

No. 43  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
89th Legislature  
REGULAR SESSION OF 1998

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House Chamber, Lansing, Thursday, May 7, 1998.

10:00 a.m.

The House was called to order by the Associate 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	Kelly—present	Profit—present
Alley—present	Fitzgerald—present	Kilpatrick—present	Prusi—present
Anthony—present	Frank—present	Kukuk—present	Quarles—present
Baade—present	Freeman—present	LaForge—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	Sanborn—present
Bodem—present	Gire—present	Lowe—present	Schauer—present
Bogardus—present	Godchaux—present	Mans—present	Schermesser—present
Brackenridge—present	Goschka—present	Martinez—present	Schroer—present
Brater—present	Green—present	Mathieu—present	Scott—present
Brewer—present	Griffin—present	McBryde—present	Scranton—present
Brown—present	Gubow—present	McManus—excused	Sikkema—present
Byl—present	Gustafson—present	McNutt—present	Stallworth—present
Callahan—present	Hale—present	Middaugh—present	Tesanovich—present
Cassis—present	Hammerstrom—present	Middleton—present	Thomas—present
Cherry—present	Hanley—present	Murphy—present	Varga—present
Ciaramitaro—present	Harder—present	Nye—present	Vaughn—present
Crissman—present	Hertel—present	Olshove—present	Voorhees—present
Cropsey—present	Hood—present	Owen—present	Walberg—present
Curtis—present	Horton—present	Oxender—present	Wallace—present
Dalman—present	Jansen—present	Palamara—present	Wetters—present
DeHart—present	Jelinek—present	Parks—present	Whyman—present
DeVuyst—present	Jellema—present	Perricone—present	Willard—present
Dobb—present	Johnson—present	Price—present	Wojno—present
Dobronski—present	Kaza—present		

e/d/s = entered during session

Imam Mohammed Ali Elahi, of the Islamic House of Wisdom, offered the following invocation:

“We assemble here this morning in one of the greatest states of this great country. O almighty and eternal God, look with graciousness upon the members of this deliberated body. Make them steadfast in faith, visionary in leadership and compassionate in their legislation of our everyday lives. Fill their hearts with zeal for justice, peace and unity among all people regardless of color, race or faith. Enlighten their minds with the spirit of Your proof and wisdom so they may conduct themselves wisely and well. Bless their souls with reflections of Your mercy, so that they may deliberate with righteousness and virtue. Give them strength to speak and act courageously in the service of truth and justice. Grant them success in their endeavors to bring equal economic and educational opportunities to all. Almighty and eternal God, You have blessed our land with material wealth and with natural resources. Please, light our way O Lord, that we may use our power to benefit and to protect all God’s servants, all God’s creatures and creation. Guide our leaders, O Lord, to realize that their deliberations effect not just the people of Michigan, and not just the people of America, but all the residents of the global village. And bestow upon us all, the will to find a way to live on earth in peace and harmony. Amen.”

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

The Speaker assumed the Chair.

### Notices

May 7, 1998

In accordance with House Rule 10, I hereby designate Representative Eileen DeHart, to be the Presiding Officer for all, or part of today’s session.

Sincerely,  
Curtis Hertel  
Speaker of the House

By unanimous consent the House returned to the order of  
**Reports of Select Committees**

The Speaker laid before the House the conference report relative to  
**Senate Bill No. 796, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 307 (MCL 257.307), as amended by 1996 PA 205.

(The conference report was received from the Senate on May 6, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 42, p. 920.)

The question being on the adoption of the conference report,

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

The motion prevailed.

### Third Reading of Bills

**Senate Bill No. 700, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16174 and 16221 (MCL 333.16174 and 333.16221), section 16174 as amended by 1993 PA 80 and section 16221 as amended by 1996 PA 594.

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

**Roll Call No. 368****Yeas—109**

Agee	Emerson	Kaza	Profit
Alley	Fitzgerald	Kelly	Prusi
Anthony	Frank	Kilpatrick	Quarles
Baade	Freeman	Kukuk	Raczkowski
Baird	Gagliardi	LaForge	Rhead
Bankes	Galloway	Law	Richner
Basham	Geiger	Leland	Rison
Birkholz	Gernaat	LeTarte	Rocca
Bobier	Gilmer	Llewellyn	Sanborn
Bodem	Gire	London	Schauer
Bogardus	Godchaux	Lowe	Schermesser
Brackenridge	Goschka	Mans	Schroer
Brater	Green	Martinez	Scott
Brewer	Griffin	Mathieu	Scranton
Brown	Gubow	McBryde	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			

**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 and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts 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.

**House Bill No. 5638, 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.

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

**Roll Call No. 369****Yeas—106**

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

**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.

Reps. Agee, Alley, Anthony, Baade, Bankes, Basham, Bodem, Bogardus, Cherry, Curtis, Dalman, Dobb, Dobronski, Freeman, Gagliardi, Galloway, Geiger, Gernaat, Gilmer, Gire, Gubow, Horton, Jansen, Johnson, Kukuk, Law, Mans, McBryde, McNutt, Middaugh, Murphy, Nye, Olshove, Owen, Palamara, Parks, Prusi, Rocca, Scranton, Sikkema, Stallworth, Tesanovich, Varga, Voorhees, Wallace, Willard and Wojno were named co-sponsors of the bill.

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The Speaker called Acting Speaker DeHart to the Chair.

**House Bill No. 5659, entitled**

A bill to amend 1935 PA 59, entitled "An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929," by amending section 6 (MCL 28.6), as amended by 1989 PA 10.

(The bill was read a third time and postponed temporarily on May 6, see House Journal No. 42, p. 902.)

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. 370****Yeas—107**

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

**Nays—0**

In The Chair: DeHart

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.

Reps. Anthony, Callahan, Ciaramitaro, DeHart, DeVuyst, Gernaat, Gire, Kukuk, Olshove, Prusi, Vaughn and Voorhees were named co-sponsors of the bill.

**House Bill No. 5662, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 81 and 81a (MCL 750.81 and 750.81a), section 81 as amended by 1994 PA 64 and section 81a as amended by 1994 PA 65.

(The bill was read a third time and postponed temporarily on May 6, see House Journal No. 42, p. 902.)

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. 371****Yeas—108**

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

**Nays—0**

In The Chair: DeHart

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.

Reps. Anthony, Basham, Brown, Callahan, DeHart, DeVuyst, Freeman, Gernaat, Gire, Goschka, Hammerstrom, Kukuk, London, Price, Prusi, Raczkowski, Sanborn, Schermesser, Sikkema, Stallworth, Tesanovich and Vaughn were named co-sponsors of the bill.

**Second Reading of Bills**

Pending the Second Reading of

**House Bill No. 4801, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1230b (MCL 380.1230b), as added by 1996 PA 189.

Rep. Gagliardi moved that the bill be referred to the Committee on Labor and Occupational Safety.

The motion prevailed.

**House Bill No. 5665, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 110a (MCL 750.110a), as added by 1994 PA 270.

The bill was read a second time.

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

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

**House Bill No. 5666, entitled**

A bill to amend 1961 PA 44, entitled "An act to provide for the release of misdemeanor prisoners by giving bond to the arresting officer in certain circumstances not inconsistent with public safety; and to repeal certain acts and parts of acts," by amending section 2a (MCL 780.582a), as added by 1990 PA 308.

The bill was read a second time.

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

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

**House Bill No. 5667, entitled**

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

The bill was read a second time.

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

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

**Senate Bill No. 866, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2950a (MCL 600.2950a), as amended by 1997 PA 115.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 33, p. 648),

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

Rep. Nye moved to amend the bill as follows:

1. Amend page 1, line 1, after "IN" by striking out "SUBSECTION (25)" and inserting "SUBSECTIONS (25) AND (26)".

2. Amend page 3, line 13, after "following" by inserting a comma and "AND TO THE EXTENT PRACTICABLE THE FOLLOWING SHALL BE CONTAINED IN A SINGLE FORM".

3. Amend page 4, following line 19, by striking out all of subdivision (H).

4. Amend page 6, line 19, after "THAN" by striking out "17" and inserting "18".

5. Amend page 9, line 21, after the first "THE" by inserting "UNEMANCIPATED".

6. Amend page 9, line 22, after the first "THE" by inserting "UNEMANCIPATED".

7. Amend page 9, following line 22, by inserting:

"(26) IF THE RESPONDENT IS LESS THAN 18 YEARS OF AGE, A COURT SHALL NOT ISSUE A PERSONAL PROTECTION ORDER UNDER THIS SECTION; THE COURT SHALL PROCEED UNDER SECTION 2 OF CHAPTER XIIA OF 1939 PA 288, MCL 712A.2." and renumbering the remaining subsections.

8. Amend page 10, line 2, after "by" by striking out "THE FAMILY DIVISION OF".

9. Amend page 10, line 2, after "court" by inserting "OR THE FAMILY DIVISION OF CIRCUIT COURT".

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

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

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

**Senate Bill No. 874, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2950 (MCL 600.2950), as amended by 1997 PA 115.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 33, p. 648),

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

Rep. Nye moved to amend the bill as follows:

1. Amend page 1, line 1, after "IN" by striking out "SUBSECTION (27)" and inserting "SUBSECTIONS (27) AND (28)".
  2. Amend page 5, line 5, after "following" by inserting a comma and "AND TO THE EXTENT PRACTICABLE THE FOLLOWING SHALL BE CONTAINED IN A SINGLE FORM".
  3. Amend page 6, following line 9, by striking out all of subdivision (H).
  4. Amend page 8, line 8, after "THAN" by striking out "17" and inserting "18".
  5. Amend page 11, line 6, after the first "THE" by inserting "UNEMANCIPATED".
  6. Amend page 11, line 7, after the first "THE" by inserting "UNEMANCIPATED".
  7. Amend page 11, following line 7, by inserting:  
 "(28) IF THE RESPONDENT IS LESS THAN 18 YEARS OF AGE, A COURT SHALL NOT ISSUE A PERSONAL PROTECTION ORDER UNDER THIS SECTION; THE COURT SHALL PROCEED UNDER SECTION 2 OF CHAPTER XIIA OF 1939 PA 288, MCL 712A.2." and renumbering the remaining subsections.
  8. Amend page 11, line 19, after "the" by striking out "FAMILY DIVISION OF".
  9. Amend page 11, line 19, after "court" by inserting "OR THE FAMILY DIVISION OF CIRCUIT COURT".
- The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.  
 Rep. Gagliardi moved that the bill be placed on the order of Third Reading of Bills.  
 The motion prevailed, a majority of the members voting therefor.

**House Bill No. 4257, entitled**

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending sections 102, 103, and 202 (MCL 37.2102, 37.2103, and 37.2202), sections 102 and 103 as amended by 1992 PA 124 and section 202 as amended by 1991 PA 11.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Labor and Occupational Safety (for amendment, see House Journal No. 35, p. 724), The amendment was adopted, a majority of the members serving voting therefor.

Rep. Cherry moved to amend the bill as follows:

1. Amend page 5, following line 22, by inserting:  
 "(3) A COMMISSION ON PAY EQUITY IS CREATED UNDER THE MICHIGAN DEPARTMENT OF CIVIL RIGHTS, WHICH SHALL BE RESPONSIBLE FOR THE DEVELOPMENT OF DEFINITIONS OF COMPARABLE WAGES, USING THE CRITERIA ESTABLISHED IN THIS SECTION.  
 (4) THE MEMBERS OF THE COMMISSION SHALL BE APPOINTED BY THE GOVERNOR AND SHALL INCLUDE THE FOLLOWING MEMBERS:  
 (A) THE DIRECTOR OF THE MICHIGAN DEPARTMENT OF CIVIL RIGHTS OR HIS OR HER DESIGNEE.  
 (B) THE DIRECTOR OF THE MICHIGAN JOBS COMMISSION OR HIS OR HER DESIGNEE.  
 (C) A REPRESENTATIVE OF THE MICHIGAN WOMEN'S COMMISSION.  
 (D) A REPRESENTATIVE OF THE MICHIGAN CHAMBER OF COMMERCE.  
 (E) A REPRESENTATIVE OF THE MICHIGAN AFL-CIO.  
 (F) A REPRESENTATIVE OF THE UNITED AUTO WORKERS.  
 (G) A REPRESENTATIVE OF THE MICHIGAN SMALL BUSINESS ASSOCIATION.  
 (H) A REPRESENTATIVE OF THE NATIONAL ORGANIZATION FOR WOMEN, MICHIGAN.  
 (I) A REPRESENTATIVE OF THE MICHIGAN WOMEN'S STUDIES ASSOCIATION.  
 (5) THE DIRECTOR OF THE MICHIGAN DEPARTMENT OF CIVIL RIGHTS SHALL SERVE AS THE CHAIRPERSON OF THE COMMISSION ON PAY EQUITY, AND SHALL HAVE RESPONSIBILITY FOR CONVENING THE MEETINGS OF THE COMMISSION, SETTING THE AGENDA FOR ALL MEETINGS, AND PREPARING ALL MINUTES AND REPORTS OF THE WORK OF THE COMMISSION.  
 (6) THE COMMISSION ON PAY EQUITY SHALL HOLD SUCH MEETINGS AND HEARINGS AS NECESSARY TO DEVELOP DEFINITIONS, MODELS, AND GUIDELINES FOR EMPLOYERS AND EMPLOYEES ON PAY EQUITY.  
 (7) THE COMMISSION SHALL PRESENT ITS FINDINGS AND RECOMMENDATIONS TO THE LEGISLATURE, THE GOVERNOR, AND THE PUBLIC BY A DATE NOT LATER THAN 1 YEAR AFTER THE GOVERNOR APPOINTS ITS MEMBERS.  
 (8) ALL MEETINGS OF THE COMMISSION SHALL BE SUBJECT TO THE OPEN MEETINGS ACT AND THE FREEDOM OF INFORMATION ACT, MCL 15.261 TO 15.275 AND MCL 15.231 TO 15.246." and renumbering the remaining subsection.

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



Rep. Godchaux moved to amend the Cherry amendment as follows:

1. Amend the Cherry Amendment, page 5, following line 22, after subsection (7), by inserting:

“(8) SUBSECTION (1)(E) DOES NOT TAKE EFFECT UNTIL THE LEGISLATURE ENACTS A DEFINITION, MODEL, AND GUIDELINES BASED ON THE DEFINITIONS, MODELS, AND GUIDELINES DESCRIBED IN SUBSECTION (7).” and renumbering the remaining subsection.

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. Cherry,

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

Rep. Llewellyn moved that Rep. Voorhees be excused temporarily from today’s session.

The motion prevailed.

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

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

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 372**

**Yeas—50**

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

**Nays—53**

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

In The Chair: DeHart

Rep. Byl moved to amend the bill as follows:

1. Amend page 5, line 14, after "(E)" by inserting "SUBJECT TO SUBSECTION (3).".

2. Amend page 5, line 24, after "child." by inserting "IF A COURT OF COMPETENT JURISDICTION DETERMINES THAT AN EMPLOYER IS IN VIOLATION OF SUBSECTION (1)(E) AND A LABOR ORGANIZATION REPRESENTS THE EMPLOYEE OR EMPLOYEES WHO BROUGHT THE ACTION ALLEGING THE VIOLATION, A PRESUMPTION IS CREATED THAT THE LABOR ORGANIZATION IS PARTIALLY OR WHOLLY RESPONSIBLE FOR THE COMPENSATION DIFFERENTIAL. THE COURT SHALL AWARD THE EMPLOYER CONTRIBUTION FROM THE LABOR ORGANIZATION FOR DAMAGES SUSTAINED, UNLESS THE LABOR ORGANIZATION CAN REBUT THE PRESUMPTION BY ESTABLISHING TO THE COURT'S SATISFACTION THAT THE EMPLOYER IS WHOLLY RESPONSIBLE FOR THE COMPENSATION DIFFERENTIAL.".

The question being on the adoption of the amendments offered by Rep. Byl,

Rep. Byl demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Byl,

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

### Roll Call No. 373

### Yeas—45

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

### Nays—56

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

In The Chair: DeHart

Rep. Cassis moved to amend the bill as follows:

1. Amend page 5, following line 24, by inserting:

"Sec. 204. A labor organization shall not:

(a) Exclude or expel from membership, or otherwise discriminate against, a member or applicant for membership because of religion, race, color, national origin, age, sex, height, weight, or marital status.

(b) Limit, segregate, or classify membership or applicants for membership, or classify or fail or refuse to refer for employment an individual in a way ~~which~~ THAT would deprive or tend to deprive ~~that~~ THE individual of an employment opportunity, ~~or which~~ THAT would limit an employment opportunity, ~~or which~~ THAT would adversely affect wages, hours, or employment conditions, or THAT WOULD otherwise adversely affect the status of an employee or an applicant for employment, because of religion, race, color, national origin, age, sex, height, weight, or marital status.

(c) Cause or attempt to cause an employer to violate this article.

(d) Fail to fairly and adequately represent a member in a grievance process because of religion, race, color, national origin, age, sex, height, weight, or marital status.

(E) FAIL TO NEGOTIATE, BECAUSE OF RELIGION, RACE, COLOR, NATIONAL ORIGIN, AGE, SEX, HEIGHT, WEIGHT, OR MARITAL STATUS, A COLLECTIVE BARGAINING AGREEMENT THAT PROVIDES EQUAL COMPENSATION FOR WORK OF COMPARABLE VALUE PERFORMED BY REPRESENTED EMPLOYEES OR EMPLOYEE GROUPS THAT ARE BOTH OF THE FOLLOWING:

(i) EMPLOYED BY A SINGLE EMPLOYER.

(ii) REPRESENTED BY THE SAME LABOR ORGANIZATION.”.

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

Rep. Cassis demanded the yeas and nays.

The demand was supported.

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

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**Point of Order**

Rep. Willard requested a ruling from the Chair, as to whether or not the amendment offered by Rep. Cassis is germane.

The Chair ruled that the amendment is germane.

Rep. Gagliardi moved that Reps. Hood and Hertel be excused temporarily from today’s session.

The motion prevailed.

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

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

**Roll Call No. 374**

**Yeas—50**

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

**Nays—50**

Agee	Curtis	Kilpatrick	Rison
Alley	DeHart	LaForge	Schauer

Anthony	Dobronski	Leland	Schermesser
Baade	Emerson	Martinez	Scott
Baird	Frank	Mathieu	Stallworth
Basham	Freeman	Murphy	Tesanovich
Bogardus	Gagliardi	Olshove	Thomas
Brater	Gubow	Owen	Varga
Brewer	Hale	Parks	Vaughn
Brown	Hanley	Price	Wallace
Callahan	Harder	Prusi	Wetters
Cherry	Hertel	Quarles	Wojno
Ciaramitaro	Kelly		

In The Chair: DeHart

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 372. Had I been present, I would have voted “yes”.”

Rep. Frank moved that Rep. Mans be excused temporarily from today’s session.  
The motion prevailed.

Rep. Crissman moved to amend the bill as follows:

1. Amend page 5, line 14, after “PROVIDE” by striking out the balance of the subdivision and inserting “EQUAL COMPENSATION FOR EQUAL OR SUBSTANTIALLY EQUAL WORK BECAUSE OF RELIGION, RACE, COLOR, NATIONAL ORIGIN, AGE, SEX, HEIGHT, WEIGHT, OR MARITAL STATUS.”.

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

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 375**

**Yeas—48**

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

**Nays—56**

Agee	DeHart	Kelly	Quarles
Alley	Dobronski	Kilpatrick	Rison

Anthony	Emerson	LaForge	Schauer
Baade	Frank	Leland	Schermesser
Baird	Freeman	Martinez	Scott
Basham	Gagliardi	Mathieu	Stallworth
Bogardus	Gire	Murphy	Tesanovich
Brater	Goschka	Olshove	Thomas
Brewer	Gubow	Owen	Varga
Brown	Hale	Palamara	Vaughn
Callahan	Hanley	Parks	Wallace
Cherry	Harder	Price	Wetters
Ciaramitaro	Hertel	Profit	Willard
Curtis	Hood	Prusi	Wojno

In The Chair: DeHart

Rep. Hammerstrom moved to amend the bill as follows:

1. Amend page 5, line 16, after "EFFORT," by inserting "EXPERIENCE, SENIORITY,".

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

Rep. Hammerstrom demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 376**

**Yeas—102**

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

**Nays—0**

In The Chair: DeHart

Rep. Byl moved to amend the bill as follows:

1. Amend page 5, line 16, after "EFFORT," by inserting "HOURS WORKED,".

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

Rep. Birkholz moved to amend the bill as follows:

1. Amend page 5, following line 24, by inserting:

"(4) IMPLEMENTATION OF THE AMENDATORY LANGUAGE IN THIS SECTION SHALL BE UNDERTAKEN BY THE DEPARTMENT IMMEDIATELY AFTER THE DIRECTOR RECEIVES A HOUSE RESOLUTION CERTIFYING THAT THE HOUSE OF REPRESENTATIVES HAS IMPLEMENTED A SYSTEM OF MEASURING COMPARABLE WORTH BETWEEN JOBS, AND THAT COMPENSATION LEVELS HAVE BEEN ADJUSTED TO REMEDY ANY PAST DISCRIMINATION ON THIS BASIS. THE RESOLUTION MUST BE ACCOMPANIED BY A COPY OF A RECORD ROLL VOTE OF MEMBERS ELECTED AND SERVING IN THE HOUSE OF REPRESENTATIVES."

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

Rep. Birkholz demanded the yeas and nays.

The demand was supported.

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

Rep. Birkholz withdrew the amendment.

Rep. Birkholz moved to amend the bill as follows:

1. Amend page 5, following line 24, by inserting:

"(11) BEFORE ANY RECOMMENDATIONS ARE ENACTED INTO LAW, THE DIRECTOR SHALL RECEIVE A HOUSE RESOLUTION CERTIFYING THAT THE HOUSE OF REPRESENTATIVES HAS IMPLEMENTED A SYSTEM OF MEASURING COMPARABLE WORTH BETWEEN JOBS, AND THAT COMPENSATION LEVELS HAVE BEEN ADJUSTED TO COMPLY WITH THIS ACT. THE RESOLUTION MUST BE ACCOMPANIED BY A COPY OF A RECORD ROLL CALL VOTE OF MEMBERS ELECTED AND SERVING IN THE HOUSE OF REPRESENTATIVES."

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

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

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

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

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



Rep. Gagliardi moved that Rep. Basham be excused from the balance of today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 4257, entitled**

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending sections 102, 103, and 202 (MCL 37.2102, 37.2103, and 37.2202), sections 102 and 103 as amended by 1992 PA 124 and section 202 as amended by 1991 PA 11.

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

**Roll Call No. 377**

**Yeas—59**

Agee	Emerson	Kilpatrick	Schauer
Alley	Frank	LaForge	Schermesser
Anthony	Freeman	Leland	Schroer
Baade	Gagliardi	Martinez	Scott
Baird	Gire	Mathieu	Scranton
Bogardus	Godchaux	Murphy	Stallworth
Brater	Goschka	Olshove	Tesanovich
Brewer	Griffin	Owen	Thomas

Brown	Gubow	Palamara	Varga
Callahan	Hale	Parks	Vaughn
Cherry	Hanley	Price	Wallace
Ciaramitaro	Harder	Profit	Wetters
Curtis	Hertel	Prusi	Willard
DeHart	Hood	Quarles	Wojno
Dobronski	Kelly	Rison	

#### Nays—47

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

In The Chair: DeHart

The House agreed to the title of the bill.

Reps. Agee, Godchaux, Gubow, Harder, Hood, Kelly, Kilpatrick, Leland, Olshove, Owen, Palamara, Price, Stallworth, Thomas, Vaughn, Wetters and Wojno were named co-sponsors of the bill.

Reps. Cassis, Birkholz and Jelinek, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

We wholeheartedly support equal pay for equal work which is the law of the land. But comparable worth is not equal pay for equal work. Comparable worth will result in equal pay for different work.”

Reps. Hammerstrom, Llewellyn, Jellema, DeVuyst, Voorhees and Raczkowski, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted ‘No’ on HB 4257 because even though I support the concept of fairness in compensation for all persons and I support equal pay for equal work, I do not believe the bill as drafted adequately addresses the issue. It is intended to make a political statement and while some would argue that it begins a process, I believe it rather creates a false hope. The entire concept of comparable worth is totally subjective. What we have done with this bill is allow government and the courts to determine job classifications and pay scales for the citizens of this state; I don’t believe that should be the role of government. This should rather be a private matter between employees and employers via individual or collective bargaining.”

Reps. Dobb, Bodem, Crissman, London, Dalman, Bankes, Oxender, McBryde, Jansen and Middleton, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I cast my Nay vote on the passage of HB 4257 because it would impose a significant new burden and liability on small businesses owned by women and minority businesspeople.

Further, HB 4257 imposes this liability without clear standards for the average worker, business owner or citizen to determine whether a particular job or business is in compliance.

Mandating the very subjective concept of comparable worth—which is really equal pay for different work—jeopardizes the work we have all done to create new jobs, open new career opportunities for women and minorities, and help close the wage gap.

We are committed to equity in the workplace and are strongly supportive of equal pay for equal work and compliance with existing laws prohibiting wage discrimination.

This bill goes far beyond that. If we are going to take a serious look at the issue, we must do it in a responsible manner. Unfortunately, this bill as passed creates a false hope of progress.”

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

“Mr. Speaker and members of the House:

I believe that this bill, if enacted, would impose a significant and harmful burden on the marketplace.

Inevitably, government-mandated wages and salaries would inevitably lead to lower pay, fewer jobs and fewer opportunities for women and minorities.”

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

“Mr. Speaker and members of the House:

Passage of this legislation will make it more difficult for small businesses—owned by both men and women—to thrive and prosper in the state of Michigan.

Wage rates, in a market economy, are determined by numerous market forces. This legislation grossly simplifies that process and ignores developments that have contributed to the great economic boom that we Americans are currently enjoying. As such, this bill represents an attack on economic law and the prosperity of the 1980s and 1990s.”

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

“Mr. Speaker and members of the House:

I voted ‘no’ on House Bill 4257 because the bill would damage the economy of Michigan by unnecessarily subjecting job providers to increased lawsuits.

Government does not have the ability to impose sweeping assessments of the value of employees in a private sector work environment. This legislation, however well-meaning, would result in companies having to defend even the most fair and non-discriminatory job promotions and compensation decisions in court. Already, Michigan businesses spend an inordinate amount of time and expense on legal matters. Already our state’s court system is bogged down by the sheer number of cases it must address.

Existing state and federal laws forbid discrimination in the workplace. These laws have helped address some of the inequities existing in the job environment. Our state will continue to make progress in non-discriminatory compensation by continued enforcement of these existing laws.”

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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, May 12, at 2:00 p.m.  
The motion prevailed.

By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Reps. Perricone, Alley, Kukuk, Middaugh, McBryde, Freeman, Law, Cropsey, Schauer, Dobronski, Richner, Horton, Baird, Green, DeVuyst, Hammerstrom, Dobb, Gernaat, Bodem, Dalman and Goschka offered the following resolution:  
**House Resolution No. 286.**

A resolution commemorating The Legend of Sleeping Bear as the State of Michigan’s official children’s book.

Whereas, Children flourish under the support and guidance of nurturing parents. When families are involved in their children’s education, children achieve higher grades and test scores, have better attendance at school, complete more homework, and demonstrate more positive attitudes and behavior; and



Whereas, Parents can most effectively influence their child's progress by consistent and frequent reading together. This daily reading can immensely improve a student's achievement across all academic areas; and

Whereas, The Sleeping Bear Press has published a book entitled, The Legend of Sleeping Bear. This book tells a tale believed to have originally been told by some of the first inhabitants of Michigan, the Ojibwe tribe; and

Whereas, The tale originated as a way to explain the sandy area that we know today as the Sleeping Bear Dune. In this story, mother bear and her two cubs must escape a forest fire in Wisconsin. As they struggle to make this journey across Lake Michigan, the loyalty and dedication they show for one another is powerful and heartwarming; and

Whereas, It took more than a year for painter Gijbert van Frankenhuyzen and author Kathy-jo Wargin to bring this enchanting and popular tale to life. The richness and depth of their work underscores the beauty of the legend, preserving this story for generations to come; now, therefore, be it

Resolved by the House of Representatives, That we commemorate The Legend of Sleeping Bear as the state's official children's book; and be it further

Resolved, That a copy of this resolution be transmitted to Sleeping Bear Press as a symbol of our esteem.

The resolution was referred to the Committee on House Oversight and Ethics.

Reps. Vaughn and Stallworth offered the following resolution:

**House Resolution No. 287.**

A resolution honoring the Cooley High School Chess Team on the occasion of their National Championship Victory.

Whereas, It is a pleasure to join with their families, the entire school, and the State of Michigan in celebrating the achievements of the Cooley High School Chess Team on its wonderful success over the season. With the fine record this squad attained, which has culminated in a National Championship, this group of disciplined student-athletes has generated great pride throughout this part of our state; and

Whereas, Much to the delight of their classmates, the Cooley High School Chess Team has also earned the respect of prep sports followers elsewhere in Michigan through their talent, teamwork, and determination. As opponents have found out all season long, this is a team that brings unity and a positive outlook to all levels of competition. In the face of challenge and pressure, this is a group of young people who maintain their focus on making their dreams come true and accepting nothing less than their best effort; and

Whereas, Winning titles or compiling outstanding seasons is never a fluke. While anything can happen in a single game, all teams show their true abilities and dedication over a long season or a difficult tournament. What distinguishes the best, however, is the effort that appears in practice, far removed from the excitement of game day. We admire the efforts, team spirit, and preparation of these talented young people; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body congratulate Coach Tanya Moss and all of the wonderful members of the Cooley High School Chess Team upon the occasion of its National Championship; and be it further

Resolved, That copies of this resolution be transmitted to the Cooley High School, Coach Moss and members of the team 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.

### Reports of Standing Committees

The Committee on Tax Policy, by Rep. Profit, Chair, reported

**House Bill No. 4816, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2150 (MCL 324.2150), as amended by 1996 PA 585.

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 4816** To Report Out:

Yeas: Reps. Profit, Palamara, Wetters, Wojno, Perricone, Brackenridge, Goschka, Middleton, Whyman,

Nays: None.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

**House Bill No. 5796, entitled**

A bill to amend 1989 PA 292, entitled "Metropolitan council act," by amending the title and sections 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, and 35 (MCL 124.651, 124.653, 124.655, 124.657, 124.659, 124.661, 124.663, 124.665, 124.667, 124.669, 124.671, 124.673, 124.675, 124.677, 124.679, 124.681, 124.683, and 124.685) and by adding sections 65, 67, 69, 71, 73, 75, 77, and 79.

With the recommendation that the bill pass.

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

Favorable Roll Call

**HB 5796** To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Hanley, Palamara, Wallace, Wetters, Wojno, Perricone,

Nays: None.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

**House Bill No. 5798, entitled**

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

With the recommendation that the bill pass.

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

Favorable Roll Call

**HB 5798** To Report Out:

Yeas: Reps. Profit, Palamara, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton, Whyman,

Nays: None.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

**House Bill No. 5799, entitled**

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

With the recommendation that the bill pass.

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

Favorable Roll Call

**HB 5799** To Report Out:

Yeas: Reps. Profit, Palamara, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton, Whyman,

Nays: None.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

**House Bill No. 5812, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2150 (MCL 324.2150), as amended by 1996 PA 585.

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 5812** To Report Out:

Yeas: Reps. Profit, Palamara, Wallace, Wetters, Wojno, Perricone, Brackenridge, Cassis, Goschka, Middleton, Whyman,

Nays: None.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

**Senate Bill No. 116, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 35 (MCL 208.35), as amended by 1995 PA 255, and by adding section 22g.

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

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

Favorable Roll Call

**SB 116** To Report Out:

Yeas: Reps. Profit, Palamara, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton, Whyman,

Nays: None.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

**Senate Bill No. 754, entitled**

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

With the recommendation that the bill pass.

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

Favorable Roll Call

**SB 754** To Report Out:

Yeas: Reps. Profit, Palamara, Wallace, Wojno, Perricone, Brackenridge, Cassis, Middleton, Whyman,

Nays: None.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

**Senate Bill No. 847, entitled**

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

With the recommendation that the bill pass.

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

Favorable Roll Call

**SB 847** To Report Out:

Yeas: Reps. Profit, Palamara, Wallace, Wojno, Perricone, Brackenridge, Cassis, Goschka, Middleton, Whyman,

Nays: None.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

**Senate Bill No. 848, entitled**

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

With the recommendation that the bill pass.

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

Favorable Roll Call

**SB 848** To Report Out:

Yeas: Reps. Profit, Palamara, Wallace, Wojno, Perricone, Brackenridge, Cassis, Middleton, Whyman,

Nays: None.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

**House Resolution No. 240.**

A resolution to memorialize the Congress of the United States to enact and the President to sign legislation to allow state sales taxes to be deductible from federal income taxes.

(For text of resolution, see House Journal No. 29, p. 523.)

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 240** To Report Out:

Yeas: Reps. Profit, Palamara, Wallace, Wojno, Perricone, Brackenridge, Cassis, Goschka, Middleton, Whyman,

Nays: None.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

**House Concurrent Resolution No. 96.**

A concurrent resolution to memorialize the Congress of the United States to enact and the President to sign legislation to allow state sales taxes to be deductible from federal income taxes.

(For text of resolution, see House Journal No. 35, p. 723.)

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 96** To Report Out:

Yeas: Reps. Profit, Palamara, Wallace, Wojno, Perricone, Brackenridge, Cassis, Goschka, Middleton, Whyman,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Profit, Chair of the Committee on Tax Policy, was received and read:

Meeting held on: Wednesday, May 6, 1998, at 9:00 a.m.,

Present: Reps. Profit, Quarles, Agee, Freeman, Gubow, Hanley, Palamara, Wallace, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton, Whyman.

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

**House Bill No. 5590, entitled**

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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 5590** To Report Out:

Yeas: Reps. Hood, Mathieu, Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Bankes, Bobier, Geiger, Godchaux, Jellema, McBryde,

Nays: Rep. Jansen.

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

**House Bill No. 5594, entitled**

A bill to make appropriations for the department of transportation and certain transportation purposes for the fiscal year ending September 30, 1999; to provide for the imposition of fees; to provide for reports; to create certain funds; to prescribe certain powers and duties of certain state departments and officials; and to provide for the expenditure of the appropriations.

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 5594** To Report Out:

Yeas: Reps. Hood, Mathieu, Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Prusi, Rison, Schroer, Stallworth, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, McBryde,  
Nays: None.

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

**House Bill No. 5750, entitled**

A bill to repeal 1953 PA 140, entitled "An act to increase the efficiency of the military establishment; and to repeal certain acts and parts of acts," (MCL 32.261 to 32.262).

With the recommendation that the bill pass.

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

Favorable Roll Call

**HB 5750** To Report Out:

Yeas: Reps. Emerson, Frank, Hale, Harder, Martinez, Owen, Prusi, Rison, Schroer, Stallworth, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, McBryde,  
Nays: Reps. Mathieu, Kelly.

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

**Senate Concurrent Resolution No. 55.**

A concurrent resolution to increase the total project cost of the Kellogg Community College Great Lakes Fire Training Institute project.

(For text of resolution, see House Journal No. 21, p. 377.)

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

**SCR 55** To Report Out:

Yeas: Reps. Hood, Mathieu, Emerson, Frank, Harder, Kelly, Martinez, Owen, Parks, Prusi, Rison, Schroer, Stallworth, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, McBryde,  
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 6, 1998, at 9:00 a.m.,

Present: Reps. Hood, Mathieu, Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde,

Absent: Reps. Tesanovich, Oxender,

Excused: Reps. Tesanovich, Oxender.

The Committee on Judiciary, by Rep. Wallace, Chair, reported

**House Bill No. 4524, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2922 (MCL 600.2922), as amended by 1985 PA 93, and by adding section 2922a.

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 4524** To Report Out:

Yeas: Reps. Wallace, Curtis, Freeman, Gubow, Nye, Cropsy, Dalman, Fitzgerald, Law, McNutt, Richner,  
Nays: Rep. Baird.

The Committee on Judiciary, by Rep. Wallace, Chair, reported

**House Bill No. 5419, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 8, 31, 33, and 34 of chapter IX and section 14 of chapter XI (MCL 769.8, 769.31, 769.33, 769.34, and 771.14), section 8 of chapter IX as amended by 1994 PA 322, sections 31, 33, and 34 of chapter IX as added and section 14 of chapter XI as amended by 1994 PA 445, and by adding chapter IXA.

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 5419** To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Kilpatrick, Schauer, Vaughn, Willard, Wojno, Nye, Cropsy, Dalman, Fitzgerald, Law, McNutt, Richner,  
Nays: None.

The Committee on Judiciary, by Rep. Wallace, Chair, reported

**House Bill No. 5421, entitled**

A bill to amend 1893 PA 118, entitled "An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith," by amending section 34 (MCL 800.34), as amended by 1996 PA 83; 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 5421** To Report Out:

Yeas: Reps. Wallace, Freeman, Gubow, Kilpatrick, Schauer, Willard, Wojno, Nye, Cropsy, Dalman, Fitzgerald, Law, McNutt,  
Nays: None.

The Committee on Judiciary, by Rep. Wallace, Chair, reported

**Senate Bill No. 21, entitled**

A bill to define certain crimes against pregnant women; to define and allow certain practices; and to prescribe certain penalties.

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

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

## Favorable Roll Call

**SB 21** To Report Out:

Yeas: Reps. Wallace, Freeman, Gubow, Kilpatrick, Schauer, Willard, Wojno, Nye, Cropsy, Dalman, Fitzgerald, Law, McNutt, Richner,  
Nays: None.

The Committee on Judiciary, by Rep. Wallace, Chair, reported

**Senate Bill No. 826, entitled**

A bill to amend 1893 PA 118, entitled "An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith," by amending section 34 (MCL 800.34), as amended by 1996 PA 83; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

**SB 826** To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Kilpatrick, Schauer, Vaughn, Willard, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 6, 1998, at 10:30 a.m.,

Present: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Kilpatrick, Schauer, Vaughn, Willard, Wojno, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner.

The Committee on Agriculture, by Rep. Wetters, Chair, reported

**House Bill No. 5752, entitled**

A bill to amend 1954 PA 188, entitled "An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds," by amending sections 2 and 3 (MCL 41.722 and 41.723), as amended by 1995 PA 139.

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

1. Amend page 3, line 4, after "(P)" by striking out the balance of the subdivision and inserting "THE SUPPRESSION OR CONTROL OF GYPSY MOTHS."

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

Favorable Roll Call

**HB 5752** To Report Out:

Yeas: Reps. Wetters, Vaughn, Baade, Bogardus, LaForge, Gernaat, Horton,

Nays: Rep. Willard.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 7, 1998, at 8:45 a.m.,

Present: Reps. Wetters, Vaughn, Baade, Bogardus, LaForge, Willard, Green, DeVuyst, Gernaat, Horton, Jelinek,

Absent: Reps. Brewer, Nye,

Excused: Reps. Brewer, Nye.

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

**House Bill No. 4075, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1535a and 1539a (MCL 380.1535a and 380.1539a), as amended by 1995 PA 289.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.  
The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

**HB 4075** To Report Out:

Yeas: Reps. Gire, Bogardus, Brown, Curtis, Kilpatrick, LaForge, Schauer, Scott, Dalman, Crissman, Cropsey, Jelinek, LeTarte, McNutt, Middleton,  
Nays: None.

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

**House Bill No. 5478, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 1307 and 1308.

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 5478** To Report Out:

Yeas: Reps. Gire, Bogardus, Brown, Curtis, Kilpatrick, LaForge, Schauer, Scott, Dalman, Crissman, Cropsey, Jelinek, LeTarte, McNutt, Middleton,  
Nays: None.

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

**House Bill No. 5482, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1311 and 1596 (MCL 380.1311 and 380.1596), section 1311 as amended by 1995 PA 250, and by adding sections 1305 and 1309.

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 5482** To Report Out:

Yeas: Reps. Gire, Bogardus, Brown, Cherry, Curtis, LaForge, Schauer, Dalman, Crissman, Cropsey, Jelinek, LeTarte, McNutt, Middleton,  
Nays: None.

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

**House Bill No. 5702, entitled**

A bill to create a state anti-gang assistance program; to prescribe certain powers and duties of certain state departments and officials; to create a fund in the department of treasury; and to provide for an appropriation.

With the recommendation that the bill pass.  
The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

**HB 5702** To Report Out:

Yeas: Reps. Gire, Bogardus, Brown, Curtis, Kilpatrick, LaForge, Schauer, Scott, Dalman, Crissman, Cropsey, Jelinek, LeTarte, McNutt, Middleton,  
Nays: None.



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

**House Bill No. 5707, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411a (MCL 750.411a), as amended by 1996 PA 303.

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 5707** To Report Out:

Yeas: Reps. Gire, Bogardus, Brown, Curtis, LaForge, Schauer, Scott, Dalman, Crissman, Cropsey, Jelinek, LeTarte, McNutt, 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, May 6, 1998, at 12:00 Noon,

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

Absent: Rep. Agee,

Excused: Rep. Agee.

The Committee on Transportation, by Rep. Leland, Chair, reported

**House Bill No. 5447, entitled**

A bill to amend 1974 PA 300, entitled "Motor vehicle service and repair act," by amending section 22 (MCL 257.1322), as amended by 1988 PA 254.

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

Favorable Roll Call

**HB 5447** To Report Out:

Yeas: Reps. Leland, Brown, Mans, Schauer, Scott, Wojno, London, Birkholz, Byl, Galloway, Gernaat, Green, Middleton,

Nays: None.

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

The Committee on Transportation, by Rep. Leland, Chair, reported

**House Bill No. 5468, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 249, 254, and 303 (MCL 257.249, 257.254, and 257.303[1]), section 249 as amended by 1993 PA 300, section 254 as amended by 1990 PA 98, and section 303 as amended by 1996 PA 587, and by adding section 254a.

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

Favorable Roll Call

**HB 5468** To Report Out:

Yeas: Reps. Leland, Brown, Mans, London, Birkholz, Byl, Galloway, Gernaat, Green, Middleton,

Nays: None.

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

The Committee on Transportation, by Rep. Leland, Chair, reported

**Senate Bill No. 483, entitled**

A bill to amend 1941 PA 205, entitled "An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment

of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the receipt and expenditure of funds generated from the facilities,” by amending section 2 (MCL 252.52), as amended by 1995 PA 93.

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

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

#### Favorable Roll Call

#### **SB 483** To Report Out:

Yeas: Reps. Leland, Baade, Brown, Mans, Olshove, Schauer, Scott, Wojno, London, Birkholz, Byl, Galloway, Gernaat, Green, Middleton,

Nays: None.

The Committee on Transportation, by Rep. Leland, Chair, reported

#### **Senate Bill No. 484, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 676a (MCL 257.676a), as amended by 1995 PA 92.

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

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

#### Favorable Roll Call

#### **SB 484** To Report Out:

Yeas: Reps. Leland, Baade, Brown, Mans, Olshove, Schauer, Scott, Wojno, London, Birkholz, Byl, Galloway, Gernaat, Green, Middleton,

Nays: None.

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 6, 1998, at 4:20 p.m.,

Present: Reps. Leland, Baade, Brown, Mans, Olshove, Schauer, Scott, Wojno, London, Birkholz, Byl, Galloway, Gernaat, Green, Middleton,

Absent: Reps. Schermesser, Curtis,

Excused: Reps. Schermesser, Curtis.

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 6, 1998, at 4:14 p.m.,

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

Absent: Rep. Profit,

Excused: Rep. Profit.

#### **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, May 5:

**Senate Bill Nos. 1099 1105**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, May 7:

**House Bill Nos. 5819 5820 5821 5822 5823 5824 5825**

The Clerk announced that the following Senate bills had been received on Thursday, May 7:

**Senate Bill Nos. 773 962**

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

**House Bill No. 5290, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 907 (MCL 257.907), as amended by 1995 PA 287.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

**Senate Bill No. 773, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 113, 115, 131, 203, 204, 205, 217, 219, 221, 237, 241, 242, 246, 248, 281, 303, 305, 342, 344, 350, 350a, 350e, 352, 353, 353e, 354, 355, 356, 363, 367, 367b, 367f, 371, 372, 384, 386, 393, 396, 404, 434, 443, 451, 454, 461, 462, 484, 485, 486, 492, and 493 (MCL 18.1113, 18.1115, 18.1131, 18.1203, 18.1204, 18.1205, 18.1217, 18.1219, 18.1221, 18.1237, 18.1241, 18.1242, 18.1246, 18.1248, 18.1281, 18.1303, 18.1305, 18.1342, 18.1344, 18.1350, 18.1350a, 18.1350e, 18.1352, 18.1353, 18.1353e, 18.1354, 18.1355, 18.1356, 18.1363, 18.1367, 18.1367b, 18.1367f, 18.1371, 18.1372, 18.1384, 18.1386, 18.1393, 18.1396, 18.1404, 18.1434, 18.1443, 18.1451, 18.1454, 18.1461, 18.1462, 18.1484, 18.1485, 18.1486, 18.1492, and 18.1493), section 113 as amended by 1987 PA 122, sections 115, 203, 205, 217, 221, 246, 281, 342, 350, 367, 371, 372, 384, 386, 393, and 451 as amended and sections 204, 350a, 350e, 396, and 454 as added by 1988 PA 504, sections 219, 352, and 355 as amended and sections 367b and 367f as added by 1991 PA 72, section 353 as amended by 1994 PA 107, section 353e as added by 1997 PA 144, section 354 as amended by 1995 PA 286, section 363 as amended by 1993 PA 2, section 461 as amended by 1986 PA 251, and sections 484, 485, and 486 as added by 1986 PA 272, and by adding section 237a; 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 Appropriations.

**Senate Bill No. 962, entitled**

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

The Senate has passed the bill.

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

**Introduction of Bills**

Reps. Scranton, Varga, Vaughn, Alley and Brackenridge introduced

**House Bill No. 5831, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2851 (MCL 333.2851), as added by 1996 PA 284.

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

Reps. Varga, Alley, Brackenridge, Vaughn and Scranton introduced

**House Bill No. 5832, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 1804, 1809, and 1811 (MCL 339.1804, 339.1809, and 339.1811); and to repeal acts and parts of acts.

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

Reps. Varga, Alley, Brackenridge, Vaughn and Scranton introduced

**House Bill No. 5833, entitled**

A bill to amend 1968 PA 251, entitled "Cemetery regulation act," by amending sections 2, 9, 12, 12a, 16, 18, and 21 (MCL 456.522, 456.529, 456.532, 456.532a, 456.536, 456.538, and 456.541), as amended by 1982 PA 132, and by adding sections 2b, 2c, 2d, 12b, 16a, 16b, 16c, 16d, 16e, 16f, 16g, 16h, 16i, and 16j.

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

Reps. Varga, Alley, Brackenridge, Vaughn and Scranton introduced

**House Bill No. 5834, entitled**

A bill to amend 1986 PA 255, entitled "Prepaid funeral contract funding act," by amending sections 4, 5, 6, 8, 12, 13, 15, 18, 19, and 24 (MCL 328.214, 328.215, 328.216, 328.218, 328.222, 328.223, 328.225, 328.228, 328.229, and 328.234) and by adding sections 12a, 12b, 12c, 12d, 12e, and 12f.

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

Reps. Richner, Birkholz, Horton, Kaza, Voorhees, Jellema, Brewer, Thomas, Baade, Scranton and Raczkowski introduced

**House Bill No. 5835, entitled**

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

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

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Rep. Godchaux moved that the House adjourn.

The motion prevailed, the time being 2:25 p.m.

Acting Speaker DeHart declared the House adjourned until Tuesday, May 12, at 2:00 p.m.

MARY KAY SCULLION  
Clerk of the House of Representatives.