

No. 86
JOURNAL OF THE HOUSE

House Chamber, Lansing, Thursday, October 30, 1997.

10:00 a.m.

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

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

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

e/d/s = entered during session

Rep. David Anthony, from the 108th District, offered the following invocation:

“Dear Lord, our eternal light, look upon this gathering and grant that all who serve here may be guided by Your spirit of love and compassion. Be high in purpose, wise in counsel, firm in resolution and unwavering in our duty to the citizens of this great state. Let us not forget that we are here to preserve the freedoms for all people. Guide us today, and each day we gather so that we can make a positive difference in the lives of those we serve. We ask this in Your name, Amen.”

Rep. Dobronski moved that Reps. Vaughn, Mans and Wallace be excused from today’s session.
The motion prevailed.

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

Messages from the Senate

The Speaker laid before the House

House Bill No. 4221, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 558, 799a, and 803 (MCL 168.558, 168.799a, and 168.803), section 558 as amended by 1996 PA 583, section 799a as amended by 1992 PA 8, and section 803 as amended by 1985 PA 160.

(The bill was received from the Senate on October 23, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 28, see House Journal No. 83, p. 2203.)

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

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

Roll Call No. 885

Yeas—102

Agee	Dobronski	Jellema	Palamara
Alley	Emerson	Johnson	Parks
Anthony	Fitzgerald	Kaza	Perricone
Baade	Frank	Kelly	Price
Baird	Gagliardi	Kilpatrick	Profit
Bankes	Galloway	Kukuk	Prusi
Basham	Geiger	LaForge	Quarles
Birkholz	Gernaat	Law	Rackowski
Bobier	Gilmer	Leland	Rhead
Bodem	Gire	LeTarte	Richner
Bogardus	Godchaux	Llewellyn	Rison
Brackenridge	Goschka	London	Rocca
Brater	Green	Lowe	Schauer
Brewer	Griffin	Martinez	Schroer
Brown	Gubow	Mathieu	Scott
Byl	Gustafson	McBryde	Scranton
Callahan	Hale	McManus	Sikkema
Cassis	Hammerstrom	McNutt	Tesanovich
Cherry	Hanley	Middaugh	Thomas
Ciaramitaro	Harder	Middleton	Voorhees
Crissman	Hertel	Murphy	Walberg
Cropsey	Hood	Nye	Wetters
Curtis	Horton	Olshove	Whyman

Dalman
DeHart
Dobb

Jansen
Jaye
Jelinek

Owen
Oxender

Willard
Wojno

Nays—0

In The Chair: Murphy

The House agreed to the title as amended.

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

Second Reading of Bills

House Bill No. 5096, entitled

A bill to amend 1964 PA 208, entitled "An act to grant scholarships to students enrolled in postsecondary education institutions; and to provide for the administration of the scholarship program," by amending section 3 (MCL 390.973), as amended by 1980 PA 500.

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

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

Rep. Dalman 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. Martinez moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

House Bill No. 4828, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1204a (MCL 380.1204a), as amended by 1996 PA 159, and by adding section 1204b.

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 4828 To Report Out:

Yeas: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, LaForge, Schauer, Scott, Dalman, Crissman, Cropsey, Jelinek, LeTarte, Middleton,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, October 29, 1997, at 12:00 Noon,

Present: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, LaForge, Schauer, Scott, Dalman, Crissman, Cropsey, Jelinek, LeTarte, McNutt, Middleton,

Absent: Rep. Kilpatrick.

Second Reading of Bills**House Bill No. 4828, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1204a (MCL 380.1204a), as amended by 1996 PA 159, and by adding section 1204b.

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

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4828, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1204a (MCL 380.1204a), as amended by 1996 PA 159, and by adding section 1204b.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

The House returned to the consideration of

House Bill No. 5096, entitled

A bill to amend 1964 PA 208, entitled "An act to grant scholarships to students enrolled in postsecondary education institutions; and to provide for the administration of the scholarship program," by amending section 3 (MCL 390.973), as amended by 1980 PA 500.

(The bill was considered earlier today, see today's Journal, p. 2243.)

Rep. Martinez moved to amend the bill as follows:

1. Amend page 2, line 6, after "MCL 388.1704A." by inserting:

"THIS SUBSECTION DOES NOT APPLY FOR A PERSON WHO APPLIES FOR THE COMPETITIVE SCHOLARSHIP WITH A GED."

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

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

The motion prevailed.

House Bill No. 5309, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 36 (MCL 211.36), as amended by 1994 PA 343.

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

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5309, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 36 (MCL 211.36), as amended by 1994 PA 343.

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

Roll Call No. 886**Yeas—102**

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

Nays—0

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 4757, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2111a.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Insurance (for amendments, see House Journal No. 43, p. 921),

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

Rep. Leland moved to amend the bill as follows:

1. Amend page 1, line 4, after "TO" by striking out the balance of the sentence and inserting "SECTION 710E OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.710E."

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

Rep. Gustafson moved to amend the bill as follows:

1. Amend page 1, line 5, after "257.710E." by inserting "AN AUTOMOBILE INSURER SHALL NOT USE A FIRST SEAT BELT VIOLATION RESULTING IN A WRITTEN WARNING UNDER SECTION 710E(5) OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.710E(5) TO INCREASE A PERSON'S AUTOMOBILE INSURANCE PREMIUM."

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

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Gustafson, Rep. Gubow moved that consideration of the bill be postponed temporarily.

The motion prevailed.

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Rep. Schermesser entered the House Chambers.

House Bill No. 4264, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411i (MCL 750.411i), as added by 1992 PA 261.

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

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4264, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411i (MCL 750.411i), as added by 1992 PA 261.

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

Roll Call No. 887

Yeas—103

Agee	Dobronski	Jellema	Parks
Alley	Emerson	Johnson	Perricone
Anthony	Fitzgerald	Kaza	Price
Baade	Frank	Kelly	Profit
Baird	Freeman	Kilpatrick	Prusi
Bankes	Gagliardi	Kukuk	Quarles
Basham	Galloway	LaForge	Rackowski
Birkholz	Geiger	Law	Rhead
Bobier	Gernaat	Leland	Richner
Bodem	Gilmer	LeTarte	Rison
Bogardus	Gire	Llewellyn	Rocca
Brackenridge	Godchaux	London	Schauer
Brater	Goschka	Lowe	Schermesser
Brewer	Green	Martinez	Schroer
Brown	Gubow	Mathieu	Scott
Byl	Gustafson	McBryde	Scranton
Callahan	Hale	McManus	Sikkema
Cassis	Hammerstrom	McNutt	Tesanovich
Cherry	Hanley	Middaugh	Thomas
Ciaramitaro	Harder	Middleton	Voorhees
Crissman	Hertel	Murphy	Walberg

Cropsey	Hood	Nye	Wetters
Curtis	Horton	Olshove	Whyman
Dalman	Jansen	Owen	Willard
DeHart	Jaye	Oxender	Wojno
Dobb	Jelinek	Palamara	

Nays—0

In The Chair: Murphy

The question being on agreeing to the title of the bill,
 Rep. Gagliardi moved to amend the title to read as follows:
 A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 411i (MCL 750.411i), as amended by 1997 PA 65.
 The motion prevailed.
 The House agreed to the title as amended.
 Rep. Gagliardi moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.
 Reps. Agee, Alley, Baade, Bankes, Birkholz, Bodem, Brackenridge, Brater, Brewer, Brown, Cassis, Ciaramitaro, Crissman, Dalman, Dobb, Frank, Freeman, Godchaux, Harder, Hood, Horton, Jansen, Jelinek, Jellema, Kelly, Kukuk, Law, Llewellyn, London, McManus, Middaugh, Middleton, Murphy, Parks, Price, Profit, Richner, Rocca, Schermesser, Scott, Scranton, Sikkema, Tesanovich, Thomas, Voorhees, Willard and Wojno were named co-sponsors of the bill.

Second Reading of Bills

The House returned to the consideration of
House Bill No. 4757, entitled
 A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 2111a.
 (The bill was considered earlier today, see today’s Journal, p. 2245.)
 The question being on the adoption of the amendment offered previously by Rep. Gustafson,
 The amendment was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 888**Yeas—101**

Agee	Dobronski	Johnson	Parks
Alley	Fitzgerald	Kaza	Perricone
Anthony	Frank	Kelly	Price
Baade	Freeman	Kilpatrick	Profit
Baird	Gagliardi	Kukuk	Prusi
Bankes	Galloway	LaForge	Quarles
Basham	Geiger	Law	Raczkowski
Birkholz	Gernaat	Leland	Rhead
Bobier	Gilmer	LeTarte	Richner
Bodem	Gire	Llewellyn	Rison
Bogardus	Godchaux	London	Rocca
Brackenridge	Goschka	Lowe	Schauer
Brater	Green	Martinez	Schermesser
Brewer	Gubow	Mathieu	Schroer
Brown	Gustafson	McBryde	Scott
Byl	Hale	McManus	Scranton
Callahan	Hammerstrom	McNutt	Sikkema

Cassis	Hanley	Middaugh	Tesanovich
Cherry	Harder	Middleton	Thomas
Ciaramitaro	Hood	Murphy	Voorhees
Crissman	Horton	Nye	Walberg
Cropsey	Jansen	Olshove	Wetters
Curtis	Jaye	Owen	Whyman
Dalman	Jelinek	Oxender	Willard
DeHart	Jellema	Palamara	Wojno
Dobb			

Nays—0

In The Chair: Murphy

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

House Bill No. 4284, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 658 (MCL 257.658), as amended by 1984 PA 328.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Transportation (for amendment, see House Journal No. 58, p. 1343),

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

Rep. Basham moved to amend the bill as follows:

1. Amend page 1, following "THE PEOPLE OF THE STATE OF MICHIGAN ENACT:" by inserting:

"Sec. 312b. (1) ~~Before a~~ A person who is less than 18 years of age ~~is~~ SHALL NOT BE issued an original motorcycle endorsement on an operator's or chauffeur's license ; UNLESS the person ~~shall pass~~ PASSES an examination as required by this section and a motorcycle safety course as provided in section 811a or 811b.

(2) ~~Before a~~ A person who is 18 years of age or older ~~is~~ SHALL NOT BE issued an original motorcycle endorsement on an operator's or chauffeur's license ; UNLESS the person ~~shall pass~~ PASSES an examination as required by this section. A person who fails this examination 2 or more times ~~is required to~~ SHALL successfully complete a motorcycle safety course as provided in section 811a or 811b. Each written examination given an applicant for a motorcycle endorsement on an operator's or chauffeur's license as provided in section 309 shall also include subjects designed to cover a motorcycle. A person shall pass an examination that ~~shall include~~ INCLUDES a driving test designed to test the competency of the applicant for the first motorcycle endorsement on an operator's or chauffeur's license to operate a motorcycle upon the roads and highways of this state with safety to himself or herself and other persons and property. All examinations shall be administered as provided in this act. The requirement of a motorcycle driving test shall be waived for an applicant who has successfully completed a motorcycle safety course conducted by a school or business enterprise as provided in section 811a or 811b. The motorcycle safety course skills test shall meet or exceed the motorcycle skills test from the secretary of state. The requirement of a motorcycle driving test may be waived if the applicant has a valid license or endorsement to operate a motorcycle from another state.

(3) A motorcycle endorsement issued to a person who operates a 3-wheeled motorcycle or an autocycle shall be restricted to operation of that type of motorcycle and does not permit operation of a 2-wheeled motorcycle. The secretary of state shall develop a driving test specifically pertaining to an autocycle or a 3-wheeled motorcycle.

(4) The secretary of state is responsible for establishing and conducting the motorcycle operator driving test and shall promulgate rules under the administrative procedures act of 1969, ~~Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.328 of the Michigan Compiled Laws~~ 1969 PA 306, MCL 24.201 TO 24.328, for purposes of this subsection. An audit of the motorcycle safety fund shall be conducted in conjunction with the audit of school management services by the office of the auditor general to determine compliance with the requirement that funds are being withdrawn only in relation to this act and not costs that are already a function or duty of the education act. A copy of this audit shall be transmitted to the legislature upon completion.

(5) The secretary of state shall charge a \$15.00 fee for each motorcycle operator driving test. The \$15.00 fee shall be placed in a motorcycle safety fund in the state treasury and shall be used to pay the costs the secretary of state incurs in conducting motorcycle operator driving tests as provided for under this section and section 811a.

(6) Beginning not later than June 1, 1997, the secretary of state may enter into an agreement with another public or private person or agency to conduct a driving test required under this section. For administering and overseeing a third party motorcycle testing program, the secretary of state shall be reimbursed from the motorcycle safety fund a total amount which does not exceed 50% of the department's 1995-1996 fiscal year appropriation for motorcycle testing under this section.

(7) A PERSON WHO APPLIES FOR A MOTORCYCLE ENDORSEMENT SHALL BE GIVEN AN OPPORTUNITY AT THE SECRETARY OF STATE BRANCH OFFICE WHERE HE OR SHE APPLIES FOR THE ENDORSEMENT TO VIEW A VIDEO CONCERNING CLOSED HEAD INJURIES. THE SECRETARY OF STATE MAY CHARGE THE APPLICANT A SEPARATE FEE THAT REFLECTS THE COST OF MAINTAINING AND SHOWING THE VIDEO. AN APPLICANT WHO IS OTHERWISE ELIGIBLE TO BE ISSUED A MOTORCYCLE ENDORSEMENT SHALL BE ISSUED AN ENDORSEMENT THAT INDICATES THAT HE OR SHE IS NOT REQUIRED TO WEAR A CRASH HELMET WHILE OPERATING A MOTORCYCLE IF HE OR SHE FIRST VIEWS THE VIDEO AND PAYS ANY VIDEO FEE. HOWEVER, AN APPLICANT WHO IS OTHERWISE ELIGIBLE TO BE ISSUED A MOTORCYCLE ENDORSEMENT WHO REFUSES TO VIEW THE VIDEO OR WHO REFUSES TO PAY ANY VIDEO FEE SHALL BE ISSUED A MOTORCYCLE ENDORSEMENT THAT INDICATES THAT HE OR SHE IS REQUIRED TO WEAR A HELMET WHILE OPERATING A MOTORCYCLE.”.

2. Amend page 1, line 9, after “(4)” by striking out “A” and inserting “EXCEPT AS PROVIDED IN SUBSECTION (5), A”.

3. Amend page 1, line 9, after “person” by striking out “LESS THAN 21 YEARS OF AGE”.

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

“(5) A PERSON WHO OPERATES OR RIDES ON A MOTORCYCLE SHALL WEAR A CRASH HELMET ON HIS OR HER HEAD UNLESS HE OR SHE DISPLAYS UPON DEMAND A MOTORCYCLE ENDORSEMENT INDICATING THAT HE OR SHE IS NOT REQUIRED TO WEAR A HELMET.” and renumbering the remaining subsection.

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

Rep. Callahan moved to amend the bill as follows:

1. Amend page 2, following line 14, by inserting:

“(6) A PERSON WHO IS 21 YEARS OF AGE OR OLDER WHO OWNS OR REGISTERS A MOTORCYCLE SHALL MAINTAIN THE SAME SECURITY FOR PAYMENT OF BENEFITS UNDER PERSONAL PROTECTION INSURANCE, PROPERTY PROTECTION INSURANCE, AND RESIDUAL LIABILITY INSURANCE AS IS REQUIRED FOR OWNERS AND REGISTRANTS OF MOTOR VEHICLES UNDER THE INSURANCE CODE OF 1956, 1956 PA 218, MCL 500.100 TO 500.8302.

(7) AN OWNER OR REGISTRANT OF A MOTORCYCLE SHALL NOT OPERATE OR ALLOW ANOTHER PERSON TO OPERATE ON A HIGHWAY A MOTORCYCLE THAT HE OR SHE OWNS OR HAS REGISTERED THAT IS NOT INSURED AS REQUIRED UNDER SUBSECTION (6). A PERSON SHALL NOT OPERATE ON A HIGHWAY A MOTORCYCLE THAT HE OR SHE KNOWS IS NOT INSURED AS REQUIRED IN SUBSECTION (6). A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND SHALL BE FINED NOT MORE THAN \$1,000.00 AND SHALL HAVE 1 POINT ENTERED ON HIS OR HER DRIVING RECORD BY THE SECRETARY OF STATE.

(8) NOTWITHSTANDING THE INSURANCE CODE OF 1956, 1956 PA 218, MCL 500.100 TO 500.8302, AN AUTOMOBILE INSURER MAY CHARGE A DIFFERENT RATE FOR A MOTORCYCLIST WHO DOES NOT AGREE TO WEAR A CRASH HELMET. THE RATES CHARGED SHALL BE BASED ON ACTUARIAL DATA.”.

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

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

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

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

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

The motion prevailed.

Rep. Richner moved to amend the bill as follows:

1. Amend page 1, line 9, after “IN” by striking out “SUBSECTION (5)” and inserting “SUBSECTIONS (5) AND (6)”.

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

“(6) A PERSON WHO IS 21 YEARS OF AGE OR OLDER WHO MEETS BOTH OF THE FOLLOWING REQUIREMENTS IS NOT REQUIRED TO WEAR A CRASH HELMET ON HIS OR HER HEAD WHILE OPERATING OR RIDING ON A MOTORCYCLE:

(A) HE OR SHE HAS BEEN LICENSED TO OPERATE A MOTORCYCLE FOR NOT LESS THAN 2 YEARS.

(B) HE OR SHE HAS COMPLETED A MOTORCYCLE SAFETY COURSE APPROVED BY THE DEPARTMENT OF EDUCATION OR THE MOTORCYCLE SAFETY FOUNDATION.” and renumbering the remaining subsection.

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

Rep. Geiger moved to amend the bill as follows:

1. Amend page 2, following line 14, by inserting:

“Enacting section 1. The amendatory act that added the age 21 requirement to section 658 shall not have effect after December 31, 2002.”.

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

The question being on the adoption of the amendment offered previously by Rep. Callahan,
 The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.
 Rep. Walberg moved that the bill be placed on the order of Third Reading of Bills.
 The motion prevailed, a majority of the members voting therefor.
 Rep. Gagliardi moved that the bill be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

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

House Bill No. 4284, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 658 (MCL 257.658), as amended by 1984 PA 328.

The bill was read a third time,
 The question being on the passage of the bill,
 Rep. Wetters moved that consideration of the bill be postponed temporarily.
 The motion prevailed.

Second Reading of Bills

The House returned to the consideration of

House Bill No. 4757, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2111a.

(The bill was considered earlier today, see today's Journal, p. 2247.)
 Rep. Leland moved that the bill be placed on the order of Third Reading of Bills.
 The motion prevailed, a majority of the members voting therefor.
 Rep. Gagliardi moved that the bill be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

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

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

House Bill No. 4757, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2111a.

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

Roll Call No. 889

Yeas—101

Agee	Dobronski	Jellema	Palamara
Alley	Emerson	Johnson	Parks
Anthony	Fitzgerald	Kaza	Perricone
Baade	Frank	Kelly	Price
Baird	Freeman	Kilpatrick	Profit
Bankes	Gagliardi	Kukuk	Prusi
Basham	Galloway	LaForge	Quarles
Birkholz	Geiger	Law	Rackowski
Bobier	Gernaat	Leland	Rhead

Bodem	Gilmer	LeTarte	Richner
Bogardus	Gire	Llewellyn	Rison
Brackenridge	Godchaux	London	Rocca
Brater	Goschka	Lowe	Schauer
Brewer	Green	Martinez	Schermesser
Brown	Gubow	Mathieu	Schroer
Byl	Gustafson	McBryde	Scott
Callahan	Hale	McManus	Sikkema
Cassis	Hammerstrom	McNutt	Tesanovich
Cherry	Hanley	Middaugh	Thomas
Ciaramitaro	Harder	Middleton	Voorhees
Crissman	Hood	Murphy	Walberg
Cropsey	Horton	Nye	Wetters
Curtis	Jansen	Olshove	Whyman
Dalman	Jaye	Owen	Willard
DeHart	Jelinek	Oxender	Wojno
Dobb			

Nays—0

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

Notices

Rep. Raczkowski moved that the Committee on Judiciary be discharged from further consideration of **House Joint Resolution C**.

(For first notice see House Journal No. 85, p. 2239.)

The question being on the motion by Rep. Raczkowski,

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

The House returned to the consideration of

House Bill No. 4828, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1204a (MCL 380.1204a), as amended by 1996 PA 159, and by adding section 1204b.

(The bill was considered earlier today, see today's Journal, p. 2244.)

The question being on the passage of the bill,

Rep. Scranton moved to amend the bill as follows:

1. Amend page 4, line 21, after "MCL 388.1704A." by inserting "BEGINNING WITH PUPILS TAKING THE MEAP IN 1999, AND EACH YEAR THEREAFTER, THE PROGRAM SHALL PROVIDE A MONETARY AWARD TO EACH PUPIL ACHIEVING THE HIGHEST SCORES IN EACH SCHOOL DISTRICT ON ALL ADMINISTRATIONS OF THE MEAP."

The motion was seconded.

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

Rep. Horton demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 890**Yeas—13**

Cropsey	Gustafson	Jaye	Perricone
Godchaux	Horton	Kaza	Voorhees
Goschka	Jansen	Lowe	Whyman
Green			

Nays—84

Agee	DeHart	Kelly	Palamara
Alley	Dobb	Kilpatrick	Parks
Anthony	Dobronski	Kukuk	Price
Baade	Fitzgerald	LaForge	Profit
Baird	Frank	Law	Prusi
Bankes	Freeman	Leland	Quarles
Basham	Galloway	LeTarte	Raczkowski
Birkholz	Geiger	Llewellyn	Rhead
Bobier	Gernaat	London	Richner
Bodem	Gilmer	Martinez	Rison
Bogardus	Gire	Mathieu	Rocca
Brackenridge	Griffin	McBryde	Schauer
Brater	Gubow	McManus	Schermesser
Brewer	Hale	McNutt	Schroer
Brown	Hammerstrom	Middaugh	Scott
Byl	Hanley	Middleton	Sikkema
Cassis	Harder	Murphy	Tesanovich
Cherry	Hood	Nye	Thomas
Crissman	Jelinek	Olshove	Wetters
Curtis	Jellema	Owen	Willard
Dalman	Johnson	Oxender	Wojno

In The Chair: Murphy

The question being on the passage of the bill,

After debate,

Rep. Gagliardi 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. 891**Yeas—66**

Agee	Dalman	Hertel	Nye
Alley	DeHart	Hood	Olshove
Anthony	Dobronski	Jelinek	Parks
Baade	Emerson	Kaza	Price
Basham	Fitzgerald	Kelly	Profit
Birkholz	Frank	Kilpatrick	Prusi
Bogardus	Freeman	LaForge	Quarles
Brackenridge	Gagliardi	Law	Rhead

Brater	Galloway	Leland	Rison
Brewer	Gire	LeTarte	Rocca
Brown	Goschka	Llewellyn	Schauer
Byl	Griffin	Mathieu	Schermesser
Callahan	Gubow	McNutt	Scott
Cherry	Hale	Middaugh	Tesanovich
Ciaramitaro	Hammerstrom	Middleton	Wetters
Crissman	Hanley	Murphy	Wojno
Curtis	Harder		

Nays—37

Baird	Godchaux	London	Richner
Bankes	Green	Lowe	Schroer
Bobier	Gustafson	Martinez	Scranton
Bodem	Horton	McBryde	Sikkema
Cassis	Jansen	McManus	Thomas
Cropsey	Jaye	Owen	Voorhees
Dobb	Jellema	Oxender	Walberg
Geiger	Johnson	Perricone	Whyman
Gernaat	Kukuk	Raczkowski	Willard
Gilmer			

In The Chair: Murphy

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

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

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1204a (MCL 380.1204a), as amended by 1996 PA 159, and by adding section 1279g.

The motion prevailed.

The House agreed to the title as amended.

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

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

The Speaker assumed the Chair.

Second Reading of Bills

The House returned to the consideration of

House Bill No. 5096, entitled

A bill to amend 1964 PA 208, entitled "An act to grant scholarships to students enrolled in postsecondary education institutions; and to provide for the administration of the scholarship program," by amending section 3 (MCL 390.973), as amended by 1980 PA 500.

(The bill was considered earlier today, see today's Journal, p. 2244.)

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

1. Amend page 2, line 16, after "(2)" by inserting "FOR NONPUBLIC SCHOOL STUDENTS AND".

The question being on the adoption of the amendment offered by Reps. Raczkowski and Horton,

Rep. Raczkowski demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Raczkowski and Horton,
The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 892**Yeas—33**

Birkholz	Horton	McBryde	Rhead
Bodem	Jansen	McManus	Richner
Cropsey	Jaye	Middaugh	Rocca
Geiger	Johnson	Nye	Sikkema
Gernaat	Kaza	Owen	Voorhees
Gilmer	Kukuk	Perricone	Walberg
Goschka	London	Quarles	Whyman
Green	Lowe	Raczkowski	Willard
Gustafson			

Nays—69

Agee	Crissman	Hammerstrom	Murphy
Alley	Curtis	Hanley	Olshove
Anthony	Dalman	Harder	Oxender
Baade	DeHart	Hertel	Parks
Baird	Dobb	Jelinek	Price
Bankes	Dobronski	Jellema	Profit
Basham	Emerson	Kelly	Prusi
Bobier	Fitzgerald	Kilpatrick	Rison
Bogardus	Frank	LaForge	Schauer
Brackenridge	Freeman	Law	Schermesser
Brater	Gagliardi	Leland	Schroer
Brewer	Galloway	LeTarte	Scott
Brown	Gire	Llewellyn	Scranton
Byl	Godchaux	Martinez	Tesanovich
Callahan	Griffin	Mathieu	Thomas
Cassis	Gubow	McNutt	Wetters
Cherry	Hale	Middleton	Wojno
Ciaramitaro			

In The Chair: Hertel

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

1. Amend page 2, line 16, after "(2)" by inserting "FOR HOME SCHOOLED STUDENTS AND".

The question being on the adoption of the amendment offered by Reps. Raczkowski and Horton,

Rep. Raczkowski demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Raczkowski and Horton,

After debate,

Rep. Agee 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 adoption of the amendment offered by Reps. Raczkowski and Horton,

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

Roll Call No. 893**Yeas—40**

Birkholz	Green	Llewellyn	Profit
Bodem	Griffin	London	Raczkowski
Byl	Gustafson	Lowe	Rhead
Cropsey	Horton	McBryde	Richner
Dalman	Jansen	McManus	Rocca
Frank	Jaye	McNutt	Sikkema
Geiger	Jellema	Middaugh	Voorhees
Gernaat	Johnson	Nye	Walberg
Gilmer	Kaza	Owen	Whyman
Goschka	Kukuk	Perricone	Willard

Nays—60

Agee	Ciaramitaro	Hammerstrom	Olshove
Alley	Crissman	Hanley	Oxender
Anthony	Curtis	Harder	Parks
Baade	DeHart	Hertel	Price
Baird	Dobb	Hood	Prusi
Bankes	Dobronski	Jelinek	Rison
Basham	Emerson	Kelly	Schauer
Bogardus	Fitzgerald	Kilpatrick	Schermesser
Brackenridge	Freeman	LaForge	Schroer
Brater	Gagliardi	Leland	Scott
Brewer	Galloway	LeTarte	Scranton
Brown	Gire	Martinez	Tesanovich
Callahan	Godchaux	Mathieu	Thomas
Cassis	Gubow	Middleton	Wetters
Cherry	Hale	Murphy	Wojno

In The Chair: Hertel

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 2, line 18, after "SCHOLARSHIPS." by inserting "THE DEPARTMENT SHALL WAIVE THE ELIGIBILITY REQUIREMENT DESCRIBED IN SUBSECTION (2) IF THE ASSESSMENT INSTRUMENT IS DETERMINED TO BE LESS THAN 100% RELIABLE OR LESS THAN 100% VALID.".

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

Rep. Cropsey demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 894**Yeas—34**

Birkholz	Horton	McBryde	Raczkowski
Bodem	Jansen	McManus	Richner
Bogardus	Jellema	Middaugh	Rocca
Cropsey	Johnson	Nye	Sikkema
Frank	Kaza	Owen	Voorhees

Geiger	Kukuk	Perricone	Walberg
Gernaat	Law	Profit	Whyman
Goschka	London	Quarles	Willard
Green	Lowe		

Nays—65

Agee	Curtis	Hammerstrom	Middleton
Alley	Dalman	Hanley	Murphy
Anthony	DeHart	Harder	Olshove
Baade	Dobb	Hertel	Oxender
Baird	Dobronski	Hood	Parks
Bankes	Emerson	Jaye	Price
Basham	Fitzgerald	Jelinek	Prusi
Bobier	Freeman	Kelly	Rhead
Brackenridge	Gagliardi	Kilpatrick	Schauer
Brewer	Galloway	LaForge	Schermesser
Brown	Gilmer	Leland	Scott
Byl	Gire	LeTarte	Scranton
Callahan	Godchaux	Llewellyn	Tesanovich
Cassis	Gubow	Martinez	Thomas
Cherry	Gustafson	Mathieu	Wetters
Ciaramitaro	Hale	McNutt	Wojno
Crissman			

In The Chair: Hertel

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5096, entitled

A bill to amend 1964 PA 208, entitled "An act to grant scholarships to students enrolled in postsecondary education institutions; and to provide for the administration of the scholarship program," by amending section 3 (MCL 390.973), as amended by 1980 PA 500.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

The House returned to the consideration of

House Bill No. 4284, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 658 (MCL 257.658), as amended by 1984 PA 328.

(The bill was considered earlier today, see today's Journal, p. 2250.)

The question being on the passage of the bill,

Rep. Gagliardi moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

Second Reading of Bills**House Bill No. 4284, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 658 (MCL 257.658), as amended by 1984 PA 328.

Rep. Gagliardi moved to suspend Rule 67.

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

Rep. Gagliardi moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. Callahan.

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

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

Rep. Callahan withdrew the amendment.

Rep. Horton moved to amend the bill as follows:

1. Amend page 1, line 9, after "IN" by striking out "SUBSECTION (5)" and inserting "SUBSECTIONS (5) AND (6)".

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

"(6) A PERSON WHO IS 21 YEARS OF AGE OR OLDER WHO MEETS EITHER OF THE FOLLOWING REQUIREMENTS IS NOT REQUIRED TO WEAR A CRASH HELMET ON HIS OR HER HEAD WHILE OPERATING OR RIDING ON A MOTORCYCLE:

(A) HE OR SHE HAS BEEN LICENSED TO OPERATE A MOTORCYCLE FOR NOT LESS THAN 2 YEARS.

(B) HE OR SHE HAS COMPLETED A MOTORCYCLE SAFETY COURSE APPROVED BY THE DEPARTMENT OF EDUCATION OR THE MOTORCYCLE SAFETY FOUNDATION." and renumbering the remaining subsection.

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

Reps. Callahan, Ciaramitaro and Walberg moved to amend the bill as follows:

1. Amend page 2, following line 14, following enacting section 1, by inserting:

"Enacting section 2. This amendatory act shall not take affect unless the Insurance Code of 1956, 1956 PA 218, MCL 500.100 to 500.8302 is amended to require motorcyclists to be insured and to provide that motorcyclists may be charged a different insurance premium based upon whether a motorcyclist uses a crash helmet approved by the department of state police."

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

The motion prevailed.

Rep. Gagliardi moved that House Committees be given leave to meet during the balance of today's session.

The motion prevailed.

Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Tuesday, November 4, at 2:00 p.m.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Jellema, Hanley, Byl, Horton, Lowe, DeVuyst, Green, Kukuk, McNutt, Geiger, Llewellyn, Perricone, Scranton, Gilmer, Rocca, McBryde, Voorhees, Richner, Jansen, Cassis, Jelinek, Goschka, Rhead, Hammerstrom, DeHart, Bodem, Middleton, Birkholz, Schauer and Cropsey offered the following resolution:

House Resolution No. 163.

A resolution to urge the Natural Resources Commission to establish a pilot project to permit deer hunting, including the hunting of antlerless deer, with a firearm from a raised platform.

Whereas, Changes in technology, Michigan's deer population, and other conditions have required wildlife management practices to remain flexible; and

Whereas, In recent years, Michigan's deer population has increased significantly in certain regions of the state. This has caused an increase in motor vehicle accidents involving deer and an increase in damage to crops and forest land; and

Whereas, To control the burgeoning deer population, the state has extended hunting seasons and sold additional hunting licenses, providing people with more opportunities to hunt; and

Whereas, Michigan is one of only two states that prohibit firearm deer hunting from raised platforms. Hunting from a raised platform is a legal and common practice in Michigan for those who hunt deer with bows. Allowing hunters to use this tool for firearm hunting and extending it to include antlerless deer will prove beneficial for both Michigan hunters and the state's effort to control the wildlife population; now, therefore, be it

Resolved by the House of Representatives, That we urge the Natural Resources Commission to undertake a pilot project to permit deer hunting with a firearm from a raised platform, including hunting for antlerless deer, as a further check on the deer population; and be it further

Resolved, That copies of this resolution be transmitted to the Natural Resources Commission.

The resolution was referred to the Committee on Conservation, Environment and Recreation.

Reps. Richner, Perricone, McNutt, Godchaux, Scranton, Gilmer, Profit, Kukuk, Rocca, Llewellyn, Crissman, McBryde, Horton, Voorhees, Jansen, Cassis, Jelinek, Bankes, Goschka, Wetters, Rhead, Hammerstrom, Dobb, Bodem, Middleton, Birkholz, Schauer and Cropsey offered the following concurrent resolution:

House Concurrent Resolution No. 72.

A concurrent resolution to memorialize the Congress of the United States to amend the 1996 Illegal Immigration Reform and Immigrant Responsibility Act to ease requirements for Canadians and Americans crossing the border and to oppose the imposition of any fees in connection with border crossings.

Whereas, With the enactment of the 1996 Illegal Immigration Reform and Immigrant Responsibility Act, the Immigration and Naturalization Service must develop an automated entry and exit system to document the entry and departure of every alien visiting this country. While the aim of this legislation is to safeguard our borders from illegal entries, the act has great potential for harm at crossing sites with large numbers of daily visitors for work and recreation purposes; and

Whereas, The longstanding practice of permitting Canadian visitors to enter the United States without a passport, visa, or border crossing identification conflicts with provisions of the new law, especially section 110. For Americans leaving this country to visit Canada, there has been no requirement to stop to have the exit recorded. With the volume of border crossings in Michigan, especially Detroit, where the commercial, personal, and tourist crossings already make it the busiest point on the border, the impact of the new law will be very harmful; and

Whereas, The revamped immigration law is intended to focus on illegal immigrants, not the businessperson, the vacationing family, or the person crossing the border for an afternoon's entertainment. Clogging the crossing points with stopped traffic will also present serious obstacles to the movement of parts and equipment in a vital hub of industry. The aim of more trade between two partners in commerce would be jeopardized without a more realistic and practical approach to monitoring our border with Canada; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to amend the 1996 Illegal Immigration Reform and Immigrant Responsibility Act to ease requirements for Canadians and Americans crossing the border and to oppose the imposition of any fees in connection with border crossings; 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 House Oversight and Ethics.

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, Tuesday, October 28:

Senate Bill Nos. 772 773

The Clerk announced that the following Senate bills had been received on Thursday, October 30:

Senate Bill Nos. 280 281 613

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

House Bill No. 4259, entitled

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

The committee recommended that the bill be referred to the Committee on Forestry and Mineral Rights.

Favorable Roll Call

HB 4259 To Report Out:

Yeas: Reps. Alley, Callahan, Brater, Brown, Kilpatrick, LaForge, Mans, Schermesser, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Forestry and Mineral Rights.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

House Bill No. 4260, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 502a.

The committee recommended that the bill be referred to the Committee on Forestry and Mineral Rights.

Favorable Roll Call

HB 4260 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Kilpatrick, LaForge, Mans, Schermesser, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Forestry and Mineral Rights.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

House Bill No. 4333, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2132 (MCL 324.2132), as amended by 1995 PA 60 and by adding section 2132a.

The committee recommended that the bill be referred to the Committee on Forestry and Mineral Rights.

Favorable Roll Call

HB 4333 To Report Out:

Yeas: Reps. Alley, Callahan, Brater, Brown, Kilpatrick, LaForge, Mans, Schermesser, Basham, Middaugh, Birkholz, Bodem, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Forestry and Mineral Rights.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

House Bill No. 4334, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 61506a.

The committee recommended that the bill be referred to the Committee on Forestry and Mineral Rights.

Favorable Roll Call

HB 4334 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Kilpatrick, LaForge, Mans, Schermesser, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Forestry and Mineral Rights.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

House Bill No. 4873, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 503 (MCL 324.503), as amended by 1996 PA 133.

The committee recommended that the bill be referred to the Committee on Forestry and Mineral Rights.

Favorable Roll Call

HB 4873 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Kilpatrick, LaForge, Mans, Schermesser, Basham, Middaugh, Birkholz, Bodem, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Forestry and Mineral Rights.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

House Bill No. 5066, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2104 (MCL 324.2104), as added by 1995 PA 60.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5066 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Kilpatrick, LaForge, Mans, Schermesser, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

Senate Bill No. 642, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5502 (MCL 324.5502), as amended by 1995 PA 227.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 642 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Kilpatrick, Mans, Schermesser, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Alley, Chair of the Committee on Conservation, Environment and Recreation, was received and read:

Meeting held on: Wednesday, October 29, 1997, at 10:30 a.m.,

Present: Reps. Alley, Callahan, Anthony, Brater, Brown, Kilpatrick, LaForge, Mans, Schermesser, Wetters, Basham, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg.

The Committee on Commerce, by Rep. Griffin, Chair, reported

House Bill No. 4640, entitled

A bill to amend 1915 PA 312, entitled "An act to establish, protect and enforce by lien the rights of garage keepers who furnish labor or material for storing, repairing, maintaining, keeping or otherwise supplying automobiles or other vehicles," by amending sections 1, 2, and 3 (MCL 570.301, 570.302, and 570.303), sections 1 and 2 as amended by 1990 PA 58, and by adding sections 4, 5, 6, and 7; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-4)* be adopted and that the bill then pass.

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

Favorable Roll Call

HB 4640 To Report Out:

Yeas: Reps. Griffin, Alley, Callahan, Mans, Murphy, Olshove, Schermesser, Gernaat, Kaza, Kukuk, Rhead, Walberg,

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

House Bill No. 4975, entitled

A bill to amend 1972 PA 348, entitled "An act to regulate relationships between landlords and tenants relative to rental agreements for rental units; to regulate the payment, repayment, use and investment of security deposits; to provide for commencement and termination inventories of rental units; to provide for termination arrangements relative to rental units; to provide for legal remedies; and to provide penalties," (MCL 534.601 to 554.616) by adding section 1b.

With the recommendation that the substitute (H-5) 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 4975 To Report Out:

Yeas: Reps. Griffin, Alley, Callahan, Mans, Murphy, Schermesser, Gernaat, Kukuk, Rhead, Walberg,

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

Senate Bill No. 664, entitled

A bill to amend 1943 PA 20, entitled "An act relative to the investment of surplus funds of political subdivisions of the state; and to validate certain investments," by amending the title and sections 1 and 3 (MCL 129.91 and 129.93), the title as amended by 1988 PA 285 and section 1 as amended by 1997 PA 44, and by adding sections 5 and 6; and to repeal acts and parts of acts.

The committee recommended that the bill be referred to the Committee on Local Government.

Favorable Roll Call

SB 664 To Report Out:

Yeas: Reps. Griffin, Alley, Callahan, Mans, Murphy, Schermesser, Gernaat, Kukuk, Walberg,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Local Government.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, October 29, 1997, at 9:00 a.m.,

Present: Reps. Griffin, Alley, Callahan, Mans, Murphy, Olshove, Schermesser, Gernaat, Kaza, Kukuk, Rhead, Richner, Walberg,

Absent: Reps. Thomas, Palamara, Varga, Jaye,

Excused: Reps. Thomas, Palamara, Varga, Jaye.

The Committee on Senior Citizens and Veterans Affairs, by Rep. Willard, Chair, reported

House Bill No. 5115, entitled

A bill to amend 1867 PA 83, entitled "An act to authorize and require county clerks to record the discharges of members of the armed forces of the United States; and to limit the disclosure of those discharge records," by amending section 2 (MCL 35.32).

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 5115 To Report Out:

Yeas: Reps. Willard, Schermesser, Anthony, Baade, DeHart, Goschka, Kaza, Rocca,
Nays: None.

The Committee on Senior Citizens and Veterans Affairs, by Rep. Willard, Chair, reported
House Concurrent Resolution No. 65.

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. 75, p. 2039.)

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. Willard, Schermesser, Anthony, Baade, DeHart, Lowe, Goschka, Kaza, Rocca,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, October 29, 1997, at 12:00 Noon,

Present: Reps. Willard, Schermesser, Anthony, Baade, DeHart, Lowe, Goschka, Kaza, Rocca.

The Committee on Urban Policy and Economic Development, by Rep. Hanley, Chair, reported

House Bill No. 5211, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 1996 PA 242.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5211 To Report Out:

Yeas: Reps. Hanley, Schauer, Baird, LaForge, Thomas, Cassis, Byl, Raczkowski, Voorhees,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hanley, Chair of the Committee on Urban Policy and Economic Development, was received and read:

Meeting held on: Thursday, October 30, 1997, at 8:30 a.m.,

Present: Reps. Hanley, Schauer, Baird, LaForge, Thomas, Cassis, Byl, Raczkowski, Voorhees.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, October 29, 1997, at 3:10 p.m.,

Present: Reps. Gubow, Scott, Bogardus, Dobronski, Palamara, Profit, Thomas, Basham, Llewellyn, Jelinek, Law, London, Middaugh, Voorhees,

Absent: Reps. Varga, Vaughn, Green,

Excused: Reps. Varga, Vaughn, Green.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Freeman, Chair of the Committee on Corrections, was received and read:
Meeting held on: Thursday, October 30, 1997, at 8:30 a.m.,
Present: Reps. Freeman, Callahan, DeHart, Galloway, Jaye, Perricone,
Absent: Reps. Mans, Agee, Nye,
Excused: Reps. Mans, Agee, Nye.

Messages from the Senate**Senate Bill No. 280, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7401 and 7403 (MCL 333.7401 and 333.7403), as amended by 1996 PA 249.

The Senate has passed the bill.

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

Senate Bill No. 281, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 299, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 1105, 1206, 4104, 5114, 8101, 8102, 8103, 8104, 8105, 8106, 8107, 8108, 8201, 8202, 8203, 8204, 8205, 8206, 8207, 8208, 8301, 8302, 8303, 8304, 8305, 8306, 8307, 8401, 8402, 8403, 8404, 8405, 8406, 8407, 9103, 9105, 9106, 9203, 9301, 9302, 9303, 9304, 9305, 9306, 9309, 9312, and 9994 (MCL 440.1105, 440.1206, 440.4104, 440.5114, 440.8101, 440.8102, 440.8103, 440.8104, 440.8105, 440.8106, 440.8107, 440.8108, 440.8201, 440.8202, 440.8203, 440.8204, 440.8205, 440.8206, 440.8207, 440.8208, 440.8301, 440.8302, 440.8303, 440.8304, 440.8305, 440.8306, 440.8307, 440.8401, 440.8402, 440.8403, 440.8404, 440.8405, 440.8406, 440.8407, 440.9103, 440.9105, 440.9106, 440.9203, 440.9301, 440.9302, 440.9303, 440.9304, 440.9305, 440.9306, 440.9309, 440.9312, and 440.9994), section 1105 as amended by 1992 PA 101, section 4104 as amended by 1993 PA 130, sections 5114, 8102, 8103, 8104, 8105, 8106, 8107, 8201, 8202, 8203, 8204, 8205, 8206, 8207, 8208, 8301, 8302, 8304, 8305, 8306, 8307, 8401, 8402, 8403, 8404, 8405, 8406, 9103, 9203, 9304, 9305, 9309, and 9312 as amended and sections 8108 and 8407 as added by 1987 PA 16, section 9105 as amended by 1988 PA 130, section 9301 as amended by 1984 PA 170, and section 9302 as amended by 1996 PA 72, and by adding sections 8109, 8110, 8111, 8112, 8113, 8114, 8115, 8116, 8210, 8501, 8502, 8503, 8504, 8505, 8506, 8507, 8508, 8509, 8510, 8511, 8601, 9115, and 9116; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 502, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2912a (MCL 600.2912a), as amended by 1993 PA 78.

The Senate has passed the bill.

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

Senate Bill No. 535, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2167 (MCL 600.2167), as amended by 1993 PA 288.

The Senate has passed the bill.

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

Senate Bill No. 554, entitled

A bill to regulate the transportation of certain hazardous materials; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies.

The Senate has passed the bill and ordered that it be given immediate effect.

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

Senate Bill No. 613, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217, 222, 698, and 725 (MCL 257.217, 257.222, 257.698, and 257.725), section 217 as amended by 1996 PA 59, section 222 as amended by 1993 PA 300, section 698 as amended by 1997 PA 8, and section 725 as amended by 1997 PA 80.

The Senate has passed the bill.

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

Senate Bill No. 683, entitled

A bill to amend 1969 PA 319, entitled "Banking code of 1969," by amending section 171 (MCL 487.471), as amended by 1997 PA 49.

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

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

Senate Bill No. 694, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 92 (MCL 750.92).

The Senate has passed the bill.

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

Senate Bill No. 729, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11104, 11126, 11130, 11133, 11138, 11144, 11146, 11147, and 11148 (MCL 324.11104, 324.11126, 324.11130, 324.11133, 324.11138, 324.11144, 324.11146, 324.11147, and 324.11148) and by adding section 11132a; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 730, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 12101, 12102, 12103, 12105, 12106, 12107, 12109, 12114, and 12116 (MCL 324.12101, 324.12102, 324.12103, 324.12105, 324.12106, 324.12107, 324.12109, 324.12114, and 324.12116), sections 12101 and 12102 as amended by 1995 PA 61; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 731, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 1996 PA 327.

The Senate has passed the bill.

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

Senate Bill No. 742, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 63101 (MCL 324.63101), as added by 1995 PA 57, and by adding sections 63103a, 63103b, 63103c, 63103d, and 63103e.

The Senate has passed the bill.

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

Introduction of Bills

Reps. Godchaux, Martinez, Gire, Kukuk, Richner, Scranton, DeHart, Hale, Gilmer, McBryde, Birkholz, Scott, Schauer, Price, Goschka, LaForge, Fitzgerald, DeVuyst, Hammerstrom, Law, Crissman, Bogardus, Rocca, Llewellyn, Perricone and Raczkowski introduced

House Bill No. 5323, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2813 (MCL 333.2813).

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

Rep. Scranton introduced

House Bill No. 5324, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 629f.

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

Reps. Geiger, LeTarte, Lowe, Cropsey, Walberg, Green, McManus, Llewellyn, Richner, Birkholz, Jellema, DeVuyst, Horton and Gernaat introduced

House Bill No. 5325, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of the department of social services and adoption facilitators; to provide penalties; and to repeal certain acts and parts of acts," by amending section 5 (MCL 722.115), as amended by 1995 PA 81.

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

Reps. Geiger, LeTarte, Lowe, Cropsey, Walberg, Green, McManus, Llewellyn, Richner, Birkholz, Jellema, DeVuyst, Horton and Gernaat introduced

House Bill No. 5326, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57h (MCL 400.57h), as added by 1995 PA 223.

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

Reps. Richner, Baird, Kaza, Horton, Jellema, Birkholz, Scranton, Dalman, Thomas and Raczkowski introduced

House Bill No. 5327, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 5101, 5102, 5103, 5104, 5105, 5106, 5107, 5108, 5109, 5110, 5111, 5112, 5113, 5114, 5115, 5116, and 5117 (MCL 440.5101, 440.5102, 440.5103, 440.5104, 440.5105, 440.5106, 440.5107, 440.5108, 440.5109, 440.5110, 440.5111, 440.5112, 440.5113, 440.5114, 440.5115, 440.5116, and 440.5117), section 5114 as amended by 1987 PA 16.

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

Reps. Leland, Hale, Law and Kelly introduced

House Bill No. 5328, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of the department of social services and adoption facilitators; to provide penalties; and to repeal certain acts and parts of acts," by amending section 5 (MCL 722.115), as amended by 1995 PA 81, and by adding section 5b.

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

Reps. Leland, Hale, Law and Kelly introduced

House Bill No. 5329, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," by amending the title and sections 2, 3, 4, 5, 6, 6a, 7, 7a, and 8 (MCL 803.302, 803.303, 803.304, 803.305, 803.306, 803.306a, 803.307, 803.307a, and 803.308), the title as amended and section 7a as added by 1996 PA 512, sections 2, 5, and 7 as amended by 1996 PA 417, section 4 as amended by 1988 PA 76, and section 6a as added by 1996 PA 481, and by adding section 2a.

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

Reps. Leland, Hale, Law and Kelly introduced

House Bill No. 5330, entitled

A bill to amend 1980 PA 243, entitled "Emergency municipal loan act," by amending sections 2, 3, 4, 6, 7, and 8 (MCL 141.932, 141.933, 141.934, 141.936, 141.937, and 141.938), sections 2 and 3 as amended by 1987 PA 282, sections 4, 7, and 8 as amended by 1986 PA 6, and section 6 as amended by 1988 PA 198.

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

Reps. Bankes, Law, Leland, Hale and Kelly introduced

House Bill No. 5331, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," by amending sections 2, 6, 13a, 20a, 31, 36, 41a, and 48 (MCL 780.752, 780.756, 780.763a, 780.770a, 780.781, 780.786, 780.791a, and 780.798), sections 2, 6, and 36 as amended and sections 13a, 20a, and 41a as added by 1993 PA 341, section 31 as amended by 1996 PA 82, and section 48 as amended by 1996 PA 105.

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

Reps. Bankes, Law, Leland, Hale and Kelly introduced

House Bill No. 5332, entitled

A bill to allow counties to authorize acceptance of certain juveniles committed to their care and responsibility; to prescribe the procedure and effect of that authorization; and to prescribe powers and duties of those counties.

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

Reps. Bankes, Law, Leland, Hale and Kelly introduced

House Bill No. 5333, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 55, 116, 117a, and 117c (MCL 400.55, 400.116, 400.117a, and 400.117c), section 55 as amended by 1987 PA 266, section 117a as amended by 1988 PA 75, and section 117c as amended by 1988 PA 223, and by adding sections 117g and 117h.

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

Reps. Kelly, Hale, Leland and Law introduced

House Bill No. 5334, entitled

A bill to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act," by amending sections 1, 2, 2d, 8, 11, 16, 18, 18k, 25, and 28 of chapter XIII (MCL 712A.1, 712A.2, 712A.2d, 712A.8, 712A.11, 712A.16, 712A.18, 712A.18k, 712A.25, and 712A.28), sections 1, 2, 8, 11, 16, and 28 as amended by 1996 PA 409, section 2d as added and section 18 as amended by 1996 PA 244, and section 18k as added by 1996 PA 507, and by adding section 2e to chapter XIII.

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

Reps. Hale, Law, Leland and Kelly introduced

House Bill No. 5335, entitled

A bill to amend 1988 PA 73, entitled "The juvenile facilities act," by amending the title and sections 2, 3, 4, 5, 5a, and 6 (MCL 803.222, 803.223, 803.224, 803.225, 803.225a, and 803.226), the title as amended by 1988 PA 176, sections 2 and 4 as amended by 1996 PA 416, and section 5a as added by 1996 PA 511.

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

Reps. Kelly, Hale, Leland and Law introduced

House Bill No. 5336, entitled

A bill to amend 1996 PA 263, entitled "Juvenile boot camp act," by amending sections 2, 3, 4, 5, 6, and 7 (MCL 400.1302, 400.1303, 400.1304, 400.1305, 400.1306, and 400.1307).

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

Reps. Hale, Law, Leland and Kelly introduced

House Bill No. 5337, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 186a (MCL 750.186a), as added by 1996 PA 256.

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

Reps. Hale, Leland, Law and Kelly introduced

House Bill No. 5338, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1 of chapter I, section 1f of chapter IV, section 14 of chapter VI, sections 1, 1b, and 28 of chapter IX, and sections 1, 2, 2a, 3, 3a, 3c, 4, 5, 7, and 14a of chapter XI, (MCL 761.1, 764.1f, 766.14, 769.1, 769.1b, 769.28, 771.1, 771.2, 771.2a, 771.3, 771.3a, 771.3c, 771.4, 771.5, 771.7, and 771.14a), section 1 of chapter I and section 14 of chapter VI as amended by 1996 PA 418, section 1f of chapter IV as amended by 1996 PA 255, section 1 of chapter IX as amended by 1996 PA 248, section 1b of chapter IX and section 7 of chapter XI as amended by 1996 PA 247, section 28 of chapter IX and sections 3a, 4, and 5 of chapter XI as amended and section 14a of chapter XI as added by 1988 PA 78, sections 1 and 3c of chapter XI as amended by 1993 PA 185, section 2 of chapter XI as amended by 1994 PA 286, section 2a of chapter XI as added by 1992 PA 251, and section 3 of chapter XI as amended by 1994 PA 445.

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

Reps. Law, Leland, Hale and Kelly introduced

House Bill No. 5339, entitled

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending sections 3 and 5 (MCL 141.473 and 141.475).

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

Reps. Law, Palamara, Leland, Hale and Kelly introduced

House Bill No. 5340, entitled

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending the title and section 3 (MCL 28.173), as amended by 1996 PA 508.

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

Reps. Richner, Leland, Law, Hale and Kelly introduced

House Bill No. 5341, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 498c and 498d (MCL 330.1498c and 330.1498d), as amended by 1995 PA 290.

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

Reps. Richner, Leland, Law, Hale and Kelly introduced

House Bill No. 5342, entitled

A bill to amend 1935 PA 220, entitled "An act to provide family home care for children committed to the care of the state, to create the Michigan children's institute under the control of the Michigan social welfare commission, to prescribe the powers and duties thereof, and to provide penalties for violations of certain provisions of this act," by amending section 7 (MCL 400.207), as amended by 1980 PA 306.

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

Rep. Kukuk introduced

House Bill No. 5343, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43510 (MCL 324.43510), as added by 1995 PA 57.

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

Reps. Thomas, Wallace, Stallworth, Schauer, Wojno, Price, DeHart, Schermesser, Hale, Leland, Freeman, Scranton, Richner, Callahan, Kilpatrick, Cherry, Llewellyn and Raczkowski introduced

House Bill No. 5344, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2227; and to repeal acts and parts of acts.

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

Rep. Frank moved that the House adjourn.

The motion prevailed, the time being 1:40 p.m.

The Speaker declared the House adjourned until Tuesday, November 4, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.