

No. 80
STATE OF MICHIGAN
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House of Representatives
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House Chamber, Lansing, Wednesday, November 10, 1999.

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—present
Baird—present	Garcia—present	Kukuk—present	Rivet—present
Basham—present	Garza—present	LaForge—present	Rocca—present
Birkholz—present	Geiger—present	LaSata—present	Sanborn—present
Bisbee—present	Gieleghem—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—present	Minore—present	Spade—present
Brown, Cameron—present	Hansen—present	Mortimer—present	Stallworth—present
Byl—present	Hardman—present	Neumann—present	Stamas—present
Callahan—present	Hart—present	O’Neil—present	Switalski—present
Cassis—present	Howell—present	Pappageorge—present	Tabor—present
Caul—present	Jacobs—present	Patterson—present	Tesanovich—present
Cherry—present	Jamnick—present	Perricone—present	Thomas—present
Clark—present	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—present	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—present	Quarles—present	Vear—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—present	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Father John K. Lardas, Pastor of St. Nicholas Greek Orthodox Church in Troy, offered the following invocation:

“Blessed is God of our fathers, now and forever and unto the ages of ages, Amen.

O Lord, our God, in the person of Christ a rule of life was established on the earth when He said, ‘render unto Caesar that which is Caesar’s and unto God that which is God’s.’

The Apostle Paul conveying this message to the Romans stated, ‘let every soul be subject to the governing authorities. For there is no authority except from God, and the authorities that exist are appointed by God.’

Dear Lord, King David cried out, ‘Praise the Lord! Praise, O servants of the Lord, praise the name of the Lord! Blessed be the name of the Lord, from this time forth and forevermore! From the rising of the sun to its going down, the Lord’s name is to be praised.’

As the new day has begun, bless the Representatives of this great state of Michigan. Bless their decisions on education and enlighten them to know that the fear of the Lord is the beginning of wisdom. Bless their decisions on life and illuminate their souls to know ‘from the womb I have known you.’ Bless their decisions on taxes that they may see themselves as ‘God’s ministers attending continually to this very thing.’ Bless their decisions to look out for the needy for You, O Lord, ‘raises the poor out of the dust and lifts the needy out of the ash heap.’ Bless their lives, Lord, as leaders of this state that they may bare the ‘fruits of Your Spirit which is love, joy, peace, long-suffering, kindness, goodness, faithfulness, gentleness, and self-control.’

May they be confident, Lord, in Your judgment. May they be still, and know that You are God and will be exalted among the nations, and will be exalted in the earth! Amen.”

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

Rep. Schauer, 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. 1002-1019. Had I been present, I would have voted ‘yes’ on Roll Call Nos. 1002-1005, 1008-1013, 1015, and 1017-1019, and ‘no’ on Roll Call Nos. 1006-1007, 1014 and 1016.

Reports of Standing Committees

The Speaker laid before the House

Senate Concurrent Resolution No. 8.

A concurrent resolution to memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained.

(For text of resolution, see House Journal No. 50, p. 1268.)

(The concurrent resolution was reported by the Committee on Veterans Affairs on October 26, with substitute (H-1), consideration of which was postponed until October 27 under the rules.)

(For substitute, see House Journal No. 73, p. 2053.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Speaker laid before the House

House Resolution No. 214.

A resolution to memorialize the Congress of the United States to enact legislation permitting military retirees to receive disability compensation for service injuries without any reduction in retirement pay.

(For text of resolution, see House Journal No. 76, p. 2155.)

(The resolution was reported by the Committee on Veterans Affairs on November 4, consideration of which was postponed until November 8 under the rules.)

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

House Bill No. 5050, entitled

A bill to regulate the erection of certain signs or markers by road agencies for certain purposes.

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

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

Rep. Tesanovich moved to amend the bill as follows:

1. Amend page 1, line 3, after the first "a" by inserting "rest area, roadside park, scenic turnaround, welcome center or a".

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

Rep. Garcia 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. 4776, entitled

A bill to create a veterans speakers program within the department of military and veterans affairs; and to prescribe duties for certain state officials.

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

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

Rep. Julian 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. 4592, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 7 (MCL 29.7).

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Criminal Law and Corrections (for amendments, see House Journal No. 77, p. 2184),

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 3, line 6, after "SECTION" by striking out the balance of the line through "INFORMATION" on line 7.

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

Rep. Julian 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. 468, entitled

A bill to amend 1968 PA 289, entitled "An act to authorize circuit court judges to grant immunity to witnesses upon application of the prosecuting attorneys; to prescribe the procedures therefor; and to prescribe penalties for refusal to testify and for giving false testimony," by amending the title and sections 1, 2, and 3 (MCL 780.701, 780.702, and 780.703) and by adding section 2a.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Criminal Law and Corrections (for amendments, see House Journal No. 77, p. 2185),

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 3, line 24, after "IMMUNITY" by striking out the balance of the line through "INFORMATION" on line 25.

2. Amend page 5, line 8, after "IMMUNITY" by striking out the balance of the line through "INFORMATION" on line 10.

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

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

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

Senate Bill No. 469, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 6 and 19b of chapter VII (MCL 767.6 and 767.19b).

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Criminal Law and Corrections (for amendments, see House Journal No. 77, p. 2185),

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 2, line 12, by striking out all of line 12 through "TIMONY" on line 13.
2. Amend page 3, line 4, after "TESTIMONY" by striking out the balance of the line through "TESTIMONY" on line 5.
3. Amend page 3, line 20, after "IMMUNITY" by striking out the balance of the line through "INFORMATION" on line 21.

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

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

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

Senate Bill No. 470, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 125, 157, 446, 453, and 461 (MCL 750.125, 750.157, 750.446, 750.453, and 750.461); and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Criminal Law and Corrections (for amendments, see House Journal No. 77, p. 2185),

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

The motion prevailed.

House Bill No. 4397, entitled

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales," by amending sections 2 and 3 (MCL 445.112 and 445.113).

The bill was read a second time.

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

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

Senate Bill No. 180, entitled

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

The 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.

Senate Bill No. 770, entitled

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

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.

House Bill No. 4380, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 31 (MCL 42.31).

The bill was read a second time.

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

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 regulate the erection of certain signs or markers by the state transportation department for certain purposes.
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 Bill No. 4776** be placed on its immediate passage.

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

House Bill No. 4776, entitled

A bill to create a veterans speakers program within the department of military and veterans affairs; and to prescribe duties for certain state officials.

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

Roll Call No. 1021

Yeas—106

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

Reps. Basham, Birkholz, Bishop, Bovin, Cameron Brown, Callahan, Caul, Cherry, Clarke, DeHart, DeRossett, DeVuyst, DeWeese, Ehardt, Faunce, Garza, Hager, Hardman, Howell, Ruth Johnson, Kelly, Kowall, Kuipers, Kukuk, Lockwood, Mans, Mead, Mortimer, O'Neil, Patterson, Prusi, Rocca, Schauer, Sheltrown, Shulman, Spade, Tesanovich, Van Woerkom, Vander Roest, Vaughn, Voorhees, Wojno and Woodward were named co-sponsors of the bill.

Second Reading of Bills

Senate Bill No. 462, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 2521; and to repeal acts and parts of acts.

The bill was read a second time.

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

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1022

Yeas—50

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

Nays—55

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

In The Chair: Patterson

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 462, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 2521; 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. 1023

Yeas—107

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

Nays—0

In The Chair: Patterson

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

"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."

The House agreed to the full title.

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 **Senate Bill No. 180** be placed on its immediate passage. The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 180, entitled

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

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

Roll Call No. 1024

Yeas—106

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

Nays—0

In The Chair: Patterson

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

“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.”

The House agreed to the full title.

Rep. Raczkowski moved that **Senate Bill No. 770** be placed on its immediate passage. The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 770, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 8111. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1025

Yeas—105

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

Nays—2

Reeves

Rison

In The Chair: Patterson

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

"An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date."

The House agreed to the full title.

Second Reading of Bills**House Bill No. 5059, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 5, 22, 26, 28, 29, 41, and 42 (MCL 169.205, 169.222, 169.226, 169.228, 169.229, 169.241, and 169.242), sections 5, 26, and 29 as amended by 1995 PA 264, section 22 as amended by 1989 PA 95, and sections 28, 41, and 42 as amended by 1994 PA 117, and by adding section 18; and to repeal acts and parts of acts.

The bill was read a second time.

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

The question being on the adoption of the substitute (H-2) offered by Rep. Cherry,

Rep. Cherry demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-2) offered by Rep. Cherry,

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 1026**Yeas—50**

Baird	Dennis	Lockwood	Rivet
Basham	Frank	Mans	Rocca
Bogardus	Garza	Martinez	Schauer
Bovin	Gielegthem	Minore	Scott
Brater	Hale	Neumann	Sheltrown
Brewer	Hanley	O'Neil	Spade
Brown, B.	Hansen	Pestka	Stallworth
Callahan	Hardman	Price	Switalski
Cherry	Jacobs	Prusi	Tesanovich
Clark, I.	Kelly	Quarles	Vaughn
Clarke, H.	Kilpatrick	Reeves	Wojno
Daniels	LaForge	Rison	Woodward
DeHart	Lemmons		

Nays—56

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

Rep. Switalski moved to amend the bill as follows:

1. Amend page 15, line 16, by striking out all of enacting section 1.

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

Rep. Switalski demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1027

Yeas—50

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

Nays—56

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

In The Chair: Patterson

Rep. Switalski moved to amend the bill as follows:

1. Amend page 5, line 1, by striking out all of line 1 through line 15 of page 15.

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

Rep. Switalski demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1028**Yeas—50**

Baird	Dennis	Mans	Rocca
Basham	Frank	Martinez	Schauer
Bogardus	Garza	Minore	Scott
Bovin	Gielegthem	Neumann	Sheltrown
Brater	Hale	O'Neil	Spade
Brewer	Hanley	Pestka	Stallworth
Brown, B.	Hansen	Price	Switalski
Callahan	Hardman	Prusi	Tesanovich
Cherry	Jacobs	Quarles	Thomas
Clark, I.	Kelly	Reeves	Vaughn
Clarke, H.	Kilpatrick	Rison	Wojno
Daniels	Lemmons	Rivet	Woodward
DeHart	Lockwood		

Nays—56

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

In The Chair: Patterson

Rep. Gielegthem moved to amend the bill as follows:

1. Amend page 15, following line 17, by inserting:

“Enacting section 2. This amendatory act does not take effect unless House Bill No. 4815 of the 90th Legislature is enacted into law.”.

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

Rep. Gielegthem demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1029**Yeas—51**

Baird	Dennis	Lockwood	Rocca
Basham	Frank	Mans	Schauer
Bogardus	Garza	Martinez	Scott
Bovin	Gielegthem	Minore	Sheltrown

Brater	Hale	Neumann	Spade
Brewer	Hanley	O'Neil	Stallworth
Brown, B.	Hansen	Pestka	Switalski
Callahan	Hardman	Price	Tesanovich
Cherry	Jacobs	Prusi	Thomas
Clark, I.	Kelly	Quarles	Vaughn
Clarke, H.	Kilpatrick	Reeves	Wojno
Daniels	LaForge	Rison	Woodward
DeHart	Lemmons	Rivet	

Nays—56

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

In The Chair: Patterson

Rep. Vear moved to amend the bill as follows:

1. Amend page 4, line 19, after "STATE" by striking out "MAY" and inserting "SHALL".

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

Rep. Jacobs moved to amend the bill as follows:

1. Amend page 5, following line 15, by inserting:

"Sec. 24. (1) A committee shall file a statement of organization with the filing officials designated in section 36 to receive the committee's campaign statements. A statement of organization shall be filed within 10 days after a committee is formed. A filing official shall maintain a statement of organization filed by a committee until 5 years after the official date of the committee's dissolution. A person who fails to file a statement of organization required by this subsection shall pay a late filing fee of \$10.00 for each business day the statement remains not filed in violation of this subsection. The late filing fee shall not exceed \$300.00. A person who violates this subsection by failing to file for more than 30 days after a statement of organization is required to be filed is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00.

(2) The statement of organization required by subsection (1) shall include the following information:

(a) The name, street address, and if available, the telephone number of the committee. IF A COMMITTEE IS A CANDIDATE COMMITTEE, THE COMMITTEE NAME SHALL INCLUDE THE FIRST AND LAST NAME OF THE CANDIDATE. A committee address may be the home address of the candidate or treasurer of the committee.

(b) The name, street address, and if available, the telephone number of the treasurer or other individual designated as responsible for the committee's record keeping, report preparation, or report filing.

(c) The name and address of the financial institution in which the official committee depository is or is intended to be located, and the name and address of each financial institution in which a secondary depository is or is intended to be located.

(d) The full name of the office being sought by, including district number or jurisdiction, and the county residence of each candidate supported or opposed by the committee.

(e) A brief statement identifying the substance of each ballot question supported or opposed by the committee. If the ballot question supported or opposed by the committee is not statewide, the committee shall identify the county in which the greatest number of registered voters eligible to vote on the ballot question reside.

(f) Identification of the committee as a candidate committee, political party committee, independent committee, political committee, or ballot question committee if it is identifiable as such a committee.

(3) An independent committee or political committee shall include in the name of the committee the name of the person or persons that sponsor the committee, if any, or with whom the committee is affiliated. A person, other than an individual or a committee, sponsors or is affiliated with an independent committee or political committee if that person establishes, directs, controls, or financially supports the administration of the committee. For the purposes of this subsection, a person does not financially support the administration of a committee by merely making a contribution to the committee.

(4) If any of the information required in a statement of organization is changed, the committee shall file an amendment when the next campaign statement is required to be filed. An independent committee or political committee whose name does not include the name of the person or persons that sponsor the committee or with whom the committee is affiliated as required by subsection (3) shall file an amendment to the committee's statement of organization not later than the date the next campaign statement is required to be filed after the effective date of the amendatory act that added this sentence.

(5) When filing a statement of organization, a committee, other than an independent committee, a political committee, or a political party committee, may indicate in a written statement signed by the treasurer of the committee that the committee does not expect for each election to receive an amount in excess of \$1,000.00 or expend an amount in excess of \$1,000.00.

(6) When filing a statement of organization, an independent committee, a political committee, or a political party committee may indicate in a written statement signed by the treasurer of the committee that the committee does not expect in a calendar year to receive or expend an amount in excess of \$1,000.00.

(7) Upon the dissolution of a committee, the committee shall file a statement indicating dissolution with the filing officials with whom the committee's statement of organization was filed. Dissolution of a committee shall be accomplished pursuant to rules promulgated by the secretary of state under the administrative procedures act of 1969, ~~Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Laws 1969 PA 306, MCL 24.201 TO 24.328.~~

(8) A candidate committee that files a written statement pursuant to subsection (5) shall not be required to file a dissolution statement pursuant to subsection (7) if the committee failed to receive or expend an amount in excess of \$1,000.00 and 1 of the following applies:

- (a) The candidate was defeated in an election and has no outstanding campaign debts or assets.
- (b) The candidate vacates an elective office and has no outstanding campaign debts or assets."

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

Rep. Bishop 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. 5059, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 5, 22, 26, 28, 29, 41, and 42 (MCL 169.205, 169.222, 169.226, 169.228, 169.229, 169.241, and 169.242), sections 5, 26, and 29 as amended by 1995 PA 264, section 22 as amended by 1989 PA 95, and sections 28, 41, and 42 as amended by 1994 PA 117, and by adding section 18; 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. 1030

Yeas—56

Allen	Garcia	Julian	Raczkowski
Birkholz	Geiger	Koetje	Richardville
Bisbee	Gilbert	Kowall	Richner
Bishop	Godchaux	Kuipers	Sanborn

Bradstreet	Gosselin	Kukuk	Scranton
Brown, C.	Green	LaSata	Shackleton
Byl	Hager	Law	Shulman
Cassis	Hart	Mead	Stamas
Caul	Howell	Middaugh	Tabor
DeRossett	Jansen	Mortimer	Toy
DeVuyst	Jelinek	Pappageorge	Van Woerkom
DeWeese	Jellema	Patterson	Vander Roest
Ehardt	Johnson, Rick	Perricone	Voorhees
Faunce	Johnson, Ruth	Pumford	Woronchak

Nays—49

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

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 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 5, 22, 24, 26, 28, 29, 41, and 42 (MCL 169.205, 169.222, 169.224, 169.226, 169.228, 169.229, 169.241, and 169.242), sections 5, 26, and 29 as amended by 1995 PA 264, section 22 as amended by 1989 PA 95, and sections 24, 28, 41, and 42 as amended by 1994 PA 117, and by adding section 18; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

Second Reading of Bills

Senate Bill No. 198, entitled

A bill to prohibit governmental entities from requiring individuals to reside within certain geographic areas or specified distances or travel times from their place of employment as a condition of employment or promotion.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Employment Relations, Training and Safety,

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

Rep. Kuipers moved to substitute (H-10) the bill.

The question being on the adoption of the substitute (H-10) offered by Rep. Kuipers,

Rep. Kuipers demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-10) offered by Rep. Kuipers,

The substitute (H-10) was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1031**Yeas—60**

Allen	Gielegem	Kukuk	Sanborn
Baird	Godchaux	LaSata	Schauer
Birkholz	Green	Law	Shackleton
Bogardus	Hanley	Lemmons	Shulman
Bradstreet	Hansen	Lockwood	Stallworth
Brown, C.	Hardman	Middaugh	Stamas
Byl	Jacobs	Minore	Switalski
Cassis	Jansen	Mortimer	Tesanovich
Clark, I.	Jelinek	Pappageorge	Thomas
Clarke, H.	Jellema	Patterson	Van Woerkom
Dennis	Johnson, Rick	Perricone	Vander Roest
DeRossett	Johnson, Ruth	Pumford	Vaughn
Ehardt	Kilpatrick	Reeves	Vear
Garza	Koetje	Richardville	Voorhees
Geiger	Kuipers	Richner	Wojno

Nays—32

Bisbee	Frank	Kelly	Raczkowski
Bishop	Garcia	Mans	Rivet
Brater	Gilbert	Martinez	Rocca
Caul	Hager	Mead	Scott
Cherry	Hale	Neumann	Sheltrown
DeHart	Hart	O'Neil	Spade
DeWeese	Howell	Pestka	Tabor
Faunce	Julian	Price	Toy

In The Chair: Patterson

Rep. Hale moved to amend the bill as follows:

1. Amend page 3, following line 18, by inserting:

“Sec. 4. This act takes effect April 1, 2001.”.

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

Rep. Hale demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1032**Yeas—45**

Baird	Gielegem	Lockwood	Scott
Bogardus	Godchaux	Mans	Scranton
Bovin	Hale	Martinez	Shackleton
Brater	Hanley	Minore	Spade
Brown, B.	Hansen	O'Neil	Stallworth
Callahan	Hardman	Price	Switalski
Cherry	Jacobs	Prusi	Tesanovich
Clark, I.	Kelly	Quarles	Thomas
Clarke, H.	Kilpatrick	Reeves	Vaughn

Daniels
Dennis
Garza

LaForge
Lemmons

Rison
Schauer

Wojno
Woodward

Nays—61

Allen
Basham
Birkholz
Bisbee
Bishop
Bradstreet
Brown, C.
Byl
Cassis
Caul
DeRossett
DeVuyst
DeWeese
Ehardt
Faunce
Frank

Garcia
Geiger
Gilbert
Gosselin
Green
Hager
Hart
Howell
Jansen
Jelinek
Jellema
Johnson, Rick
Johnson, Ruth
Julian
Koetje

Kowall
Kuipers
Kukuk
LaSata
Law
Mead
Middaugh
Mortimer
Neumann
Pappageorge
Patterson
Perricone
Pestka
Pumford
Raczkowski

Richardville
Richner
Rivet
Rocca
Sanborn
Sheltrown
Shulman
Stamas
Tabor
Toy
Van Woerkom
Vander Roest
Vear
Voorhees
Woronchak

In The Chair: Patterson

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. 198, entitled

A bill to prohibit governmental entities from requiring individuals to reside within certain geographic areas or specified distances or travel times from their place of employment as a condition of employment or promotion.

The bill was read a third time.

The question being on the passage of the bill,

After debate,

Rep. Frank demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1033

Yeas—82

Allen
Baird
Basham
Birkholz

Ehardt
Faunce
Frank
Garcia

Kowall
Kuipers
Kukuk
LaForge

Richner
Rison
Rocca
Sanborn

Bisbee	Geiger	LaSata	Schauer
Bishop	Gielegem	Law	Scranton
Bogardus	Gilbert	Lockwood	Sheltrown
Bovin	Gosselin	Mead	Shulman
Bradstreet	Green	Minore	Spade
Brewer	Hager	Mortimer	Stamas
Brown, B.	Hanley	Neumann	Switalski
Byl	Hansen	O'Neil	Tabor
Callahan	Hart	Pappageorge	Thomas
Cassis	Howell	Patterson	Toy
Caul	Jacobs	Perricone	Van Woerkom
Cherry	Jansen	Pestka	Vander Roest
Clarke, H.	Jelinek	Prusi	Voorhees
DeHart	Jellema	Pumford	Wojno
Dennis	Johnson, Rick	Quarles	Woodward
DeRossett	Johnson, Ruth	Richardville	Woronchak
DeWeese	Julian		

Nays—26

Brater	Hale	Martinez	Scott
Brown, C.	Hardman	Middaugh	Shackleton
Clark, I.	Kelly	Price	Stallworth
Daniels	Kilpatrick	Raczkowski	Tesanovich
DeVuyst	Koetje	Reeves	Vaughn
Garza	Lemmons	Rivet	Vear
Godchaux	Mans		

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 prohibit certain governmental entities from requiring individuals to reside within certain geographic areas or specified distances or travel times from their place of employment as a condition of employment or promotion.

The motion prevailed.

The House agreed to the title as amended.

Rep. Middaugh, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted against this bill as I believe that decisions such as this ought to be made at the local level.”

Rep. Clark, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I, Irma Clark, cast a ‘No’ vote on SB 198 because it eliminates residency from our charter. I cannot support voting against Home Rule for my city.”

Rep. Hardman, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I strongly support Home Rule for all of Michigan. SB 198 was passed taking away that Home Rule as it applies to residency for Detroiters. It alters our charter which should only be done by the voters in Detroit and other cities.”

Rep. Reeves, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

My no vote on Senate Bill 198 (H-10) is representative of my continued support for local control and Home Rule. Any attempt to control and mandate a local’s ability to govern themselves is questionable. Residency is a local issue which should be decided by the local governments.”

Rep. Garza, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on Senate Bill 198 because it violates Home Rule and residency requirements. This is an issue that should be dealt with on the local level, not dictated by the state.”

Rep. Cameron Brown, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

My no vote on Senate Bill 198 is due to my belief that the issue of residency should rest in the cradle of home rule. As a former city commissioner, I respect the jurisdiction of local government to decide for or against a residency requirement for employment.”

Rep. Vaughn, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Colleagues I voted no on this bill because it is a direct slap in the fact of home rule and local control.

If the people of a local area decide that they want a residency requirements then that is their right to do so.

If you work for the people, you should not fear living among those same people. My City, Detroit has a strong residency requirement for City employees especially police and fire. We want our police to live in our city because we cannot afford another army of occupation that in large part caused the 1967 Detroit rebellion. We certainly don’t need fire personnel that would have to drive many miles in case they are needed in the City for an emergency.

In Detroit we have been harmed by the police so called ‘stress’ unit. We cannot turn back the clock. Residency is important. Forward ever, backwards never!

Thank you Mr. Speaker.”

Rep. Stallworth, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I rise to oppose this legislation because of its disproportionate impact on the citizens of the City of Detroit. Not many years have passed since the streets of many Detroit neighborhoods were patrolled by police officers who had no direct relationship with the citizens they pledged to protect. The lack of that relationship frequently led to undue harassment, persecution and physical brutality. Black communities cannot afford to have an armed army of non-residents responsible for our safety. How can we feel safe? History teaches us we will not be!

Fundamentally, every employer should be given the flexibility to require basic provisions for its employees. Every prospective employee has the option to accept or reject employment based on the employers requirement. And of course, local communities must be given the ability to govern themselves. Although I applaud the willingness of the Speaker to accept language which at least provides for a residency requirement to be part of a collective bargaining agreement, the requirement which restricts a local community from having a governing charter which includes residency is I believe another significant measure to erode local control. For the City of Detroit, it is a economic and quality of life issue. Yes, we should be attempting to provide sound support for police and fire-fighters, but the best way to do that is through salary and wage negotiations, not to attack a local community’s ability to govern itself.”

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

The question being on the motion made by Rep. Raczkowski,

Rep. Kilpatrick demanded the yeas and nays.

The demand was supported.

The question being on the motion made by Rep. Raczkowski,

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 1034**Yeas—53**

Allen	Faunce	Julian	Raczkowski
Basham	Garcia	Koetje	Richardville
Birkholz	Geiger	Kowall	Richner
Bisbee	Gilbert	Kuipers	Rocca
Bishop	Gosselin	Kukuk	Sanborn
Bradstreet	Hager	LaSata	Shulman
Byl	Hart	Law	Stamas
Cassis	Howell	Mortimer	Tabor
Caul	Jansen	O'Neil	Toy
DeHart	Jelinek	Pappageorge	Van Woerkom
DeRossett	Jellema	Patterson	Vander Roest
DeVuyst	Johnson, Rick	Perricone	Voorhees
DeWeese	Johnson, Ruth	Pumford	Woronchak
Ehardt			

Nays—52

Baird	Garza	Mans	Scott
Bogardus	Gielegem	Martinez	Scranton
Bovin	Godchaux	Mead	Shackleton
Brater	Hale	Middaugh	Sheltrown
Brown, B.	Hanley	Minore	Spade
Brown, C.	Hansen	Neumann	Stallworth
Callahan	Hardman	Pestka	Switalski
Cherry	Jacobs	Price	Tesanovich
Clark, I.	Kelly	Prusi	Thomas
Clarke, H.	Kilpatrick	Quarles	Vaughn
Daniels	LaForge	Reeves	Vear
Dennis	Lemmons	Rivet	Wojno
Frank	Lockwood	Schauer	Woodward

In The Chair: Patterson

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

Rep. Raczkowski moved that when the House adjourns today it stand adjourned until Tuesday, November 30, at 12:00 Noon.
The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Woronchak, Gielegem, Vear, Van Woerkom, Julian, Cassis, Gosselin, Birkholz, Mortimer, Kelly, Cherry, Pappageorge, Jacobs, Rocca, Toy, Garza, DeHart, Allen, Brater, Bob Brown, Baird, Prusi, Voorhees, Richner, Martinez and Woodward offered the following resolution:

House Resolution No. 225.

A resolution to memorialize the Congress of the United States to enact the Secret Evidence Repeal Act.

Whereas, Several years ago, in an effort to increase security in our country in the face of increasing concerns over terrorism, Congress enacted laws that changed the process of judicial review for people accused of certain crimes. A key component of these acts was the establishment of a new standard of evidence that permits the admission of evidence that does not have to be revealed to the person facing charges. Under these secret evidence provisions, an alien can be sanctioned or deported without a fair opportunity to refute charges; and

Whereas, The admission of secret evidence in any court situation is contrary to the central tenets of our legal system. Access to a fair trial is one of the cornerstones of our country. The types of crimes at issue cannot change the way we approach the administration of justice. A person accused of crimes must be fully aware of the accusations and able to respond openly; and

Whereas, The use of unfair practices and standards in any type of court is disturbing to all who understand the importance of true justice in all of our institutions, but especially to the new immigrants who have come to America precisely because of our sense of justice. The secret evidence policies serve to break this faith; and

Whereas, Congress is currently considering legislation, the Secret Evidence Repeal Act, that would rectify the problems and restore due process. This bill seeks to ensure that no alien can be removed, denied a benefit under our immigration and naturalization laws, or otherwise deprived of liberty because of evidence kept secret from the person; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the Secret Evidence Repeal Act; and be it further

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

The resolution was referred to the Committee on Criminal Law and Corrections.

Reps. DeHart, Spade, Baird, Julian, Caul, Gosselin, Birkholz, Kelly, Cherry, Bogardus, LaForge, Vaughn, Pappageorge, Jamnick, Neumann, Bovin, Jacobs, Rocca, Toy, Brater, Allen, Hanley, Garcia, Rivet, Schauer, Richner and Woodward offered the following resolution:

House Resolution No. 226.

A resolution to honor the memory of Marjorie E. Gartz, who passed away Wednesday, October 6, 1999.

Whereas, Marjorie was born on August 20, 1929. From the beginning, Marjorie exhibited a real zest for life. This was apparent in any activity upon which she embarked. She put all of her energy into each undertaking; and

Whereas, On June 1, 1952, Marjorie married her true love, Terry. Together they settled in Westland where they raised five children, Glen, Kevin, Nora, Susan, and Bruce. She was a devoted wife to her husband and intensely committed to her children. She was proud to share in the responsibility of caring for her children when they were ill, disciplining them when necessary, giving them encouragement, and also managing the household; and

Whereas, In addition to her responsibilities at home, Marjorie worked at various positions within the City of Westland. Some of her positions with the city included the Finance Department and the Clerk's Office. She also worked as a Secretary in the Westland Police Department at a time when there were no female police officers. She was asked to go on raids with the police officers when there was a need for a female presence. While working and raising a family, Marjorie earned her Bachelor of Science Degree from Madonna University. Marge continued to work for the City of Westland until her retirement; and

Whereas, Marge was a true friend to those who knew her. She was also a dedicated volunteer in various civic activities as well as in politics. To those individuals in whom she truly believed, she would give 150% to their campaign. Her numerous civic activities were just as important to her. The fruits of her labor were apparent in everything she set her mind to; and

Whereas, Marjorie served as President of the Elderly Housing Commission in the City of Westland from August 19, 1980, to October 6, 1999. She also served as the President of the Elderly Housing Service Corporation from April 11, 1989, to October 6, 1999. Her commitment to the Thomas F. Taylor Towers senior high-rise was unmatched. As President of the Elderly Housing Corporation, Marge made sure Thomas F. Taylor Towers was not just a senior high-rise, it was a place to call home; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body and the people of the State of Michigan - with deep sadness - honor and recognize the life of Marjorie E. Gartz. Because of her dedication to and love of Thomas F. Taylor Towers, their library is formally dedicated and will forever be known as the Marjorie E. Gartz Memorial Library; and be it further

Resolved, That copies of this resolution be transmitted to Marjorie's family and the Thomas F. Taylor Towers of Westland, Michigan as an expression of our deepest sympathy for their loss. There will be a tremendous void in the City of Westland because of the loss of Marge.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Shulman, Kowall, Cassis, Price, Pappageorge, Gosselin, Raczkowski, Vear, Vander Roest, Spade, Baird, DeHart, Van Woerkom, DeRossett, Julian, Caul, Ruth Johnson, Birkholz, Mortimer, Bishop, Kelly, Cherry, Bogardus, Jammick, Sheltroun, Bovin, Jacobs, Rocca, Toy, Brater, Allen, Minore, Voorhees, Garcia, Schauer, Richner and Woodward offered the following resolution:

House Resolution No. 227.

A resolution to honor the memory of Lynn D. Allen, former Oakland County Clerk and Register of Deeds for 30 years, who passed away November 3, 1999.

Whereas, Lynn Allen, a lifelong resident of Oakland County, attended the University of Detroit, went on to Central Michigan University, and graduated from Northern Illinois College of Optometry with his Bachelor of Science degree and Doctorate degree in Optometry; and

Whereas, Lynn was dedicated to the Oakland County community. He was elected Oakland County Clerk/Register of Deeds in 1968; and

Whereas, In 30 years of dedication to the people of Oakland County, Lynn D. Allen worked in the public arena during an era of great change. With Lynn's help in design and implementation, the world's first on-line computer court system was created along with the first on-line system for campaign finance reporting. With the personal sense of duty that Lynn D. Allen brought to work each day, he met the challenges of his duties with enthusiasm and a genuine interest in efficiency in public service. This has been deeply appreciated, both by citizens and organizations in Oakland County that have benefited directly from Lynn D. Allen's work; and

Whereas, Lynn has been honored with numerous awards in his 30 years of public service, including Jaycees Man of the Year, the American Legion's Americanism Award, the Michigan Clerks' Association honor of Clerk of the Year, and Michigan House and Senate concurrent resolutions paying homage to Lynn; and

Whereas, Lynn's accomplishments are no surprise to those who knew him best. He approached life with a smile and put people first. This was apparent with his two daughters Susan and Bunny and wife Mary Ann; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body join with the citizens of Oakland County in saluting Lynn Allen in acknowledgment of his legacy in public service. It is with deepest sympathy that we note his passing and honor his dedication and service; and be it further

Resolved, That a copy of this resolution be transmitted to the family of Lynn D. Allen as a token of our esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Hart, DeWeese, Pappageorge, Jansen, Lemmons, Vear, Vander Roest, Van Woerkom, DeRossett, Julian, DeVuyst, Gosselin, Birkholz, Mortimer, Bishop, Kelly, Kukuk, Vaughn, Rocca, Toy, Scranton, Allen, Kuipers, Voorhees, Garcia and Richner offered the following concurrent resolution:

House Concurrent Resolution No. 72.

A concurrent resolution to memorialize the Congress of the United States to include individual and business tax credits and deductions for contributions to poverty-fighting programs and organizations in assessing compliance with Maintenance of Effort requirements under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Whereas, The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 brought sweeping changes to how our country deals with needy families. Key components of this effort to reshape our state and federal approach to assisting people in need are the funding channeled through block grants and strong incentives for people to find work or pursue meaningful job training; and

Whereas, In order for a state to maintain eligibility for its block grant funding, each state must demonstrate that it is spending at least 80 percent of the state's historical level of spending on AFDC and related programs. Qualified state expenditures include state money for child care, educational programs, cash assistance, and related activities. If a state does not meet the Maintenance of Effort threshold, the block grant amounts are reduced and penalties can be assessed; and

Whereas, In an effort to do all that is possible to encourage people to rebuild their lives and to maximize resources, it seems reasonable to recognize formally the significant impact of individuals and businesses. The value of private poverty-fighting initiatives should be factored into state calculations to meet the Maintenance of Effort requirements. This added encouragement could prove most beneficial for the states and our needy families; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to include individual and business tax credits and deductions for contributions to poverty-fighting programs and organizations in assessing compliance with Maintenance of Effort requirements under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996; and be it further

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

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

Reps. Gielegem, Woronchak, Vear, Van Woerkom, Julian, DeVuyst, Cassis, Gosselin, Birkholz, Mortimer, Kelly, Cherry, Pappageorge, Mans, Jacobs, Rocca, Toy, Callahan, DeHart, Allen, Brater, Bob Brown, Switalski, Baird, O'Neil, Lockwood, Spade, Hansen, Jamnick, Minore, Sheltroun, Frank, Neumann, LaForge, Hanley, Bogardus, Prusi, Voorhees, Rivet, Schauer, Richner, Martinez and Woodward offered the following concurrent resolution:

House Concurrent Resolution No. 73.

A concurrent resolution to memorialize the Congress of the United States to enact the Secret Evidence Repeal Act.

Whereas, Several years ago, in an effort to increase security in our country in the face of increasing concerns over terrorism, Congress enacted laws that changed the process of judicial review for people accused of certain crimes. A key component of these acts was the establishment of a new standard of evidence that permits the admission of evidence that does not have to be revealed to the person facing charges. Under these secret evidence provisions, an alien can be sanctioned or deported without a fair opportunity to refute charges; and

Whereas, The admission of secret evidence in any court situation is contrary to the central tenets of our legal system. Access to a fair trial is one of the cornerstones of our country. The types of crimes at issue cannot change the way we approach the administration of justice. A person accused of crimes must be fully aware of the accusations and able to respond openly; and

Whereas, The use of unfair practices and standards in any type of court is disturbing to all who understand the importance of true justice in all of our institutions, but especially to the new immigrants who have come to America precisely because of our sense of justice. The secret evidence policies serve to break this faith; and

Whereas, Congress is currently considering legislation, the Secret Evidence Repeal Act, that would rectify the problems and restore due process. This bill seeks to ensure that no alien can be removed, denied a benefit under our immigration and naturalization laws, or otherwise deprived of liberty because of evidence kept secret from the person; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to enact the Secret Evidence Repeal Act; and be it further

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

The concurrent resolution was referred to the Committee on Criminal Law and Corrections.

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, November 4:

Senate Bill Nos. 880 881

The Clerk announced that the following bill had been printed and placed upon the files of the members, Friday, November 5:

Senate Bill No. 882

The Clerk announced that the following bill had been printed and placed upon the files of the members, Wednesday, November 10:

House Bill No. 5112

The Clerk announced that the following Senate bills had been received on Wednesday, November 10:

Senate Bill Nos. 830 867 877 878 879

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Local Government and Urban Policy, by Rep. Birkholz, Chair, reported

House Bill No. 5112, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending the title and section 613a (MCL 168.613a), the title as amended by 1994 PA 441 and section 613a as amended by 1999 PA 72, and by adding section 613b; and 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 5112 To Report Out:

Yeas: Reps. Birkholz, Hager, Bishop, Julian, Tabor, Vander Roest, Lockwood, Jamnick, Minore,
Nays: None.

The Committee on Local Government and Urban Policy, by Rep. Birkholz, Chair, reported

Senate Bill No. 539, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," by amending section 110b (MCL 41.110b), as added by 1989 PA 77.

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

SB 539 To Report Out:

Yeas: Reps. Birkholz, Hager, Julian, Tabor, Vander Roest, Lockwood, Jamnick, Minore,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, November 9, 1999, at 6:35 p.m.,

Present: Reps. Birkholz, Hager, Bishop, DeWeese, Julian, Tabor, Vander Roest, Lockwood, Jamnick, Minore,

Absent: Rep. Reeves,

Excused: Rep. Reeves.

The Committee on Employment Relations, Training and Safety, by Rep. Gosselin, Chair, reported

House Bill No. 4450, entitled

A bill to prohibit the employment of certain individuals less than 21 years of age to engage in certain acts in adult entertainment establishments; and to impose penalties.

The committee recommended that the bill be referred to the Committee on Constitutional Law and Ethics.

Favorable Roll Call

HB 4450 To Report Out:

Yeas: Reps. Gosselin, Kuipers, DeWeese, Raczkowski, Dennis, LaForge, Switalski,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Constitutional Law and Ethics.

The Committee on Employment Relations, Training and Safety, by Rep. Gosselin, Chair, reported

Senate Bill No. 762, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending sections 836 and 837 (MCL 418.836 and 418.837), as amended by 1994 PA 271.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 762 To Report Out:

Yeas: Reps. Gosselin, Kuipers, Raczkowski, Dennis, LaForge, Switalski,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gosselin, Chair of the Committee on Employment Relations, Training and Safety, was received and read:

Meeting held on: Wednesday, November 10, 1999, at 9:00 a.m.,

Present: Reps. Gosselin, Kuipers, DeWeese, Raczkowski, Dennis, LaForge, Switalski.

The Committee on Insurance and Financial Services, by Rep. Sanborn, Chair, reported

House Bill No. 4620, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1224 (MCL 500.1224), as amended by 1981 PA 1.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4620 To Report Out:

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

Nays: None.

The Committee on Insurance and Financial Services, by Rep. Sanborn, Chair, reported

Senate Bill No. 745, entitled

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

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

1. Amend page 154, following line 22, by inserting:

"Enacting section 2. This act takes effect March 1, 2000."

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

Favorable Roll Call

SB 745 To Report Out:

Yeas: Reps. Sanborn, Bisbee, Bishop, DeVuyst, Ehardt, Hager, Rick Johnson, Julian, Law, Richner, Shackleton, Van Woerkom, Wojno, Bob Brown, Daniels, Hale, Scott, Thomas,

Nays: None.

The Committee on Insurance and Financial Services, by Rep. Sanborn, Chair, reported

Senate Bill No. 783, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care reform act," by amending section 207 (MCL 550.1207), as amended by 1993 PA 201.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 783 To Report Out:

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

Nays: None.

The Committee on Insurance and Financial Services, by Rep. Sanborn, Chair, reported
Senate Bill No. 784, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 5104 (MCL 500.5104), as added by 1993 PA 200.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 784 To Report Out:

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

Nays: None.

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, November 10, 1999, at 9:00 a.m.,

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

The Committee on Appropriations, by Rep. Geiger, Chair, reported

House Bill No. 4305, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2000; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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 4305 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,

Nays: None.

The Committee on Appropriations, by Rep. Geiger, Chair, reported

House Concurrent Resolution No. 53.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Michigan State Police Crime Lab.

(For text of resolution, see House Journal No. 65, p. 1886.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 53 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Pappageorge, Pumford, Stamas, Toy, Cherry, Frank, Kelly, Pestka, Prusi, Tesanovich,

Nays: None.

The Committee on Appropriations, by Rep. Geiger, Chair, reported
House Concurrent Resolution No. 54.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Baraga Maximum Correctional Facility Additional Housing Units.

(For text of resolution, see House Journal No. 65, p. 1887.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 54 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Pappageorge, Pumford, Stamas, Toy, Cherry, Frank, Kelly, Pestka, Prusi, Tesanovich,

Nays: None.

The Committee on Appropriations, by Rep. Geiger, Chair, reported
House Concurrent Resolution No. 55.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Camp Ojibway Additional Housing Units.

(For text of resolution, see House Journal No. 65, p. 1888.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 55 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Pappageorge, Pumford, Stamas, Toy, Cherry, Frank, Kelly, Pestka, Prusi, Tesanovich,

Nays: None.

The Committee on Appropriations, by Rep. Geiger, Chair, reported
House Concurrent Resolution No. 56.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Camp Pugsley Additional Housing Units.

(For text of resolution, see House Journal No. 65, p. 1888.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 56 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Pappageorge, Pumford, Stamas, Toy, Cherry, Frank, Kelly, Pestka, Prusi, Tesanovich,

Nays: None.

The Committee on Appropriations, by Rep. Geiger, Chair, reported
House Concurrent Resolution No. 57.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Florence Crane Women's Facility Additional Housing Units.

(For text of resolution, see House Journal No. 65, p. 1889.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 57 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Pappageorge, Pumford, Stamas, Toy, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,

Nays: None.

The Committee on Appropriations, by Rep. Geiger, Chair, reported

House Concurrent Resolution No. 58.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Macomb Correctional Facility Additional Housing Units.

(For text of resolution, see House Journal No. 65, p. 1890.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 58 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Pappageorge, Pumford, Stamas, Toy, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,

Nays: None.

The Committee on Appropriations, by Rep. Geiger, Chair, reported

House Concurrent Resolution No. 59.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Saginaw Correctional Facility Additional Housing Units.

(For text of resolution, see House Journal No. 65, p. 1891.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 59 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Pappageorge, Pumford, Stamas, Toy, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,

Nays: None.

The Committee on Appropriations, by Rep. Geiger, Chair, reported

House Concurrent Resolution No. 60.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Secure Level I Correctional Facility at St. Louis.

(For text of resolution, see House Journal No. 65, p. 1892.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 60 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Pappageorge, Pumford, Stamas, Toy, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,

Nays: None.

The Committee on Appropriations, by Rep. Geiger, Chair, reported
House Concurrent Resolution No. 61.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Thumb Correctional Facility Additional Housing Units.

(For text of resolution, see House Journal No. 65, p. 1893.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 61 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Pappageorge, Pumford, Stamas, Toy, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,

Nays: None.

The Committee on Appropriations, by Rep. Geiger, Chair, reported
House Concurrent Resolution No. 65.

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

(For text of resolution, see House Journal No. 75, p. 2130.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 65 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Pappageorge, Pumford, Stamas, Toy, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,

Nays: None.

The Committee on Appropriations, by Rep. Geiger, Chair, reported
House Concurrent Resolution No. 66.

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

(For text of resolution, see House Journal No. 75, p. 2130.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 66 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Pappageorge, Pumford, Stamas, Toy, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,

Nays: None.

The Committee on Appropriations, by Rep. Geiger, Chair, reported
House Concurrent Resolution No. 67.

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

(For text of resolution, see House Journal No. 75, p. 2131.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 67 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Pappageorge, Pumford, Stamas, Toy, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,

Nays: None.

The Committee on Appropriations, by Rep. Geiger, Chair, reported

House Concurrent Resolution No. 70.

A concurrent resolution to change the scope of the Multipurpose Educational Facility and General Campus Renovations project at North Central Michigan College.

(For text of resolution, see House Journal No. 79, p. 2255.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

HCR 70 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 10, 1999, at 10:00 a.m.,

Present: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Stallworth, Tesanovich,

Absent: Rep. Clarke,

Excused: Rep. Clarke.

The Committee on Veterans Affairs, by Rep. Richardville, Chair, reported

House Bill No. 4335, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 411 (MCL 32.811), as amended by 1996 PA 497.

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 4335 To Report Out:

Yeas: Reps. Richardville, Ehardt, Allen, Garcia, Bovin, Mans,

Nays: None.

The Committee on Veterans Affairs, by Rep. Richardville, Chair, reported

House Bill No. 5028, entitled

A bill to designate the part of highway I-75 located in Monroe county as the "Michigan's Congressional Medal of Honor Recipient Highway"; and to prescribe certain duties of the state transportation department.

With the recommendation that the substitute (H-3) 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 5028 To Report Out:

Yeas: Reps. Richardville, Ehardt, Allen, Garcia, Bovin, Mans,

Nays: None.

The Committee on Veterans Affairs, by Rep. Richardville, Chair, reported

House Resolution No. 213.

A resolution to memorialize the Congress of the United States to provide proper compensation and protection to members of the military reserves and National Guard when called to active duty.

(For text of resolution, see House Journal No. 76, p. 2154.)

With the recommendation that the resolution be adopted.

The Speaker announced that under Rule 77 the resolution would lie over one day.

Favorable Roll Call

HR 213 To Report Out:

Yeas: Reps. Richardville, Ehardt, Garcia, Bovin, Mans,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Richardville, Chair of the Committee on Veterans Affairs, was received and read:

Meeting held on: Wednesday, November 10, 1999, at 12:00 Noon,

Present: Reps. Richardville, Ehardt, Allen, Garcia, Bovin, Mans,

Absent: Rep. Schermesser,

Excused: Rep. Schermesser.

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 4624, 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 allow for the operation of certain facilities by private entities; 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 44 (MCL 791.234 and 791.244), section 34 as amended by 1998 PA 512 and section 44 as amended by 1992 PA 181.

The Senate has passed the bill.

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

House Bill No. 4625, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 3a to chapter X.

The Senate has passed the bill and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 4485, entitled

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

The Senate has nonconcurred in the House amendment to the Senate substitute (S-1) and appointed Senators Shugars, Schwarz, and Murphy as conferees.

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Law, DeWeese and Schauer.

The bill was referred to the Conference Committee on November 10, 1999.

The message was referred to the Clerk for record.

House Bill No. 4486, entitled

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

The Senate has nonconcurred in the House amendments to the Senate substitute (S-1) and appointed Senators Shugars, Schwarz, and Murphy as conferees.

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Law, DeWeese and Schauer.

The bill was referred to the Conference Committee on November 10, 1999.

The message was referred to the Clerk for record.

House Bill No. 4487, entitled

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

The Senate has nonconcurred in the House amendment to the Senate substitute (S-1) and appointed Senators Shugars, Schwarz, and Murphy as conferees.

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Law, DeWeese and Schauer.

The bill was referred to the Conference Committee on November 10, 1999.

The message was referred to the Clerk for record.

House Concurrent Resolution No. 71.

A concurrent resolution prescribing the legislative schedule.

(For text of resolution, see House Journal No. 79, p. 2256.)

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Clerk for record.

Senate Bill No. 830, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 1996 PA 582.

The Senate has passed the bill.

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

Senate Bill No. 867, entitled

A bill to create certain authorities; to authorize creation of certain funds; to authorize expenditures from the funds; to finance the purchase of land and the development of certain convention facilities and of public improvements or related facilities; and to prescribe the powers and duties of certain state and local officials.

The Senate has passed the bill.

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

Senate Bill No. 877, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending the title and sections 5, 7, 7a, 8, 24, 25, 33, 36, 40, 41a, 42, 44, 45, 46, 47, 48, 52, 53, 55, 56, 57, 58, and 59 (MCL 24.205, 24.207, 24.207a, 24.208, 24.224, 24.225, 24.233, 24.236, 24.240, 24.241a, 24.242, 24.244, 24.245, 24.246, 24.247, 24.248, 24.252, 24.253, 24.255, 24.256, 24.257, 24.258, and 24.259), the title as amended by 1993 PA 7, sections 5, 24, 52, and 56 as amended by 1982 PA 413, section 7 as amended by 1996 PA 489, sections 7a, 40, and 53 as added by 1984 PA 273, sections 8 and 57 as amended by 1988 PA 333, sections 42, 44, 45, and 46 as amended by 1993 PA 141, sections 48, 55, and 58 as amended by 1986 PA 292, and section 59 as amended by 1995 PA 178, and by adding sections 28, 34, 39, 39a, 45a, and 54.

The Senate has passed the bill.

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

Senate Bill No. 878, entitled

A bill to amend 1970 PA 193, entitled "An act to provide for the compilation of the general laws of this state and the compilation and revision of state administrative rules; and to prescribe the functions of the legislative council relative thereto," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, and 8 (MCL 8.41, 8.42, 8.43, 8.44, 8.45, 8.46, 8.47, and 8.48).

The Senate has passed the bill.

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

Senate Bill No. 879, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," by amending sections 201, 202, and 203 (MCL 4.1201, 4.1202, and 4.1203), section 203 as amended by 1999 PA 101.

The Senate has passed the bill.

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

Introduction of Bills

Rep. Allen introduced

House Bill No. 5118, entitled

A bill to amend 1993 PA 354, entitled "Railroad code of 1993," by amending section 315 (MCL 462.315).

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

Reps. Law and Green introduced

House Bill No. 5119, entitled

A bill to designate an official dog of this state.

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

Reps. Tabor, Green, Bradstreet, Voorhees, DeHart, Schermesser, Kowall, Julian and DeVuyst introduced

House Bill No. 5120, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 227 and 231a (MCL 750.227 and 750.231a), section 227 as amended by 1986 PA 8.

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

Reps. Tabor, Green, Bradstreet, Voorhees, Allen, Sheltroun, DeHart, Schermesser, Kowall, Julian and DeVuyst introduced

House Bill No. 5121, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license; to provide for the forfeiture of firearms possessed in violation of this act; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 1 and 2 (MCL 28.421 and 28.422), section 1 as amended by 1992 PA 219 and section 2 as amended by 1994 PA 338.

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

Reps. Garcia, DeVuyst, Vear, Vander Roest, Pumford, Bishop, Ehardt, Van Woerkom, Faunce, Hart, Kukuk, LaSata, Gosselin, Voorhees, Kowall, Shackleton, Gilbert, DeRossett, Julian, Patterson, Mortimer and Green introduced

House Bill No. 5122, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2969.

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

Rep. Mead introduced

House Bill No. 5123, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2131 (MCL 324.2131), as added by 1995 PA 60.

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

Rep. Bishop introduced

House Bill No. 5124, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 303a (MCL 339.303a), as amended by 1995 PA 183, and by adding article 17A.

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

Rep. Voorhees introduced

House Bill No. 5125, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," (MCL 338.2201 to 338.2277) by adding section 26.

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

Rep. Kukuk introduced

House Bill No. 5126, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

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

Rep. DeHart introduced

House Bill No. 5127, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

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

Rep. Bradstreet introduced

House Bill No. 5128, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

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

Rep. Cameron Brown introduced

House Bill No. 5129, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

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

Rep. Tabor introduced

House Bill No. 5130, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

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

Rep. LaSata introduced

House Bill No. 5131, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

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

Rep. Koetje introduced

House Bill No. 5132, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding article 17A.

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

Rep. Toy introduced

House Bill No. 5133, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5208. The bill was read a first time by its title and referred to the Committee on Constitutional Law and Ethics.

Rep. Schermesser introduced

House Bill No. 5134, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 3805 (MCL 600.3805). The bill was read a first time by its title and referred to the Committee on Constitutional Law and Ethics.

Rep. Hansen moved that the House adjourn.

The motion prevailed, the time being 8:00 p.m.

Associate Speaker Pro Tempore Patterson declared the House adjourned until Tuesday, November 30, at 12:00 Noon.

GARY L. RANDALL

Clerk of the House of Representatives.