

No. 15
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House of Representatives
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House Chamber, Lansing, Wednesday, February 18, 1998.

2:00 p.m.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Rev. Duane VanderBrug, from the Church Development Specialists for the Christian Reformed Church Home Missions, offered the following invocation:

“Deeply planted within us Lord God are those yearnings that You’ve given to all of us. Yearnings that come straight from Your own heart to know the truth, to love justice, to be merciful and to live in peace. In the work of this session help these representatives to remember that as stewards of Your creation they represent You. So lead them, spirit of God, to consistently discern the truth, to seek justice, to practice mercy and to do the things that make for a lasting peace tirelessly and with great energy in every step along the way, with every issue and concern in every vote they cast. Hold before them a clear vision of Your world set right the way You first created it. The new creation that You are making through the redeeming work of Jesus Christ in which every thought and decision is shaped by the truth. Everyone is dealt with justly, everyone in need of mercy receives it and everything is in the right place so that the work they do today as Your representatives and ours may be part of making that vision a reality. In a broken world none of this is easy, none of it is without risk, much of it may not even be popular. So give these legislators the grace needed to be servant leaders who passionately and persistently serve Your purposes in this generation. In the name of Jesus, Amen.”

Rep. Dobronski moved that Reps. Gire and Kelly be excused from today’s session.
The motion prevailed.

Third Reading of Bills

House Bill No. 4019, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 1 (MCL 205.51), as amended by 1995 PA 209.

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

Roll Call No. 64

Yeas—104

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

Dobb
Dobronski

Jellema
Johnson

Parks
Perricone

Willard
Wojno

Nays—0

In The Chair: Hertel

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

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. Birkholz, Bodem, Brewer, Byl, Cassis, Crissman, Dalman, DeVuyst, Frank, Gagliardi, Galloway, Gernaat, Goschka, Hammerstrom, Jansen, Jelinek, Jellema, Kukuk, Llewellyn, London, McBryde, McManus, Middaugh, Perricone, Raczkowski, Richner, Rocca, Schauer, Sikkema, Varga, Vaughn, Voorhees and Wallace were named co-sponsors of the bill.

House Bill No. 4949, entitled

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

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

Roll Call No. 65

Yeas—102

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

Nays—0

In The Chair: Hertel

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

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.

Senate Bill No. 828, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7ff (MCL 211.7ff), as added by 1996 PA 469.

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

Roll Call No. 66

Yeas—106

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

Nays—0

In The Chair: Hertel

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

"An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes thereon, and for the collection of taxes levied; making such taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection therewith; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain

reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal certain acts and parts of acts in anywise contravening any of the provisions of this act.”.

The House agreed to the full title.

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

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

Senate Bill No. 352, entitled

A bill to amend 1976 PA 220, entitled “Michigan handicappers’ civil rights act,” by amending the title and sections 101, 102, 103, 202, 203, 204, 205, 206, 208, 209, 210, 211, 302, 402, 403, 502, 504, 505, 506, 506a, 507, 604, and 606 (MCL 37.1101, 37.1102, 37.1103, 37.1202, 37.1203, 37.1204, 37.1205, 37.1206, 37.1208, 37.1209, 37.1210, 37.1211, 37.1302, 37.1402, 37.1403, 37.1502, 37.1504, 37.1505, 37.1506, 37.1506a, 37.1507, 37.1604, and 37.1606), the title and sections 103, 502, and 504 as amended and section 506a as added by 1992 PA 123, sections 102 and 606 as amended and sections 210 and 211 as added by 1990 PA 121, and sections 204 and 402 as amended and section 209 as added by 1980 PA 478.

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

Roll Call No. 67

Yeas—106

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

Nays—0

In The Chair: Hertel

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

“An act to define the civil rights of individuals who have handicaps; to prohibit discriminatory practices, policies, and customs in the exercise of those rights; to prescribe penalties and to provide remedies; and to provide for the promulgation of rules.”.

The House agreed to the full title.

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

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

Senate Bill No. 353, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 29, 504, 509t, and 795 (MCL 168.29, 168.504, 168.509t, and 168.795), sections 29 and 504 as amended by 1989 PA 142, section 509t as added by 1994 PA 441, and section 795 as amended by 1992 PA 8.

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

Roll Call No. 68**Yeas—104**

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

Nays—0

In The Chair: Hertel

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

"An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act."

The House agreed to the full title.

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

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

Senate Bill No. 355, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 115f (MCL 400.115f), as amended by 1994 PA 238.

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

Roll Call No. 69**Yeas—105**

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

Nays—0

In The Chair: Hertel

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

“An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates.”

The House agreed to the full title.

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

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

Senate Bill No. 357, entitled

A bill to amend 1986 PA 32, entitled “Emergency telephone service enabling act,” by amending section 205 (MCL 484.1205), as amended by 1994 PA 29.

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

Roll Call No. 70**Yeas—105**

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

Nays—0

In The Chair: Hertel

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

“An act to provide for the establishment of emergency telephone districts; to provide for the installation, operation, modification, and maintenance of universal emergency number service systems; to provide for the imposition and collection of certain charges; to provide the powers and duties of certain state agencies, local units of government, public officers, telephone service suppliers, and others; to create an emergency telephone service committee; to provide remedies; to provide penalties; and to repeal certain parts of this act on specific dates.”

The House agreed to the full title.

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

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

Senate Bill No. 358, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” by amending sections 211a, 410, and 502 (MCL 550.1211a, 550.1410, and 550.1502), section 211a as added by 1993 PA 127 and section 502 as amended by 1994 PA 440.

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

Roll Call No. 71**Yeas—104**

Agee	Fitzgerald	Kilpatrick	Profit
Alley	Frank	Kukuk	Prusi
Anthony	Freeman	LaForge	Quarles

Baade	Gagliardi	Law	Rackowski
Baird	Galloway	Leland	Rhead
Bankes	Geiger	LeTarte	Richner
Birkholz	Gernaat	Llewellyn	Rison
Bodem	Gilmer	London	Rocca
Bogardus	Godchaux	Lowe	Schauer
Brackenridge	Goschka	Mans	Schermesser
Brater	Green	Martinez	Schroer
Brown	Griffin	Mathieu	Scott
Byl	Gubow	McBryde	Scranton
Callahan	Gustafson	McManus	Sikkema
Cassis	Hale	McNutt	Stallworth
Cherry	Hammerstrom	Middaugh	Tesanovich
Ciaramitaro	Hanley	Middleton	Thomas
Crissman	Harder	Murphy	Varga
Cropsey	Hertel	Nye	Vaughn
Curtis	Hood	Olshove	Voorhees
Dalman	Horton	Owen	Walberg
DeHart	Jansen	Oxender	Wallace
DeVuyst	Jelinek	Palamara	Wetters
Dobb	Jellema	Parks	Whyman
Dobronski	Johnson	Perricone	Willard
Emerson	Kaza	Price	Wojno

Nays—0

In The Chair: Hertel

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 1980 PA 350, entitled "An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts," by amending sections 211a, 410, and 502 (MCL 550.1211a, 550.1410, and 550.1502), section 211a as added by 1993 PA 127 and section 502 as amended by 1997 PA 184.

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.

Senate Bill No. 359, entitled

A bill to amend 1948 (1st Ex Sess) PA 31, entitled "An act to provide for the incorporation of authorities to acquire, furnish, equip, own, improve, enlarge, operate, and maintain buildings, automobile parking lots or structures, recreational facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use of any county, city, village, or township, or for the use of any combination of 2 or more counties, cities, villages, or townships, or for the use of any school district and any city, village, or township wholly or partially within the district's boundaries, or for the use of any school district and any combination of 2 or more cities, villages, or townships wholly or partially within the district's boundaries, or for the use of any intermediate school district and any constituent school district or any city, village, or

township, wholly or partially within the intermediate school district's boundaries; to provide for compensation of authority commissioners; to permit transfers of property to authorities; to authorize the execution of contracts, leases, and subleases pertaining to authority property and the use of authority property; to authorize incorporating units to impose taxes without limitation as to rate or amount and to pledge their full faith and credit for the payment of contract of lease obligations in anticipation of which bonds are issued by an authority; to provide for the issuance of bonds by such authorities; to validate action taken and bonds issued; and to provide other powers, rights, and duties of authorities and incorporating units, including those for the disposal of authority property," by amending section 2b (MCL 123.952b).

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

Roll Call No. 72**Yeas—106**

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

Nays—0

In The Chair: Hertel

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.

Senate Bill No. 360, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2027, 2121, 2264, 2925a, and 5208a (MCL 500.2027, 500.2121, 500.2264, 500.2925a, and 500.5208a), sections 2121 and 2925a as amended by 1980 PA 461 and section 5208a as added by 1981 PA 189.

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

Roll Call No. 73**Yeas—105**

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

Nays—0

In The Chair: Hertel

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of

policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal certain acts and parts of acts; to repeal certain acts and parts of acts on specific dates; to repeal certain parts of this act on specific dates; and to provide penalties for the violation of this act.”.

The House agreed to the full title.

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

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

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

Rep. Harder asked and obtained an excuse from tomorrow’s session.
The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Fitzgerald, Kukuk, Anthony, Dobronski, Baade, DeHart, Kaza, Dobb, Gernaat, Middaugh, Palamara, Gilmer, Green, Wallace, Schermesser, Parks, Gagliardi, Freeman, Birkholz, McBryde, Crissman, Cassis, Voorhees, LaForge, Cropsey, Martinez, Galloway, Law, Wojno, Hale, Baird, Schauer, Hanley, Bodem, Bobier, Oxender, Brackenridge, Scranton, Tesanovich, Cherry, Murphy, Kilpatrick, Jansen, Rhead, Vaughn, Scott, Gubow, Jellema, Dalman, Goschka, Hammerstrom, Schroer, Profit, Brater, DeVuyst, Varga, London, Richner and Byl offered the following resolution:

House Resolution No. 215.

A resolution recognizing the 25th anniversary of the Michigan High School Baseball Coaches Association.

Whereas, It is a great personal privilege and an honor to salute the Michigan High School Baseball Coaches Association on 25 years of involvement in every aspect of high school baseball. It is most appropriate to extend to them the highest praise and sincerest congratulations for a job well done; and

Whereas, Over the past 25 years this outstanding organization has worked with the Michigan High School Athletic Association to promote every aspect of high school baseball in the state and provide a positive life experience for all high school student athletes; and

Whereas, The Michigan High School Baseball Coaches Association holds an annual coaches clinic featuring nationally known coaches, players, speakers, and presenters in order to promote fellowship and provide information; and

Whereas, Each year student athletes have the opportunity to receive college scholarships, as well as receiving awards for both performance and academics at the district, regional, and state levels; and

Whereas, Credit and recognition are given to coaching staff as well as non-coaches through Assistant Coaches of the Year awards and MHSBCA Service awards; and

Whereas, A coach’s guidance helps form teams into champions and develop young people into adults; now, therefore, be it

Resolved by the House of Representatives, That we congratulate the Michigan High School Baseball Coaches Association on 25 years of service. May they know of our admiration and warmest wishes for continued success; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan High School Baseball Coaches Association as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Friday, February 13, for his approval of the following bill:

Enrolled Senate Bill No. 846 at 3:08 p.m

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, February 13:

Senate Bill Nos.	867	868	869	871	872	873	874	875	876	877	879	880	881	882
	883	884												

The Clerk announced that the following bill had been printed and placed upon the files of the members, Wednesday, February 18:

House Bill No. 5580

The Clerk announced that the following Senate bill had been received on Wednesday, February 18:

Senate Bill No. 838

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Resolution No. 210.

A resolution to urge the Lottery Bureau to halt actions to disqualify political bingos.

(For text of resolution, see House Journal No. 11, p. 161.)

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 210 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace,

Nays: Reps. Gustafson, Goschka, Perricone, Richner, Voorhees.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Concurrent Resolution No. 85.

A concurrent resolution to urge the Lottery Bureau to halt actions to disqualify political bingos.

(For text of resolution, see House Journal No. 11, p. 162.)

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 85 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace,

Nays: Reps. Gustafson, Goschka, Perricone, Richner, Voorhees.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gagliardi, Chair of the Committee on House Oversight and Ethics, was received and read:

Meeting held on: Tuesday, February 17, 1998, at 3:00 p.m.,

Present: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Gustafson, DeVuyst, Fitzgerald, Goschka, Perricone, Richner, Voorhees,

Absent: Rep. Wojno,

Excused: Rep. Wojno.

The Committee on Colleges and Universities, by Rep. Cherry, Chair, reported

Senate Bill No. 614, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," (MCL 389.1 to 389.195) by adding sections 128, 129, 130, and 131.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 614 To Report Out:

Yeas: Reps. Cherry, Brown, Curtis, LeTarte, Scranton, Walberg,

Nays: None.

The Committee on Colleges and Universities, by Rep. Cherry, Chair, reported

Senate Bill No. 758, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 1606b, 1606c, 1606d, and 1606e.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 758 To Report Out:

Yeas: Reps. Cherry, Brown, Curtis, LeTarte, Scranton, Walberg,

Nays: None.

The Committee on Colleges and Universities, by Rep. Cherry, Chair, reported

Senate Bill No. 759, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending sections 1 and 33c (MCL 436.1 and 436.33c), section 1 as amended by 1983 PA 11 and section 33c as amended by 1995 PA 122.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 759 To Report Out:

Yeas: Reps. Cherry, Brown, Curtis, LeTarte, Scranton, Walberg,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cherry, Chair of the Committee on Colleges and Universities, was received and read:

Meeting held on: Wednesday, February 18, 1998, at 10:30 a.m.,

Present: Reps. Cherry, Brown, Brater, Curtis, LeTarte, Scranton, Walberg,

Absent: Reps. Quarles, Dalman,

Excused: Reps. Quarles, Dalman.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 18, 1998, at 12:00 Noon,

Present: Reps. Bogardus, Agee, Brown, Cherry, Kilpatrick, LaForge, Schauer, Scott, Dalman, Crissman, Cropsy, Jelinek, LeTarte, McNutt, Middleton,

Absent: Reps. Gire, Curtis,

Excused: Reps. Gire, Curtis.

Messages from the Senate

Senate Bill No. 565, entitled

A bill to amend chapter IX of 1927 PA 175, entitled "The code of criminal procedure," (MCL 769.1 to 769.34) by adding section 15.

The Senate has passed the bill.

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

Notices

Public Hearings

Subcommittee on MEAP

Date: Monday, February 23, 1998

Time: 3:00 p.m.

Place: Waterford Schools Administration Building, 6020 Pontiac Lake Road, Waterford, Michigan
Rep. Bogardus
Chair

Agenda: Fact finding on the Michigan Educational Assessment Program and any/or all business properly before the subcommittee

Committee on Insurance

Date: Friday, February 27, 1998

Time: 7:00 p.m.

Place: City Council Chambers, 13615 Michigan Avenue, Dearborn, Michigan
Rep. Gubow
Chair

Agenda: House Bill No. 5491 - Insurance; no-fault Michigan catastrophic claims association; provide for certain rebates and any/or all business properly before the committee

Subcommittee on MEAP

Date: Monday, March 9, 1998

Time: 3:30 p.m.

Place: Crestwood High School-Library, 1501 Beech-Daly Road, Dearborn Heights, Michigan
Rep. Bogardus
Chair

Agenda: Fact finding on the Michigan Educational Assessment Program and any/or all business properly before the subcommittee

Messages from the Governor

The following message from the Governor, approving and signing the following bill at the time designated below, was received and read:

Date: February 17, 1998

Time: 9:21 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5300 (Public Act No. 8, I.E.), being

An act to amend 1996 PA 522, entitled "An act to authorize the conveyance of the assets and liabilities of the state related to the operation of the Michigan biologic products institute; to authorize the state administrative board to approve the conveyance and to make determinations that certain conditions upon the conveyance have been met; to permit the acceptance of consideration in exchange for the conveyance; to make certain findings and determinations of the interest of the state relative to the conveyance; to authorize the state administrative board to approve certain agreements for continued services and products by certain state agencies to transferred facilities or to the state from the transferred facilities; to authorize the Michigan biologic products commission to negotiate and, upon concurrence of the state administrative board, approve certain agreements related to the conveyance of the assets and liabilities of the state associated with the Michigan biologic products institute, certain agreements for the marketing of the assets and liabilities, certain agreements for continued services and products, and certain agreements for the retention of

rights, interests, and easements in certain conveyed assets; to authorize employees and employee based entities to bid for or make proposals to acquire the assets and liabilities of the state associated with the Michigan biologic products institute; to prescribe the powers and duties of certain public officers and certain state agencies and departments; to grant exclusive jurisdiction over claims related to the conveyance to the court of claims and to limit the time in which claims related to the conveyance or to the products produced by the Michigan biologic products institute may be brought; to provide for the disposition of the revenue derived from the conveyance; and to make an appropriation," by amending the title and sections 3 and 5 (MCL 333.26333 and 333.26335) and by adding sections 3a and 3b.

(Filed with the Secretary of State February 17, 1998, at 4:16 p.m.)

Introduction of Bills

Reps. Profit and Gagliardi introduced

House Bill No. 5581, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2 (MCL 205.92), as amended by 1995 PA 208. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Profit introduced

House Bill No. 5582, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5101 and 5111 (MCL 333.5101 and 333.5111), as amended by 1994 PA 200.

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

Reps. Gubow, Nye, Raczkowski and Leland introduced

House Bill No. 5583, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending sections 20c and 24a (MCL 259.20c and 259.24a), as added by 1996 PA 370, and by adding chapter IA and section 20d.

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

Reps. Raczkowski, Gubow, Nye and Leland introduced

House Bill No. 5584, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending sections 86a and 89 (MCL 259.86a and 259.89), section 86a as added and section 89 as amended by 1996 PA 370.

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

Rep. Middleton introduced

House Bill No. 5585, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 627a (MCL 257.627a), as amended by 1996 PA 574.

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

Rep. Scranton introduced

House Bill No. 5586, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 1996 PA 476.

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

Rep. Lowe moved that the House adjourn.

The motion prevailed, the time being 3:10 p.m.

The Speaker declared the House adjourned until Thursday, February 19, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.