

No. 62  
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**House of Representatives**  
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House Chamber, Lansing, Tuesday, June 23, 1998.

10:00 a.m.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Pastor Mark Cryderman, from Westland Free Methodist Church in Westland, offered the following invocation:

"It is my privilege to lead this powerful group of leaders in prayer this morning. As we pray, consider this passage from the Bible, from the book of James, chapter 3... Who is wise and understanding among you? Let him show it by his good life, by deeds done in the humility that comes from wisdom. The wisdom that comes from heaven is first of all pure, then peace loving, considerate, submissive, full of mercy and good fruit, impartial and sincere. Peacemakers who sow in peace raise a harvest of righteousness.

'Let us pray. Father in Heaven, I recognize that I am in a building that regularly holds some of the most powerful and important people in Michigan. Yet we come to You today, recognizing that You have all the power in the universe, You set the earth in motion, You breathed life into us, You are the author of any power that we have. So we come to You, asking for Your guidance, Your wisdom, to help this body as they do their work, as they wrestle with issues and as they make decisions. May they be guided by Your wisdom through today.

Father, while You are set apart from humanity in Your knowledge and power and wisdom, You care deeply for us. You are not so far removed that we carry on alone, but You know us better than we even know ourselves and You really care about our hopes, our dreams and our difficulties.

Father, You know the concerns represented in this room throughout today. No doubt, there are some here today who have a deep heartache regarding someone in their family. Some may be facing difficult personal decisions. Some may be wrestling with personal heartaches. Some may have fears. Some may be reminded that the dreams they've had for so long, will probably be forever just out of reach. I pray for these here today, that they would receive a special touch from You. That, in the middle of their difficulty, You would bring real peace and real help to make it through today with clear minds focussed on their work, but also, real help, Your wisdom to deal appropriately with their situation so that they will follow the right path, choose the right direction, make the right decisions, say the right things, but mostly, that You would bring peace into their life, peace that stays, that reminds them that You're in control and it will be all right.

Father, we thank You for the privilege of prayer, of talking with You. Will You help these now, during the rest of their day, to be people that have wisdom in their decision making, to have Your wisdom, to see clearly all the facets of the issues of the day. For this, we are grateful, may Your name be praised! In Jesus Name, Amen."

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Rep. Dobronski moved that Reps. Varga, Schermesser and LaForge be excused from today's session.  
The motion prevailed.

Rep. Hammerstrom moved that Reps. Oxender and Walberg be excused from today's session.  
The motion prevailed.

### Messages from the Senate

The Speaker laid before the House

**House Bill No. 5387, entitled**

A bill to amend 1913 PA 206, entitled "An act to declare telephone lines and telephone companies within this state to be common carriers; to regulate the telephone business; to confer certain powers, duties, and responsibilities on the public service commission; to provide for the consolidation of telephone lines and telephone companies; to prohibit certain uses of telephone lines and telephone equipment; to regulate persons using telephone lines and telephone equipment; to prescribe a penalty for the violation of this act; and to repeal certain acts and parts of acts on specific dates," by amending section 25 (MCL 484.125), as added by 1980 PA 47.

(The bill was received from the Senate on June 10, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 57, p. 1399.)

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

Rep. Crissman moved to substitute (H-3) the Senate substitute (S-1).

The question being on the adoption of the substitute (H-3) offered by Rep. Crissman,

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

The motion prevailed.

The Speaker laid before the House

**House Bill No. 5437, entitled**

A bill to amend 1895 PA 3, entitled "The general law village act," by amending sections 31 and 34 of chapter VIII, sections 1, 4, 5, 6, 7, 8, 9, 13, 14, 15, 16, 17, 20, 21, 22, 24, and 25 of chapter IX, sections 1, 2, 3, 4, 6, 9, and 11 of chapter X, sections 1, 2, 5, 6, 8, 9, 10, and 11 of chapter XI, sections 1, 3, 4, 5, 6, 7, 8, and 9 of chapter XII, sections 1, 2, 3, 4, and 5 of chapter XIII, and sections 3, 5, 7, 18a, 19, 20, and 21 of chapter XIV (MCL 68.31, 68.34, 69.1, 69.4, 69.5, 69.6, 69.7, 69.8, 69.9, 69.13, 69.14, 69.15, 69.16, 69.17, 69.20, 69.21, 69.22, 69.24, 69.25, 70.1, 70.2, 70.3, 70.4, 70.6, 70.9, 70.11, 71.1, 71.2, 71.5, 71.6, 71.8, 71.9, 71.10, 71.11, 72.1, 72.3, 72.4, 72.5, 72.6, 72.7, 72.8, 72.9, 73.1, 73.2, 73.3, 73.4, 73.5, 74.3, 74.5, 74.7, 74.18a, 74.19, 74.20, and 74.21), section 15 of chapter IX as amended by 1984 PA 179, sections 1 and 4 of chapter X as amended by 1985 PA 173, section 5 of chapter XII as amended by 1983 PA 44, and section 18a of chapter XIV as added by 1988 PA 33, and by adding section 7a to chapter IX, sections 13, 14, 15, 16, and 18 to chapter X, sections 12, 13, and 14 to chapter XI, and sections 6a, 18b, 18c, 18d, 18e, 18f, and 23 to chapter XIV; and to repeal acts and parts of acts.

(The bill was received from the Senate on June 10, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 57, p. 1400.)

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

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

**Roll Call No. 685**

**Yeas—86**

Agee	Dalman	Jansen	Profit
Alley	DeHart	Jelinek	Prusi
Anthony	DeVuyst	Jellema	Quarles
Baade	Dobb	Kaza	Raczkowski
Baird	Dobronski	Kukuk	Rhead
Bankes	Fitzgerald	Leland	Richner
Basham	Frank	LeTarte	Rocca
Birkholz	Freeman	Llewellyn	Sanborn
Bodem	Galloway	London	Schroer
Bogardus	Geiger	Lowe	Scott
Brackenridge	Gernaat	Martinez	Scranton
Brater	Gire	Mathieu	Sikkema
Brewer	Godchaux	McBryde	Stallworth
Brown	Goschka	McManus	Tesanovich
Byl	Green	McNutt	Thomas
Callahan	Gustafson	Middaugh	Vaughn
Cassis	Hale	Murphy	Voorhees
Cherry	Hammerstrom	Nye	Wallace
Ciaramitaro	Harder	Olshove	Whyman
Crissman	Hertel	Owen	Willard
Cropsey	Hood	Perricone	Wojno
Curtis	Horton		

**Nays—0**

In The Chair: Hertel

The House agreed to the title as amended.

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

Reps. Johnson, Griffin and Law entered the House Chambers.

The Speaker laid before the House

**House Bill No. 5438, entitled**

A bill to amend 1895 PA 3, entitled "The general law village act," by amending the title and sections 1, 1a, and 12 of chapter I, sections 1, 2, 4, 5, 6, 7, 11, 12, 13, 14, and 15 of chapter II, sections 2 and 7 of chapter III, sections 1, 2, 3, 5, 6, 7, 9, 10, 11, 12, and 21 of chapter IV, sections 1, 2, 3, 5, 7, and 8 of chapter V, sections 1, 3, 3a, 4, 8, 9, 11, 12, and 14 of chapter VI, and sections 3, 4, 5, 6, 7, 9, 10, 12, 13, 16, 18, 19, 23, 24, 25, 26, 31, 33, 34, 38, 39, 41, 56, 57, 58, 61, 63, and 64 of chapter VII (MCL 61.1, 61.1a, 61.12, 62.1, 62.2, 62.4, 62.5, 62.6, 62.7, 62.11, 62.12, 62.13, 62.14, 62.15, 63.2, 63.7, 64.1, 64.2, 64.3, 64.5, 64.6, 64.7, 64.9, 64.10, 64.11, 64.12, 64.21, 65.1, 65.2, 65.3, 65.5, 65.7, 65.8, 66.1, 66.3, 66.3a, 66.4, 66.8, 66.9, 66.11, 66.12, 66.14, 67.3, 67.4, 67.5, 67.6, 67.7, 67.9, 67.10, 67.12, 67.13, 67.16, 67.18, 67.19, 67.23, 67.24, 67.25, 67.26, 67.31, 67.33, 67.34, 67.38, 67.39, 67.41, 67.56, 67.57, 67.58, 67.61, 67.63, and 67.64), the title as amended by 1983 PA 44, section 1a of chapter I, sections 1 and 9 of chapter VI, and section 3 of chapter VII as amended by 1994 PA 16, section 2 of chapter II, sections 1 and 3 of chapter IV, and section 8 of chapter V as amended by 1985 PA 173, section 13 of chapter II, section 5 of chapter V, and sections 9 and 13 of chapter VII as amended by 1983 PA 205, section 21 of chapter IV as amended by 1992 PA 42, and section 4 of chapter VI as amended by 1982 PA 346, and by adding sections 3 and 4 to chapter III and section 1a to chapter VII; and to repeal acts and parts of acts.

(The bill was received from the Senate on June 10, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 57, p. 1400.)

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. 686**

**Yeas—90**

Agee	DeHart	Jellema	Profit
Alley	DeVuyst	Johnson	Prusi
Anthony	Dobb	Kaza	Quarles
Baade	Dobronski	Kelly	Raczkowski
Baird	Frank	Kukuk	Rhead
Bankes	Freeman	Law	Richner
Basham	Galloway	Leland	Rocca
Birkholz	Gernaat	LeTarte	Sanborn
Bodem	Gire	Llewellyn	Schauer
Bogardus	Godchaux	London	Schroer
Brackenridge	Goschka	Lowe	Scott
Brater	Green	Martinez	Scranton
Brewer	Griffin	Mathieu	Sikkema
Brown	Gustafson	McBryde	Stallworth
Byl	Hale	McManus	Tesanovich
Callahan	Hammerstrom	McNutt	Thomas
Cassis	Hanley	Middaugh	Vaughn
Cherry	Harder	Murphy	Voorhees
Ciaramitaro	Hertel	Nye	Wallace
Crissman	Hood	Olshove	Whyman
Cropsey	Horton	Owen	Willard
Curtis	Jansen	Perricone	Wojno
Dalman	Jelinek		

**Nays—0**

In The Chair: Hertel

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 5604, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding sections 1490, 1491, 1492, 1493, and 1494.

(The bill was received from the Senate on June 10, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 57, p. 1401.)

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. 687**

**Yeas—90**

Agee	DeHart	Jelinek	Perricone
Alley	DeVuyst	Jellema	Profit
Anthony	Dobb	Johnson	Prusi
Baade	Dobronski	Kaza	Quarles
Baird	Fitzgerald	Kilpatrick	Raczkowski
Bankes	Frank	Kukuk	Rhead
Basham	Freeman	Law	Richner
Birkholz	Galloway	Leland	Rocca
Bodem	Geiger	LeTarte	Sanborn
Bogardus	Gernaat	Llewellyn	Schauer
Brackenridge	Gire	London	Schroer
Brater	Godchaux	Lowe	Scott
Brewer	Goschka	Martinez	Scranton
Brown	Green	Mathieu	Sikkema
Byl	Griffin	McBryde	Stallworth
Callahan	Gustafson	McManus	Tesanovich
Cassis	Hale	McNutt	Thomas
Cherry	Hammerstrom	Middaugh	Vaughn
Ciaramitaro	Hanley	Murphy	Wallace
Crissman	Harder	Nye	Whyman
Cropsey	Hertel	Olshove	Willard
Curtis	Horton	Owen	Wojno
Dalman	Jansen		

**Nays—1**

Voorhees

In The Chair: Hertel

The House agreed to the full title.

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

Rep. Gubow, Bobier and Wetters entered the House Chambers.

The Speaker laid before the House

**House Bill No. 4535, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 601 (MCL 339.601), as amended by 1994 PA 400.

(The bill was received from the Senate on June 11, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 16, see House Journal No. 58, p. 1439.)

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. 688****Yeas—94**

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

**Nays—0**

In The Chair: Hertel

The House agreed to the title as amended.

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

Rep. Palamara entered the House Chambers.

The Speaker laid before the House

**House Bill No. 4910, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 52 (MCL 208.52).

(The bill was received from the Senate on June 11, with substitute (S-4), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 16, see House Journal No. 58, p. 1439.)

The question being on concurring in the adoption of the substitute (S-4) made to the bill by the Senate,  
The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 689****Yeas—95**

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

**Nays—0**

In The Chair: Hertel

The House agreed to the full title.

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

Rep. Kilpatrick moved that Rep. Schauer be excused temporarily from today's session.  
The motion prevailed.

Rep. Price entered the House Chambers.

The Speaker laid before the House

**House Bill No. 5185, entitled**

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," (MCL 436.1 to 436.58) by adding section 18b.

(The bill was received from the Senate on June 11, with substitute (S-1) and title amendment, consideration of which, under the rules, was postponed until June 16, see House Journal No. 58, p. 1439.)

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. 690****Yeas—96**

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

**Nays—0**

In The Chair: Hertel

The House agreed to the title as amended.

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

Rep. Hale moved that Rep. Wojno be excused temporarily from today's session.

The motion prevailed.

Rep. Gagliardi entered the House Chambers.

The Speaker laid before the House

**House Bill No. 5280, entitled**

A bill to prohibit the switching of a customer's telecommunications provider without the authorization of the customer; to prescribe the powers and duties of certain state agencies and officials; and to provide for penalties.

(The bill was received from the Senate on June 11, with substitute (S-6), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 16, see House Journal No. 58, p. 1440.)



The question being on concurring in the adoption of the substitute (S-6) made to the bill by the Senate, Rep. Thomas moved to amend the Senate substitute (S-6) as follows:

1. Amend page 2, following line 12, by inserting:

“Enacting section 1. This amendatory act takes effect October 1, 1998.” and renumbering the remaining enacting section.

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

The question being on concurring in the adoption of the substitute (S-6) made to the bill by the Senate,

The substitute (S-6), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 691**

**Yeas—99**

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

**Nays—0**

In The Chair: Hertel

The House agreed to the title as amended.

Reps. Dalman, Fitzgerald, Godchaux, Hammerstrom, Llewellyn, Mans and Rhead were named co-sponsors of the bill.

Rep. Mans entered the House Chambers.

The Speaker laid before the House

**House Bill No. 5399, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 61501, 61524, and 61525 (MCL 324.61501, 324.61524, and 324.61525), as added by 1995 PA 57, and by adding sections 61506a, 61525a, and 61525b.

(The bill was received from the Senate on June 11, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 16, see House Journal No. 58, p. 1440.)

The question being on concurring in the adoption of the substitute (S-2) made to the bill by the Senate,  
The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 692****Yeas—62**

Agee	Curtis	Hertel	Olshove
Anthony	DeHart	Hood	Price
Baade	Dobb	Horton	Prusi
Baird	Dobronski	Jansen	Raczkowski
Bankes	Fitzgerald	Jelinek	Richner
Basham	Galloway	Johnson	Scott
Birkholz	Geiger	Kelly	Scranton
Bobier	Gire	Kilpatrick	Sikkema
Bogardus	Godchaux	Leland	Stallworth
Brewer	Goschka	LeTarte	Tesanovich
Brown	Griffin	Martinez	Thomas
Byl	Gubow	McBryde	Vaughn
Callahan	Gustafson	McManus	Wallace
Cassis	Hale	McNutt	Willard
Cherry	Hanley	Murphy	Wojno
Ciaramitaro	Harder		

**Nays—35**

Alley	Gagliardi	London	Rhead
Bodem	Gernaat	Lowe	Rocca
Brackenridge	Green	Mans	Sanborn
Crissman	Hammerstrom	Mathieu	Schauer
Cropsey	Jellema	Middaugh	Schroer
Dalman	Kaza	Nye	Voorhees
DeVuyst	Kukuk	Palamara	Wetters
Frank	Law	Perricone	Whyman
Freeman	Llewellyn	Profit	

In The Chair: Hertel

The House agreed to the title as amended.

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

The Speaker called the Speaker Pro Tempore to the Chair.

**Third Reading of Bills****House Bill No. 4119, entitled**

A bill to provide for adoption of an official song and designation of other melodies that represent the musical heritage of this state; to create a commission and prescribe the powers and duties of the commission; and to prescribe the powers and duties of certain state officials.

(The bill was considered on Third Reading, substitute (H-2) adopted, reconsidered and withdrawn and bill postponed for the day on May 27, see House Journal No. 51, p. 1170.)

The question being on the passage of the bill,

Rep. Brown moved to amend the bill as follows:

1. Amend page 2, following line 8, by inserting:

“(e) The secretary of state. The member appointed by the secretary of state shall be a member of the Michigan federation of music clubs or its successor organization.”.

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

The question being on the passage of the bill,

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

The motion prevailed.

Rep. Emerson entered the House Chambers.

#### **Senate Bill No. 847, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by repealing section 4d (MCL 205.54d).

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

#### **Roll Call No. 693**

#### **Yeas—96**

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

#### **Nays—0**

In The Chair: Murphy

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

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,”.

The House agreed to the full title.

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

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

**Senate Bill No. 848, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 4q; and to repeal acts and parts of acts.

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

**Roll Call No. 694**

**Yeas—98**

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

**Nays—0**

In The Chair: Murphy

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

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,”.

The House agreed to the full title.

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

### Second Reading of Bills

#### House Bill No. 5741, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8312 (MCL 600.8312).  
Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Judiciary,

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

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

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

#### Senate Bill No. 865, entitled

A bill to promote the safe use of personal watercraft on the waters of this state; to provide for rules relative to the operation of personal watercraft; to impose certain safety requirements on operators of personal watercraft; to prescribe the duties and responsibilities of owners, operators, and dealers of personal watercraft; to prescribe the powers and duties of certain state departments; to provide for penalties; and to repeal acts and parts of acts.

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

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

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

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

#### Senate Bill No. 897, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 9f (MCL 764.9f), as amended by 1996 PA 81.

The bill was read a second time.

Rep. Callahan moved to amend the bill as follows:

1. Amend page 2, line 26, after "ACT" by inserting a comma and "1998 PA 116, MCL 281.1401 TO 281.1445".

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

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

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

#### House Bill No. 5798, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4r.

The bill was read a second time.

Rep. Wetters moved to amend the bill as follows:

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

"Enacting section 1. This amendatory act is retroactive and is effective for sales at retail made after December 31, 1989."

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

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

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

#### House Bill No. 5799, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4q.

The bill was read a second time.

Rep. Wetters moved to amend the bill as follows:

1. Amend page 1, following line 5, by inserting:

"Enacting section 1. This amendatory act is retroactive and is effective for the storage, use, or consumption of tangible personal property after December 31, 1989."

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.  
Rep. DeHart moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed, a majority of the members voting therefor.

**Senate Bill No. 754, entitled**

A bill to amend 1899 PA 188, entitled "Michigan estate tax act," by amending sections 40, 41, 43, 50, and 56 (MCL 205.240, 205.241, 205.243, 205.250, and 205.256), sections 40, 41, 43, and 50 as added by 1993 PA 54 and section 56 as amended by 1994 PA 372.

The bill was read a second time.

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

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

**House Bill No. 5717, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 82126a, 82126b, and 82126c.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Conservation, Environment and Recreation (for amendments, see House Journal No. 45, p. 1015),

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

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

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

**House Bill No. 5520, entitled**

A bill to regulate the activities of travel promoters; and to provide certain rights and remedies to certain persons.

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

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

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

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

**House Bill No. 5521, entitled**

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 1996 PA 226.

The bill was read a second time.

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

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

**House Bill No. 5800, entitled**

A bill to provide for the conversion to the euro currency for contracts and other financial documents that state or reference a medium of currency that has been substituted by the euro monetary unit.

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

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

Rep. Kaza moved to amend the bill as follows:

1. Amend page 1, line 9, after "1992." by inserting "MEMBER STATES ARE THOSE THAT HAVE DECIDED TO ADOPT THE EURO, AND OTHER MEMBER STATES THAT MAY CHOOSE TO PARTICIPATE.".

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

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

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

**House Bill No. 5835, entitled**

A bill to address currency changes in Europe; and to provide for acceptance of euro currency as a substitute or replacement for original currency referenced in a contract.

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

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

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

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

**House Bill No. 5818, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82108, 82118, and 82120 (MCL 324.82108, 324.82118, and 324.82120), sections 82108 and 82120 as added by 1995 PA 58 and section 82118 as amended by 1996 PA 183, and by adding sections 82107a and 82123a.

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

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

Rep. Alley 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. Middleton entered the House Chambers.

**Senate Bill No. 830, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 44522 (MCL 324.44522), 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 Conservation, Environment and Recreation,

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

Rep. Callahan moved to amend the bill as follows:

1. Amend page 1, line 6, after "ACT" by inserting a comma and "1998 PA 116, MCL 281.1401 TO 281.1445".
2. Amend page 1, line 9, after "ACT" by inserting a comma and "1998 PA 116, MCL 281.1401 TO 281.1445,".
3. Amend page 2, line 9, after "ACT" by inserting a comma and "1998 PA 116, MCL 281.1401 TO 281.1445".
4. Amend page 2, line 20, after "ACT" by inserting a comma and "1998 PA 116, MCL 281.1401 TO 281.1445,".

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

Rep. Callahan moved to amend the bill as follows:

1. Amend page 1, line 3, after "under" by striking out "16" and inserting "14".

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

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

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

**House Bill No. 4274, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131, 16146, and 16263 (MCL 333.16131, 333.16146, and 333.16263), sections 16131 and 16263 as amended by 1995 PA 126 and section 16146 as amended by 1988 PA 462, and by adding section 16348 and part 185; and to repeal acts and parts of acts.

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

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

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

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

**House Bill No. 4296, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16350 and part 189.

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

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

Rep. Hammerstrom moved to amend the bill as follows:

1. Amend page 5, line 4, after "WHO" by inserting "INTEGRATES AND APPLIES SCIENTIFIC PRINCIPLES OF FOOD, NUTRITION, BIOCHEMISTRY, PHYSIOLOGY, MANAGEMENT, AND BEHAVIORAL AND SOCIAL SCIENCES TO ACHIEVE AND MAINTAIN THE HEALTH OF PEOPLE PRIMARILY THROUGH THE PROVISION OF NUTRITION CARE SERVICES AND WHO".

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

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

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

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

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

—

Rep. Gagliardi moved that Reps. Hertel, Hood and Mathieu be excused temporarily from today's session.  
The motion prevailed.

Rep. Bogardus moved that Rep. Schauer 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. 4296, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16350 and part 189.

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

**Roll Call No. 695**

**Yeas—85**

Agee	Dobb	Jelinek	Profit
Alley	Dobronski	Jellema	Prusi
Anthony	Emerson	Johnson	Quarles
Baade	Fitzgerald	Kelly	Raczkowski
Baird	Freeman	Kilpatrick	Rhead
Bankes	Gagliardi	Law	Richner
Basham	Galloway	Leland	Rocca
Birkholz	Geiger	LeTarte	Sanborn
Bobier	Gernaat	Llewellyn	Schroer
Bodem	Gire	Mans	Scott
Bogardus	Godchaux	Martinez	Scranton
Brater	Green	McBryde	Sikkema
Brewer	Griffin	McManus	Stallworth
Brown	Gubow	McNutt	Tesanovich
Byl	Gustafson	Middaugh	Thomas
Callahan	Hale	Murphy	Vaughn
Cassis	Hammerstrom	Olshove	Wallace
Ciaramitaro	Hanley	Owen	Wetters
Curtis	Harder	Palamara	Whyman
Dalman	Horton	Perricone	Willard
DeHart	Jansen	Price	Wojno
DeVuyst			

**Nays—12**

Brackenridge	Frank	Kukuk	Middleton
Crissman	Goschka	London	Nye
Cropsey	Kaza	Lowe	Voorhees

In The Chair: Murphy



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

### Second Reading of Bills

#### House Bill No. 5355, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16323a and part 168.

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

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

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

1. Amend page 5, line 5, after "WHO" by inserting "EVALUATES AND TREATS HEARING, BALANCE, AND RELATED DISORDERS, WHO".

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

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

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

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5355, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16323a and part 168.

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

#### Roll Call No. 696

#### Yeas—83

Agee	Dalman	Horton	Price
Alley	DeHart	Jansen	Profit
Anthony	DeVuyst	Jelinek	Prusi
Baade	Dobb	Jellema	Quarles
Baird	Dobronski	Johnson	Raczkowski
Banks	Emerson	Kelly	Rhead
Basham	Fitzgerald	Kilpatrick	Rocca
Birkholz	Freeman	Law	Sanborn
Bobier	Gagliardi	Leland	Schroer
Bodem	Galloway	LeTarte	Scott
Bogardus	Geiger	Llewellyn	Scranton
Brackenridge	Gire	Mans	Sikkema
Brater	Godchaux	Martinez	Stallworth
Brewer	Green	McBryde	Tesanovich
Brown	Griffin	McManus	Thomas
Byl	Gubow	Middaugh	Vaughn
Callahan	Gustafson	Murphy	Wallace
Cassis	Hale	Olshove	Wetters
Cherry	Hammerstrom	Owen	Willard
Ciaramitaro	Hanley	Palamara	Wojno
Curtis	Harder	Perricone	

**Nays—14**

Crissman	Goschka	Lowe	Nye
Cropsey	Kaza	McNutt	Voorhees
Frank	Kukuk	Middleton	Whyman
Gernaat	London		

In The Chair: Murphy

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

—

Rep. Richner, under Rule 32(b), made the following statement:  
 “Mr. Speaker and members of the House:  
 I did not vote on Roll Call No. 696 because of a possible conflict of interest.”

**Second Reading of Bills****House Bill No. 4364, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 3 of chapter XI (MCL 771.3), as amended by 1994 PA 445.

The bill was read a second time.

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

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

**House Bill No. 4365, entitled**

A bill to amend 1984 PA 118, entitled “The prisoner reimbursement to the county act,” by amending sections 3 and 5 (MCL 801.83 and 801.85), section 3 as amended by 1994 PA 212.

The bill was read a second time.

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

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

**House Bill No. 5654, entitled**

A bill to amend 1972 PA 230, entitled “State construction code act of 1972,” by amending sections 2, 8, and 28 (MCL 125.1502, 125.1508, and 125.1528), section 2 as amended by 1980 PA 371, section 8 as amended by 1994 PA 128, and section 28 as amended by 1996 PA 48, and by adding section 8a; and to repeal acts and parts of acts.

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

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

Rep. Mans moved to substitute (H-4) the bill.

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

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

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

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

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

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

**House Bill No. 5654, entitled**

A bill to amend 1972 PA 230, entitled "State construction code act of 1972," by amending sections 2, 8, and 28 (MCL 125.1502, 125.1508, and 125.1528), section 2 as amended by 1980 PA 371, section 8 as amended by 1994 PA 128, and section 28 as amended by 1996 PA 48, and by adding section 8a; and to repeal acts and parts of acts.

The bill was read a third time.

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

The motion prevailed.

**Second Reading of Bills**

**Senate Bill No. 606, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 53d. The bill was read second time.

Rep. Middleton 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. Martinez moved to amend the bill as follows:

1. Amend page 1, line 1, after "AFTER" by striking out "DECEMBER 31, 1991 AND BEFORE JANUARY 1, 1998" and inserting "DECEMBER 31, 1997".

2. Amend page 1, line 2, after "ROLL" by striking out "FOR EACH TAX YEAR".

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

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

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

**House Bill No. 5256, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 219 (MCL 750.219) and by adding sections 219e, 219f, and 219g.

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

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

Reps. Nye and Brown moved to amend the bill as follows:

1. Amend page 1, line 1, by striking out all of section 219.

2. Amend page 4, line 7, after the second "A" by striking out the balance of the line through "DEMEANOR" on line 8 and inserting "FELONY".

3. Amend page 4, line 8, after "THAN" by striking out "1 YEAR" and inserting "4 YEARS".

4. Amend page 4, line 9, after "THAN" by striking out "\$500.00" and inserting "\$2,500.00".

5. Amend page 4, following line 17, by inserting:

"Enacting section 1. This amendatory act takes effect October 1, 1998."

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

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

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

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Reps. Gilmer, Rison and Parks entered the House Chambers.

**Senate Bill No. 663, entitled**

A bill to designate bridges on highway M-120 within the cities of Muskegon and North Muskegon as the Veterans Memorial bridges; and to prescribe the duties of the state transportation department.

The bill was read a second time.

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

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

**Senate Bill No. 837, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 506.

The bill was read a second time.

Rep. Birkholz moved to amend the bill as follows:

1. Amend page 3, following line 10, by inserting:

"Enacting section 1. This amendatory act takes effect October 1, 1998." and renumbering the remaining enacting section.

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

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

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

**Senate Bill No. 1158, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4 (MCL 205.54), as amended by 1993 PA 325.

The bill was read a second time.

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

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

**Senate Bill No. 281, entitled**

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 34 and 36 (MCL 791.234 and 791.236), section 34 as amended by 1994 PA 345 and section 36 as amended by 1996 PA 554.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Judiciary (for amendments, see House Journal No. 92 of 1997, p. 2450),

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 10, following line 15, by inserting:

"SEC. 247. (1) IF A PAROLE BOARD MEMBER VOTES TO RELEASE A PRISONER ON PAROLE AND THAT PRISONER COMMITS A CRIME THAT CAUSES PHYSICAL INJURY TO ANY INDIVIDUAL, THE FOLLOWING APPLY:

(A) IF THE PAROLE BOARD MEMBER HAS NOT PREVIOUSLY VOTED TO RELEASE A PRISONER ON PAROLE WHO COMMITTED A CRIME THAT CAUSED PHYSICAL INJURY TO ANY INDIVIDUAL, THE PAROLE BOARD MEMBER SHALL BE FINED \$1,000.00.

(B) IF THE PAROLE BOARD MEMBER PREVIOUSLY VOTED ON 1 PRIOR OCCASION TO RELEASE A PRISONER ON PAROLE AND THAT PRISONER COMMITTED A CRIME THAT CAUSED PHYSICAL INJURY TO ANY INDIVIDUAL, THE PAROLE BOARD MEMBER SHALL BE FINED \$5,000.00.

(C) IF THE PAROLE BOARD MEMBER PREVIOUSLY VOTED ON 2 PRIOR OCCASIONS TO RELEASE A PRISONER ON PAROLE AND THAT PRISONER COMMITTED A CRIME THAT CAUSED PHYSICAL INJURY TO ANY INDIVIDUAL, THE PAROLE BOARD MEMBER SHALL BE FINED \$10,000.00, AND HIS OR HER APPOINTMENT TO THE PAROLE BOARD IS TERMINATED AND HE OR SHE IS NOT ELIGIBLE FOR REAPPOINTMENT.

(2) THE FINE COLLECTED UNDER SUBSECTION (1)(A) OR (B) SHALL IMMEDIATELY BE PAID TO THE INDIVIDUAL INJURED BY THE PAROLEE. IF MORE THAN 1 INDIVIDUAL WAS INJURED, THE FINE SHALL BE PAID TO EACH INDIVIDUAL BASED UPON THE SEVERITY OF HIS OR HER INJURIES."

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

Rep. Goschka moved to amend the bill as follows:

1. Amend page 10, following line 15, by inserting:

“SEC. 69C. (1) THE DEPARTMENT SHALL NOT DO EITHER OF THE FOLLOWING:

(A) HIRE OR RETAIN ANY INDIVIDUAL AS AN EMPLOYEE OF THE DEPARTMENT TO PROVIDE HEALTH CARE TO PRISONERS.

(B) BUILD OR MAINTAIN A HEALTH CARE FACILITY FOR USE BY PRISONERS ON THE PREMISES OF A CORRECTIONAL FACILITY.

(2) THIS SECTION DOES NOT PROHIBIT THE DEPARTMENT FROM PROVIDING THE SERVICES OR FACILITIES DESCRIBED IN SUBSECTION (1) BY CONTRACTUAL AGREEMENT WITH A PUBLIC OR PRIVATE HEALTH CARE PROVIDER.”.

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

Rep. Wallace moved to reconsider the vote by which the House adopted the amendment.

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

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

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

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

The question being on the adoption of the substitute (H-5) offered by Rep. Dobb,

Rep. Dobb demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-5) offered by Rep. Dobb,

The substitute (H-5) was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 697

#### Yeas—68

Agee	Dalman	Hanley	Parks
Alley	DeHart	Harder	Price
Baird	DeVuyst	Horton	Profit
Bankes	Dobb	Jansen	Prusi
Birkholz	Dobronski	Jelinek	Quarles
Bobier	Emerson	Jellema	Rison
Bodem	Frank	Kelly	Schauer
Bogardus	Freeman	Kilpatrick	Schroer
Brackenridge	Galloway	Leland	Scott
Brater	Gernaat	LeTarte	Scranton
Brewer	Gilmer	Lowe	Sikkema
Byl	Gire	Martinez	Tesanovich
Cherry	Godchaux	McNutt	Thomas
Ciaramitaro	Green	Murphy	Vaughn
Crissman	Gubow	Nye	Voorhees
Cropsey	Gustafson	Owen	Wallace
Curtis	Hale	Palamara	Wetters

#### Nays—30

Anthony	Goschka	Mans	Rhead
Basham	Hammerstrom	McBryde	Richner
Brown	Johnson	McManus	Rocca
Callahan	Kaza	Middaugh	Sanborn
Cassis	Kukuk	Olshove	Whyman
Fitzgerald	Law	Perricone	Willard
Gagliardi	Llewellyn	Raczkowski	Wojno
Geiger	London		

In The Chair: Murphy

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

“Mr. Speaker and members of the House:

I voted no against the Dobb substitute to SB 281 that reduces the criminal penalty for drug running. I would like to explain my no vote.

The War on drugs has had an effect on our citizens in loss of personal liberties and the large cost to the taxpayers to administer. Many people question the effectiveness of this program. Some would suggest that the costs outweigh the gains and should relax our vigilance and become compassionate to those imprisoned. They will site the waste of taxpayer dollars caring for these people in our penal system. They may even provide stories concerning the entrapment or ‘innocence’ of the lifers. These are compelling speeches that talk to our emotions. But what are we saying to the people of the State of Michigan about the seriousness of drugs and the tragedy of drug addiction. On this floor the speeches and reasons for change of this act ask for compassion towards the predator! We are asked to care for those who are part of an industry that profits on the misery of millions. A business that enslaves and destroys—families, friends, and children. In short, Mr. Speaker, these people are attempting to destroy your communities and all things good about our free society.

Please allow me to present another view of the costs these people and their activities bring to our state. I cannot relate to you the misery. Let’s look at the real costs—via national statistics we know that 39% of all HIV/Aids received the virus through intravenous illicit/illegal drug use. Observation suggests that the illegal drugs are the vehicle for this type of Aids infection, because the movement across the U.S. to give free needles to drug users and the data presented by the advocates suggest European nations where HIV infection is reduced by this program.

The costs to the people of the State of Michigan for all Medicaid HIV treatment is \$8,600 per year. There are 308 persons being treated within the state for HIV and receiving Medicaid. The cost to the taxpayers is \$4,128,774 for this treatment each year. The cost to the private insurance market is unknown. Estimates from DCH suggest total cost for 1998 of 34.5 million for all payers for all Michigan citizens or @ 39% a cost of \$13,455,000. This is attributable to the drug trade each and every year. The people in our prisons are responsible for a portion of this annual cost. Those that come before you and argue the savings are doing so ill informed and providing an incomplete picture of costs. This does not even touch the crack babies, tuberculosis and other adventitious diseases.

The loss of quality of life, productivity, individual happiness, and grief attributable to drugs in our society is abhorrent. The message sent to Michigan residents should be a strong message against drug use. Those voting in the majority are sending a message that weakens the penalty for drug running and sends a message of acquiescence to the predator and victory to those that prey upon our children.”

Rep. Cassis, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no against the Dobb substitute to SB 281 because a 15 year minimum sentence is inadequate to truly address the seriousness of drug ‘trafficking’ today. Instead I supported the Richner-Raczkowski amendment for a 20 year mandatory prison term before consideration of parole.”

Rep. Harder moved that Rep. Curtis be excused temporarily from today’s session.  
The motion prevailed.

Reps. Richner and Raczkowski moved to amend the bill as follows:

1. Amend page 4, line 1, after “1992,” by inserting “OR WHO HAS SERVED 20 CALENDAR YEARS OF THE SENTENCE IN THE CASE OF A PRISONER SENTENCED FOR A VIOLATION OF SECTION 7401(2)(A)(i) OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.7401,”.

2. Amend page 4, line 3, after “prisoner” by striking out the balance of the line through “OR” on line 4.

The question being on the adoption of the amendments offered by Reps. Richner and Raczkowski,

Rep. Richner demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Richner and Raczkowski,

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

**Roll Call No. 698**

**Yeas—54**

Alley  
Anthony

Gagliardi  
Geiger

Law  
Llewellyn

Perricone  
Raczkowski

Birkholz	Gernaat	London	Rhead
Bodem	Gilmer	Lowe	Richner
Brown	Gire	Mans	Rocca
Callahan	Goschka	McBryde	Sanborn
Cassis	Green	McManus	Schauer
Ciaramitaro	Hammerstrom	McNutt	Sikkema
Cropsey	Horton	Middaugh	Tesanovich
Dalman	Jansen	Middleton	Voorhees
DeHart	Jelinek	Nye	Whyman
DeVuyst	Jellema	Olshove	Willard
Fitzgerald	Kaza	Palamara	Wojno
Freeman	Kukuk		

**Nays—42**

Agee	Dobb	Kilpatrick	Quarles
Baade	Dobronski	Leland	Rison
Baird	Emerson	LeTarte	Schroer
Bankes	Galloway	Martinez	Scott
Basham	Godchaux	Murphy	Scranton
Bobier	Gubow	Owen	Stallworth
Bogardus	Gustafson	Parks	Thomas
Brater	Hale	Price	Vaughn
Brewer	Hanley	Profit	Wallace
Cherry	Harder	Prusi	Wetters
Crissman	Kelly		

In The Chair: Murphy

Reps. Raczkowski and Sanborn moved to amend the bill as follows:

1. Amend page 5, line 26, after “(C)” by striking out “EITHER” and inserting “ANY”.
2. Amend page 6, following line 13, by inserting:

“(iii) WHETHER THE VIOLATION WAS COMMITTED IN A DRUG-FREE SCHOOL ZONE.”.

The question being on the adoption of the amendments offered by Reps. Raczkowski and Sanborn, Rep. Raczkowski demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Raczkowski and Sanborn,

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

**Roll Call No. 699****Yeas—95**

Agee	DeVuyst	Kaza	Price
Alley	Dobb	Kelly	Profit
Anthony	Dobronski	Kilpatrick	Prusi
Baade	Fitzgerald	Kukuk	Raczkowski
Baird	Frank	Law	Rhead
Bankes	Freeman	Leland	Richner
Basham	Gagliardi	LeTarte	Rocca
Birkholz	Galloway	Llewellyn	Sanborn
Bobier	Geiger	London	Schauer
Bodem	Gernaat	Lowe	Schroer
Bogardus	Gilmer	Mans	Scott
Brackenridge	Godchaux	Martinez	Scranton

Brater	Goschka	McBryde	Sikkema
Brewer	Green	McManus	Stallworth
Brown	Gubow	McNutt	Tesanovich
Byl	Gustafson	Middaugh	Thomas
Callahan	Hale	Middleton	Vaughn
Cassis	Hammerstrom	Murphy	Voorhees
Cherry	Hanley	Nye	Wallace
Ciaramitaro	Harder	Olshove	Wetters
Crissman	Horton	Owen	Whyman
Cropsey	Jansen	Palamara	Willard
Dalman	Jelinek	Parks	Wojno
DeHart	Jellema	Perricone	

**Nays—3**

Emerson	Quarles	Rison
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In The Chair: Murphy

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

—

The Speaker resumed the Chair.

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

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Cassis moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 4710** and motion postponed for the day on June 18, see House Journal No. 61, p. 1557.

(For first notice see House Journal No. 60, p. 1516.)

The question being on the motion by Rep. Cassis,

Rep. Cassis demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Cassis,

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

**Roll Call No. 700****Yeas—49**

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



**Nays—51**

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

In The Chair: Hertel

**Notices**

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Human Services and Children from further consideration of **House Bill No. 5855**.

Rep. McManus

Rep. Birkholz, 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. 674-684. Had I been present, I would have voted ‘yes’ on Roll Call Nos. 674-678 and 680-684 and ‘no’ on Roll Call No. 679.”

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Gagliardi moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 299**. The motion prevailed.

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

Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Wednesday, June 24, at 10:00 a.m.

The motion prevailed.

Reps. Godchaux, DeVuyst, Raczkowski, Harder, Scranton, Dobronski, Gire, Martinez, Vaughn, Kelly, Gernaat, Perricone, Baade, Stallworth, DeHart, Hanley, Cassis, Jellema, Crissman, Anthony, Tesanovich, Cherry, Prusi, London, Hammerstrom, Dalman, Richner, Jelinek, Kukuk, Quarles, Thomas, Rocca, Schroer, Bankes, Brater, Freeman, McNutt, Birkholz, Baird, Hood, Scott, Schauer, Johnson, Dobb, Bodem, Green, Palamara, Hale, Galloway, Gilmer and Profit offered the following resolution:

**House Resolution No. 331.**

A resolution to recognize the 150th anniversary of the first Women’s Rights Convention.

Whereas, July 19-20, 1998 marks the 150th anniversary of the first Women’s Rights Convention in Seneca Falls, New York; and

Whereas, This sesquicentennial is being celebrated across the nation as the beginning of the ongoing women’s rights movement; and

Whereas, In Michigan, Ernestine Rose addressed the House of Representatives more than two years prior to March 26, 1846 asking for the right of women to vote; and

Whereas, The American Association of University Women (AAUW) of Michigan spearheaded an Ernestine Rose sesquicentennial re-enactment in the Michigan House of Representatives March 26, 1996 with Marta Rosenthal, then incoming President for the National Council of Jewish Women, Greater Detroit Section, portraying Ernestine Rose in a costume provided by Meadow Brook Theatre; and

Whereas, Ernestine Rose never lived in Michigan but nevertheless was inducted into the National Women's Hall of Fame in Seneca Falls during 1996 because of her connection with Michigan. Her induction medallion was given to the Michigan Women's Hall of Fame in Lansing; and

Whereas, AAUW of Michigan is now seeking a United States postage stamp to honor Ernestine Rose; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body recognize July 19-20, 1998 as a stellar occasion to celebrate the sesquicentennial of the first Women's Rights Convention in Seneca Falls, New York, and remind Michigan citizens and all others that the State of Michigan has an even longer history of concern about the rights of women.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

### **Reports of Standing Committees**

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 23, 1998, at 8:00 a.m.,

Present: Reps. Wetters, Bogardus, Brewer, Willard, Green, DeVuyst, Gernaat, Jelinek, Nye,

Absent: Reps. Vaughn, Baade, LaForge, Horton,

Excused: Rep. LaForge.

### **Messages from the Senate**

#### **House Bill No. 5424, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1311 (MCL 380.1311), as amended by 1995 PA 250.

The Senate has appointed Senators Stille, Emmons and Peters as conferees to join with Reps. Gire, Schauer and Dalman.

The bill was referred to the Conference Committee on June 19, 1998.

#### **Senate Bill No. 313, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1311a.

The Senate has appointed Senators Stille, Emmons and Peters as conferees to join with Reps. Gire, Schauer and Dalman.

The message was referred to the Clerk.

### **Notices**

#### Public Hearings

Subcommittee on Financial Institutions Policies

Date: Monday, July 13, 1998

Time: 5:30 p.m.

Place: David Adamany Undergraduate Library, Wayne State University, Anthony Wayne Drive, Detroit, Michigan  
Rep. Schermesser  
Chair

Agenda: Policies of Michigan financial institutions on fees, service charges and community banking practices and any/or all business properly before the subcommittee

## Subcommittee on Bilingual Education

Date: Friday, July 17, 1998

Time: 1:00 p.m.

Place: Henry Ford Centennial Library Auditorium, 16301 Michigan Avenue, Dearborn, Michigan

Rep. Scott  
ChairAgenda: Bilingual education in Michigan  
and any/or all business properly before the subcommittee

## Subcommittee on Bilingual Education

Date: Tuesday, July 21, 1998

Time: 1:00 p.m.

Place: Hamtramck High School Auditorium, 11410 Charest, Hamtramck, Michigan

Rep. Scott  
ChairAgenda: Bilingual education in Michigan  
and any/or all business properly before the subcommittee

## Subcommittee on Bilingual Education

Date: Friday, July 24, 1998

Time: 1:00 p.m.

Place: Room 424, Capitol Building

Rep. Scott  
ChairAgenda: Bilingual Education in Michigan  
and any/or all business properly before the subcommittee**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, Friday, June 19:

**House Bill Nos. 5946 5947 5948 5949 5950 5951 5952 5953 5954 5955 5956**

The Clerk announced the enrollment printing and presentation to the Governor on Monday, June 22, for his approval of the following bills:

**Enrolled House Bill No. 4328 at 9:37 a.m.**

**Enrolled House Bill No. 4640 at 9:39 a.m.**

**Enrolled House Bill No. 4694 at 9:41 a.m.**

**Enrolled House Bill No. 5346 at 9:43 a.m.**

**Messages from the Governor**

The following messages from the Governor, approving and signing the following bills at the times designated below, were received and read:

Date: June 17, 1998

Time: 5:50 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5071 (Public Act No. 128, I.E.), being**

An act to amend 1968 PA 39, entitled “An act to regulate the manufacture, distribution, and sale of food for protection of the consuming public and to prevent fraud and deception by prohibiting the misbranding, adulteration, manufacture, distribution, and sale of foods in violation of this act; to prescribe the powers and duties of certain state departments and persons; to provide for enforcement of the act; to provide penalties and remedies for violation of the

act; and to repeal certain acts and parts of acts,” by amending sections 7 and 10 (MCL 289.707 and 289.710), as amended by 1982 PA 43.

(Filed with the Secretary of State June 18, 1998, at 3:06 p.m.)

Date: June 17, 1998

Time: 6:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5343) (Public Act No. 129), being**

An act to amend 1994 PA 451, “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 43513 (MCL 324.43513), as amended by 1996 PA 585.

(Filed with the Secretary of State June 18, 1998, at 3:08 p.m.)

### Introduction of Bills

Reps. Brater, Anthony, DeHart, Voorhees, Bobier, Baird, Martinez, Jellema, LaForge, Hale, Schauer, Varga, Parks, Kilpatrick, Wojno, Agee, Schermesser, Ciaramitaro, Gire, Bogardus and Thomas introduced

**House Bill No. 5957, entitled**

A bill to provide for and to regulate access to and disclosure of health care information; to prescribe the powers and duties of certain state agencies and departments; and to prescribe administrative sanctions and provide remedies.

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

Reps. Sanborn, Horton, Dobb, Bodem, Jansen, Rocca, Dalman, Llewellyn, Birkholz, Jellema, Richner, Bankes, DeHart, McBryde, Green, Kukuk, Cropsey, Goschka, Middleton, Jelinek, Voorhees, Galloway, Sikkema, Wojno, Callahan, Frank, Baade, Lowe, Cassis, Scranton, Raczkowski and Perricone introduced

**House Bill No. 5958, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 10c.

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

Reps. LaForge, Brater, Hale, Kilpatrick, Anthony, Wojno, Agee, Schermesser, Parks, Varga, Bogardus, Frank, Brewer, Mans, Ciaramitaro, Schauer and Gire introduced

**House Bill No. 5959, entitled**

A bill to prohibit an employer from discriminating against an individual based on the individual’s lawful activities off the employer’s premises during nonworking hours; and to provide for remedies.

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

Reps. Wojno, Brater, Hale, Kilpatrick, Anthony, Agee, Schermesser, Parks, Varga, LaForge, Profit, Bogardus, Frank, Brewer, Mans, Ciaramitaro, Schauer and Gire introduced

**House Bill No. 5960, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding sections 16268 and 20195.

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

Reps. Mans, Brater, Hale, Kilpatrick, Anthony, Wojno, Agee, Schermesser, Parks, Varga, LaForge, Profit, Bogardus, Frank, Brewer, Ciaramitaro, Schauer and Gire introduced

**House Bill No. 5961, entitled**

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 3 (MCL 445.903), as amended by 1996 PA 226.

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

Reps. Schermesser, Brater, Kilpatrick, Anthony, Wojno, Agee, Parks, Varga, LaForge, Profit, Bogardus, Frank, Mans, Ciaramitaro, Schauer and Gire introduced

**House Bill No. 5962, entitled**

A bill to prohibit the disclosure of certain personal information about an individual under certain circumstances; and to provide for a civil remedy.

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

Reps. Kilpatrick, Brater, Hale, Anthony, Wojno, Agee, Schermesser, Parks, Varga, LaForge, Bogardus, Frank, Brewer, Mans, Ciaramitaro, Schauer and Gire introduced

**House Bill No. 5963, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 16269 and 20196.

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

Reps. Bogardus, Brater, Hale, Kilpatrick, Anthony, Wojno, Agee, Schermesser, Parks, Varga, LaForge, Profit, Frank, Brewer, Mans, Ciaramitaro, Schauer, Gire and Thomas introduced

**House Bill No. 5964, entitled**

A bill to regulate internet service providers and certain internet users; to provide certain rights of privacy associated with the use of the internet; and to provide remedies and prescribe penalties.

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

Rep. Anthony introduced

**House Bill No. 5965, entitled**

A bill to authorize the department of transportation to convey certain state owned property in Delta county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue derived from the conveyance.

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

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Rep. Horton moved that the House adjourn.

The motion prevailed, the time being 1:45 p.m.

The Speaker declared the House adjourned until Wednesday, June 24, at 10:00 a.m.

MARY KAY SCULLION  
Clerk of the House of Representatives.

