA 340, entitled "An act to provide for the laying out, establishing, construction, improvement and maintenance of a public wagon road from the city of Monroe in Monroe county to the boundary line between the states of Ohio and Michigan, to designate the character and general location of such road, to define the powers and duties of the state highway commissioner with reference thereto and to provide for the payment of the cost thereof," (MCL 250.181).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5600 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Hart, Ruth Johnson, Middaugh, Shackleton, Kilpatrick, Bovin, Jannick, Lemmons, Reeves,

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

House Bill No. 5601, entitled

A bill to repeal 1962 PA 57, entitled "An act to authorize a bridge over the public navigable waters of Missaukee lake in Missaukee county," (MCL 254.351 to 254.352).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5601 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Ruth Johnson, Middaugh, Shackleton, Kilpatrick, Bovin, Jannick, Lemmons, Reeves,

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

House Bill No. 5602, entitled

A bill to repeal 1921 PA 324, entitled "An act to authorize and direct the state highway commissioner to lay out and establish a trunk line highway commencing at the section corner common to sections 15, 16, 21 and 22, town 14 north, range 7 west, Wheatland township, Mecosta county, thence running due north through the village of Barryton, Mecosta county, and the village of Marion, Osceola county, to the city of McBain in Missaukee county, thence due north on the township line between town 21 north, range 7 west, and 21 north, range 8 west, to the southwest corner to section 25, town 22 north, range 8 west," (MCL 250.151).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5602 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Ruth Johnson, Middaugh, Shackleton, Kilpatrick, Bovin, Jannick, Lemmons, Reeves,

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

House Bill No. 5603, entitled

A bill to repeal acts and parts of acts.

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

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

Favorable Roll Call

HB 5603 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Ruth Johnson, Middaugh, Shackleton, Tabor, Kilpatrick, Bovin, Jannick, Lemmons, Reeves,

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

House Bill No. 5604, entitled

A bill to repeal 1947 PA 294, entitled "An act to enable the state bridge commission to sell certain real estate subject to certain limitations and to direct the disposition of the proceeds of said sale," (MCL 254.181).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5604 To Report Out:

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

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

House Bill No. 5620, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 662 (MCL 257.662).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5620 To Report Out:

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

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

House Bill No. 5626, entitled

A bill to repeal 1921 PA 341, entitled "An act to authorize and direct the state highway commissioner to lay out and establish a trunk line highway from Paw Paw to Gobleville to Allegan," (MCL 250.161).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5626 To Report Out:

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

Nays: None.

The Committee on Transportation, by Rep. Rick Johnson, Chair, reported

House Bill No. 5631, entitled

A bill to repeal 1959 PA 82, entitled "An act to authorize a bridge over the public navigable waters of Crooked lake in Emmet county," (MCL 254.111 to 254.112).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5631 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rick Johnson, Chair of the Committee on Transportation, was received and read:

Meeting held on: Tuesday, May 2, 2000, at 4:00 p.m.,

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

Absent: Reps. Patterson, Brewer, Schermesser,

Excused: Reps. Patterson, Brewer, Schermesser.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 3, 2000, at 9:00 a.m.,

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

Absent: Reps. Law, Shackleton,

Excused: Reps. Law, Shackleton.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 3, 2000, at 10:00 a.m.,

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

Absent: Reps. Garcia, Kuipers, Shulman, Daniels,

Excused: Reps. Garcia, Kuipers, Shulman, Daniels.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Koetje, Chair of the Committee on Gaming and Casino Oversight, was received and read:

Meeting held on: Wednesday, May 3, 2000, at 10:30 a.m.,

Present: Reps. Koetje, Vander Roest, Richner, Voorhees, Brewer, Garza, Hardman,

Absent: Reps. Law, Callahan,

Excused: Reps. Law, Callahan.

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, April 13:

Senate Bill Nos. 1206 1207 1208 1209 1210 1211 1212

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, April 14:

Senate Bill Nos. 1213 1214 1215 1216 1217 1218 1219

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, May 3:

**House Bill Nos. 5700 5701 5702 5703 5704 5705 5706 5707 5708 5709 5710 5711 5712 5713
5714 5715 5716 5717 5718 5719 5720 5721**

The Clerk announced that the following Senate bill had been received on Wednesday, May 3:

Senate Bill No. 599

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

House Bill No. 4400, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 2, 3, 4, 5, 8, 13, 15, 16, and 19 (MCL 125.2652, 125.2653, 125.2654, 125.2655, 125.2658, 125.2663, 125.2665, 125.2666, and 125.2669).

The Senate has nonconcurred in the House amendments to the Senate substitute (S-3) and appointed Senators Schuette, Emmons and Peters as conferees.

The message was referred to the Clerk for record.

House Bill No. 5058, entitled

A bill to amend 1976 PA 388, entitled "An act to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; to require campaign statements and reports; to regulate anonymous contributions; to regulate campaign advertising and literature; to provide for segregated funds for political purposes; to provide for the use of public funds for political purposes; to create certain funds; to provide for reversion, retention, or refunding of unexpended balances in certain funds; to require other statements and reports; to regulate acceptance of certain gifts, payments, and reimbursements; to prescribe the powers and duties of certain state departments and state and local officials and employees; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts," by amending section 15 (MCL 169.215), as amended by 1999 PA 238; and to repeal acts and parts of acts.

The Senate has appointed Senators McCotter, Hammerstrom and Miller as conferees to join with Reps. Bishop, Patterson and Brater.

The bill was referred to the Conference Committee on May 3, 2000.

House Bill No. 5443, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending the title and sections 3, 6, 7, and 8 (MCL 207.803, 207.806, 207.807, and 207.808) and by adding section 7a.

The Senate has nonconcurred in the House amendments to the Senate substitute (S-2) and appointed Senators Schuette, Emmons and Peters as conferees.

The message was referred to the Clerk for record.

House Bill No. 5444, entitled

A bill to provide for the establishment of obsolete property rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local government officials; and to provide penalties.

The Senate has nonconcurred in the House amendments to the Senate substitute (S-2) and appointed Senators Schuette, Emmons and Peters as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 269, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 38g.

The Senate has nonconcurred in the House substitute (H-2)* and appointed Senators Schuette, Emmons and Peters as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 599, entitled

A bill to create the Michigan education savings program; to provide for education savings accounts; to prescribe the powers and duties of certain state agencies, boards, and departments; to allow certain tax credits or deductions; and to provide for penalties and remedies.

The Senate has passed the bill.

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

Messages from the Governor

The following message from the Governor was received May 2, 2000 and read:

EXECUTIVE ORDER
No. 2000-7

Michigan Council on Technical Excellence

Council for Career Preparation Standards

Department of Career Development

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of government; and

WHEREAS, the global marketplace is more competitive than ever; and

WHEREAS, to compete nationally and internationally and to maintain and enhance our standard of living, Michigan must have better prepared citizens than our competitors; and

WHEREAS, a state with a high skilled workforce will have a better chance to experience economic growth, opportunity, and prosperity; and

WHEREAS, Michigan faces a critical shortage of skilled workers in the high-demand, high-wage occupations necessary to sustain and expand our economy; and

WHEREAS, a world class education system, and in particular, a world class technical education, that helps to retain and attract skilled workers requires the involvement of business and industry to drive skill standards and the establishment of a credentialing system to ensure that standards are met; and

WHEREAS, the Council for Career Preparation Standards, which Executive Order 1997-15 created, is currently housed in the Department of Career Development; and

WHEREAS, most of the functions, duties and responsibilities assigned to the Council for Career Preparation Standards are currently being handled by other state departments.

NOW, THEREFORE, I, John Engler, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan, do hereby order the following:

1. The Michigan Council on Technical Excellence ("Council") is hereby established within the Department of Career Development on the following terms and conditions:

a. The Council shall consist of nine (9) members as follows:

- The Chairperson of the Council shall be the Lieutenant Governor or his or her designee. One member shall include the Director of the Michigan Department of Career Development or his or her designee; and
- Seven members, appointed by the Governor, representing business, labor and education.

b. With the exception of the Lieutenant Governor or his or her designee, and the Director of the Michigan Department of Career Development or his or her designee, each member shall serve for a term of three years, except that of the members first appointed, four shall be appointed for a term of two years, and three shall be appointed for a term of three years.

c. The Council is charged with the following responsibilities:

- Work with voluntary partnerships formed from business, labor and education to identify the common knowledge and technical skills required to be a successful worker in major occupational areas within broad industry sectors. These skills will provide the basis for portable credentials which will indicate that secondary, post-secondary and adult learners have achieved specific competencies and can apply those competencies to particular industries and occupations.
- Establish the Michigan Technical Excellence Program to certify existing and emerging secondary and post-secondary technical education programs for consistent quality throughout the state. Private technical training programs may also seek certification.
- Recommend a system to award the Great Lakes Technical Certificate to individuals upon completion of approved programs.
- Involve the Michigan Virtual University to support the Michigan Technical Excellence Program and Great Lakes Technical Certificate.
- Work with the Council of Great Lakes Governors to establish portable credentials across the region as well as a skill standards database to improve information access and dissemination.
- Establish a working relationship with the National Skills Standards Board in developing strategies consistent with the responsibilities of the Council.

2. All state departments, agencies, boards, commissions, or officers of the state shall cooperate and provide any necessary assistance required by the Council, or any member or representative thereof, in the performance of its duties. This shall include free access to any books, records or documents in the custody of the department, agency, board, commission, or officer that is within the scope of the inquiry, study or review of the Council.

3. Members of the Council shall not receive compensation, but may receive reimbursement for necessary travel and expenses for the performance of Council functions, based on relevant procedures of the Departments of Management and Budget and Civil Service rules and regulations.

4. The Council may promulgate bylaws, consistent with law and with this Executive Order, to govern its organization and procedure.

5. A majority of the serving members of the Council constitutes a quorum for the transaction of business at a meeting, notwithstanding the existence of one (1) or more vacancies. Voting upon actions taken shall be conducted by a majority vote of the members present in person at a meeting or present by use of amplified telephonic equipment. The Council shall meet at the call of the chair and as may be provided in the bylaws of the Council. Meetings of the Council may be held anywhere within the state of Michigan.

6. All executive branch departments and agencies shall cooperate with the Council in the performance of its responsibilities. Departments and agencies shall make every effort to provide the Council with key staff and other means of support to assist in the performance of its duties.

7. The chair of the Council may hire or retain such contractors, sub-contractors, advisors, consultants and agents as the chair may deem advisable and necessary, in accordance with relevant procedures, statutes, rules and regulations of the Civil Service Commission and the Department of Management and Budget, and may make and enter into contracts necessary or incidental to the exercise of the powers of and performance of the duties of the Council and the chair.

8. The Council may accept grants of funds and donations of funds, property, labor or other things of value from any department or office of the state of Michigan and the United States and from any other public or private office or person for the purpose of furthering the Council's purposes.

9. Executive Order 1997-15 is rescinded and the Council For Career Preparation Standards is abolished.

10. The invalidity of any portion of this Executive Order shall not affect the validity of the remainder thereof.

The provisions of this Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 2nd day of May, in the Year of our Lord, Two Thousand.

John Engler
Governor
By the Governor:
Candice S. Miller
Secretary of State

The message was referred to the Clerk.

Communications from State Officers

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

April 26, 2000

I am pleased to report to you the following information on Baseline Environmental Assessment (BEA) petitions reviewed by the Department of Environmental Quality (DEQ). The data reported is comprehensive from the inception of the BEA program through April 17, 2000.

This information is submitted pursuant to the reporting requirements contained in Section 20129a(4) of Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Sincerely,
Russell J. Harding
Director

The communication was referred to the Clerk.

Introduction of Bills

Rep. Rick Johnson introduced
House Bill No. 5722, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 8d. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Geiger, Jansen, Jellema and Vander Roest introduced

House Bill No. 5723, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 34, 36, and 41 (MCL 38.1334, 38.1336, and 38.1341), as amended by 1997 PA 143.

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

Reps. Jansen, Geiger, Jellema and Vander Roest introduced

House Bill No. 5724, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending sections 11, 20d, 38, and 52 (MCL 38.11, 38.20d, 38.38, and 38.52), section 11 as amended and section 52 as added by 1996 PA 487, section 20d as amended by 1996 PA 532, and section 38 as amended by 1996 PA 279.

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

Reps. Frank, DeHart, Bovin, Neumann, Pestka, Kelly, Basham, Thomas, Hale and Jamnick introduced

House Bill No. 5725, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 21751 and 21786 (MCL 333.21751 and 333.21786).

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Rep. Thomas introduced

House Bill No. 5726, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending sections 101, 102, 103, 203, 203a, 213, 302, 310, 312, 315, 316, 317, 351, 401, 505, 506, and 604 (MCL 484.2101, 484.2102, 484.2103, 484.2203, 484.2203a, 484.2213, 484.2302, 484.2310, 484.2312, 484.2315, 484.2316, 484.2317, 484.2351, 484.2401, 484.2505, 484.2506, and 484.2604), sections 101, 203, 213, 310, 312, 401, and 604 as amended and sections 203a, 317, and 351 as added by 1995 PA 216, section 102 as amended by 1998 PA 41, section 316 as amended by 1999 PA 31, section 505 as added by 1998 PA 260, and section 506 as added by 1998 PA 259, and by adding sections 210a, 303a, 313a, and 504a; and to repeal acts and parts of acts.

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

Rep. Hager moved that the House adjourn.

The motion prevailed, the time being 4:30 p.m.

Associate Speaker Pro Tempore Patterson declared the House adjourned until Thursday, May 4, at 12:00 Noon.

GARY L. RANDALL

Clerk of the House of Representatives.