

No. 17
STATE OF MICHIGAN
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House of Representatives
90th Legislature
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House Chamber, Lansing, Tuesday, February 29, 2000.

2:00 p.m.

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

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

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

e/d/s = entered during session

Rep. Douglas Bovin, from the 108th District, offered the following invocation:

“Dear Lord, please guide our deliberations so as to be meaningful and inclusive. If we are to be regarded as a wise and reflective legislature, please help us to display a correspondingly high level of cooperation. Education is one of our main points of interest—help us to receive an advanced degree in friendship so that we may better use our knowledge to understand each other’s needs. As we gather today to address the issues that will affect the citizens of this state, we ask that You guide us to use wisdom and compassion, and to debate the issues so that the resolve will better the lives of those that we serve. Lord, we also thank You for this beautiful day. Amen.”

Second Reading of Bills

House Bill No. 5389, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 51c (MCL 206.51c), as added by 1999 PA 3; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Minore moved to amend the bill as follows:

1. Amend page 1, line 1, after “1,” by striking out the balance of the line through “2002,” on line 2 and inserting “2001.”

2. Amend page 1, line 5, after “of” by striking out “4.2%” and inserting “4.3%”.

3. Amend page 1, line 6, by striking out all of enacting section 1 and inserting:

“Enacting section 1. Sections 51d and 51e of the income tax act of 1967, 1967 PA 281, MCL 206.51d and 206.51e, are repealed.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 90th Legislature are enacted into law:

(a) House Bill No. 4153.

(b) House Bill No. 5294.

(c) House Bill No. 5295.”

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5389, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 51c (MCL 206.51c), as added by 1999 PA 3; and to repeal acts and parts of acts.

The bill was read a third time.

The question being on the passage of the bill,

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

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

Rep. Kilpatrick demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 63

Yeas—51

Baird
Basham
Bogardus

Dennis
Frank
Garza

Lemmons
Lockwood
Mans

Schauer
Schermesser
Scott

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

Nays—58

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

In The Chair: Birkholz

The question being on the passage of the bill,

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House
House Concurrent Resolution No. 80.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of State Police Two-Way Radio System and Microwave Backbone System Phase III.

(For text of resolution, see House Journal No. 16, p. 240.)

(The concurrent resolution was reported by the Committee on Appropriations on February 24, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 64**Yeas—109**

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

Nays—0

In The Chair: Birkholz

Third Reading of Bills

The House returned to the consideration of

House Bill No. 5389, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51c (MCL 206.51c), as added by 1999 PA 3; and to repeal acts and parts of acts.

(The bill was considered earlier today, see today's journal, p. 252.)

The question being on the passage of the bill,

Rep. Minore moved to amend the bill as follows:

1. Amend page 1, line 1, after "1," by striking out the balance of the line through "2002" on line 2 and inserting "2001".

2. Amend page 1, line 5, after "of" by striking out "4.2%" and inserting "4.3%".

3. Amend page 1, line 6, by striking out all of enacting section 1 and inserting:

"Enacting section 1. Sections 51d and 51e of the income tax act of 1967, 1967 PA 281, MCL 206.51d and 206.51e, are repealed.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 90th Legislature are enacted into law:

(a) House Bill No. 4153.

- (b) House Bill No. 5294.
 (c) House Bill No. 5295.
 (d) House Bill No. 5390.”.

The question being on the seconding of the motion made by Rep. Minore,
 Rep. Kilpatrick demanded the yeas and nays.

The demand was supported.

The question being on the seconding of the motion made by Rep. Minore,

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

Roll Call No. 65**Yeas—51**

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

Nays—57

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

In The Chair: Birkholz

The question being on the passage of the bill,

After debate,

Rep. Kuipers demanded the previous question.

The demand was supported.

The question being, “Shall the main question now be put?”

The previous question was ordered.

The question being on the passage of the bill,

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

Roll Call No. 66**Yeas—70**

Allen	Garcia	Kukuk	Rocca
Birkholz	Geiger	LaSata	Sanborn
Bisbee	Gilbert	Law	Schermesser
Bishop	Godchaux	Mans	Scranton
Bradstreet	Gosselin	Mead	Shackleton
Brown, B.	Green	Middaugh	Sheltrown
Brown, C.	Hager	Mortimer	Shulman
Byl	Hart	Neumann	Spade
Callahan	Howell	O'Neil	Stamas
Cassis	Jansen	Pappageorge	Tabor
Caul	Jelinek	Patterson	Toy
DeHart	Jellema	Perricone	Van Woerkom
DeRossett	Johnson, Rick	Pestka	Vander Roest
DeVuyst	Johnson, Ruth	Pumford	Vear
DeWeese	Julian	Raczkowski	Voorhees
Ehardt	Koetje	Richardville	Wojno
Faunce	Kowall	Richner	Woronchak
Frank	Kuipers		

Nays—39

Baird	Dennis	Kilpatrick	Rivet
Basham	Garza	LaForge	Schauer
Bogardus	Gielegem	Lemmons	Scott
Bovin	Hale	Lockwood	Stallworth
Brater	Hanley	Martinez	Switalski
Brewer	Hansen	Minore	Tesanovich
Cherry	Hardman	Price	Thomas
Clark, I.	Jacobs	Prusi	Vaughn
Clarke, H.	Jamnick	Quarles	Woodward
Daniels	Kelly	Rison	

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Reps. Allen, Rick Johnson, Ruth Johnson, LaSata, Mead and Sanborn were named co-sponsors of the bill.

Rep. Schauer, 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 am writing in explanation of my no vote on HB 5389, a bill to speed up by one year a reduction in Michigan's income tax rate to 4.2 percent, effective January 1, 2000. In 1999, I previously supported a cut in Michigan's income tax rate from 4.4 percent to 3.9 percent over five years.

House Bill 5389 will reduce state revenues by \$185 million over the 1999-2000 and 2000-01 fiscal years. At a time when Michigan faces a \$400 million 'health care deficit' and owes our public schools \$425 million in special education funds, it is fiscally irresponsible to expedite an already decreasing income tax rate at this time. To compound the fact that the Michigan Legislature and its Governor are not meeting their obligation, the administration recommends issuing another \$1 billion in bonds for road repairs and increasing our state's debt in this time of plenty.

Michigan must pay its bills and fulfill its obligations first. I cannot support HB 5389 when Battle Creek's Family Health Center faces elimination of its obstetrical services, when Albion's Trillium Hospital has closed its OB unit, Battle Creek Health System faces \$3.3 million in unpaid bills under the state's Medicaid managed care program, and Michigan health care providers are reimbursed at the 41st lowest rate in the nation—only 30 cents on the dollar for services provided—all because Michigan is not paying its health care bills.”

Rep. Minore 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 HB 5389 (Roll Call #66) because of the gross inequity in tax relief. Democratic alternatives would put Fairness First!

Under HB 5389, a minimum wage earner would see relief of about 2 cents per day—or \$7.00 per year;

Under HB 5389, a middle income worker—people whose income is comparable to our salary as legislators—would see relief of 30 cents or so per day;

Under HB 5389, it is estimated that 90% of all tax relief would go to fewer than 5% of the people in this state.

Proponents of HB 5389 brag about an ‘equal cut’ because of the ‘across the board’ rate cut. The Tax Relief, however is grossly uneven and unfair! Democratic alternatives would put tax fairness first!

In addition, as school buildings across the state crumble, and hospitals close or cut back because of failure of the state to provide needed services; it is unconscionable to give tax relief to the wealthy while not meeting our basic services and meeting our needs in education and health care!”

Reps. Lemmons, Basham, Bogardus, Clarke, Hardman, Scott, Thomas, Jacobs, Jamnick and Rivet, 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 House Bill 5389 because we should be using our state's surplus to support Michigan's citizens and families achieve their goals. The passage of House Bill 5389 represents a failure of the Administration and Majority Party to address the major issues facing our State.

The best way to help our citizens is to make an investment in the basic needs which everyone relies on, such as health care and education. During these good economic times, our state surplus would be best used to invest in keeping health care affordable, improving our children's chances of success and giving all our citizens, especially our senior citizens, the safety and security they deserve.

House Bill 5389 will return little to the working people of Michigan, about \$2 per week. At a time when our school buildings across the state are crumbling, and hospitals are closing and cutting back because of failure of the state to live up to its responsibilities to provide needed services, it is vitally important that we take this opportunity during good economic times to live up to our responsibilities, invest in our future and ensure that these basic services are maintained.

There is no leadership in the Administration and in the Majority Party. The major issues of the State must be addressed, not hidden behind token fiscal policy benefiting the wealthiest of our State. The people of our State are demanding this leadership. The passage of this legislation represents a failure of the State's responsibility to them.

For these reasons, I voted no on House Bill 5389.”

Rep. Hale, 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 5389 because: we as a legislative body should deal with paying off the 3.9 billion dollar debt we currently have in Michigan.

In my view, we are being fiscally irresponsible with the passage of this bill. If we are going to spend taxpayer's money from the budget surplus, we should at least improve access to health care, stop hospital closures, enhance the medicaid programs, repair the infrastructure of our Public Schools and provide a better financing program for the roads in our state. Until then, we are only playing amateur politics.”

Rep. Woodward, 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 5389 because we should be using our state's surplus to support Michigan's citizens and families achieve their goals by investing into our future.

The best way to maintain the prosperity of our state is to invest in health care and education. During these economic times, our state surplus would be best used to insure access to quality health care, make prescription drugs affordable, and improve the quality of education for all the children of Michigan.

House Bill 5389 returns very little to the working people of my district, and instead gives the majority of the \$180 million tax cut to the very rich of our state. At a time when school buildings in Royal Oak, Madison Heights, and Hazel Park are crumbling, hospitals are closing, our roads need repair, and the cost of living continues to raise faster than the wage increases, this bill is irresponsible. For these reasons, I voted no on House Bill 5389.”

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

“Mr. Speaker and members of the House:

I voted no on HB 5389 because we should be using our state’s surplus to invest in Michigan’s citizens and families. The best way to help our Michigan citizenry is to invest in health care and education. During good economic times, we should be using the surplus to first make sure that health care is accessible and affordable. Our children’s education should be on the front burner making each child’s experience one of quality.

Also, HB 5389 will return little to the working people of Michigan, about \$2 per week and will place at least 90% of the tax cut into the hands of only 5% of the state’s population. This isn’t tax relief, this still just furthers the divide between the haves and the have nots.”

Second Reading of Bills

House Bill No. 5391, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 1999 PA 181.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Tax Policy (for amendments, see House Journal No. 16, p. 244),

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

Rep. Quarles moved to amend the bill as follows:

1. Amend page 9, following line 17, by inserting:

“(W) FOR TAX YEARS THAT BEGIN AFTER DECEMBER 31, 1999, DEDUCT, TO THE EXTENT INCLUDED IN DETERMINING ADJUSTED GROSS INCOME, UNEMPLOYMENT COMPENSATION RECEIVED IN THE TAX YEAR.”.

2. Amend page 10, line 7, by striking out all of line 7 through the balance of the subsection and inserting “OF \$900.00 for a tax year beginning after 1989 shall be subtracted in the calculation that determines taxable income in each of the following circumstances:

(a) The taxpayer is a paraplegic, a quadriplegic, a hemiplegic, a person who is blind as defined in section 504, or a person who is totally and permanently disabled as defined in section 522.

(b) The taxpayer is a deaf person as defined in section 2 of the deaf person’s interpreters act, 1982 PA 204, MCL 393.502.

(c) The taxpayer is 65 years of age or older.”.

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

Rep. Quarles demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 67

Yeas—51

Baird	Dennis	Lemmons	Schauer
Basham	Frank	Lockwood	Schermesser
Bogardus	Garza	Mans	Scott
Bovin	Gielegem	Martinez	Sheltrown
Brater	Hale	Minore	Spade
Brewer	Hanley	Neumann	Stallworth
Brown, B.	Hansen	O’Neil	Switalski
Callahan	Hardman	Pestka	Tesanovich

Cherry
Clark, I.
Clarke, H.
Daniels
DeHart

Jacobs
Jannick
Kelly
Kilpatrick
LaForge

Price
Prusi
Quarles
Rison
Rivet

Thomas
Vaughn
Wojno
Woodward

Nays—58

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

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

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

Richner
Rocca
Sanborn
Scranton
Shackleton
Shulman
Stamas
Tabor
Toy
Van Woerkom
Vander Roest
Vear
Voorhees
Woronchak

In The Chair: Birkholz

Reps. Cassis, Mead, Bishop, Vander Roest, Shulman, Mortimer, Van Woerkom, Faunce, Hart, Richardville, Hager, Voorhees, DeRossett, Howell, Gilbert, Shackleton, Julian, Bisbee, Woronchak, Kuipers, Cameron Brown, Raczkowski, Middaugh, Scranton, Caul and Birkholz, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted against this amendment to House Bill 5391 because it eliminates the bill’s tax cut for senior citizens and people with disabilities. Seniors living on fixed incomes and people with disabilities need tax incentives to help improve their overall quality of life.”

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

Rep. Reeves entered the House Chambers.

By unanimous consent the House returned to the order of
Reports of Standing Committees

The Speaker laid before the House
House Concurrent Resolution No. 81.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Oakland University relative to the Oakland University Classroom/Business School Building.

(For text of resolution, see House Journal No. 16, p. 240.)

(The concurrent resolution was reported by the Committee on Appropriations on February 24, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 68

Yeas—109

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

Nays—0

In The Chair: Birkholz

Second Reading of Bills

The House returned to the consideration of

House Bill No. 5391, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 1999 PA 181.

(The bill was considered earlier today, see today’s journal, p. 258.)

Rep. Bob Brown moved to amend the bill as follows:

1. Amend page 11, line 5, after "MCL 393.502;" by inserting "A VETERAN,".

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

Rep. Bob Brown demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 69**Yeas—51**

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

Nays—58

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

In The Chair: Birkholz

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5391, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1999 PA 181.

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—110**

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

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Reps. Basham, Bishop, Bovin, Bob Brown, Clarke, DeHart, DeRossett, DeWeese, Frank, Garcia, Garza, Gielegem, Gosselin, Green, Hansen, Hardman, Hart, Jacobs, Jamnick, Jansen, Jelinek, Jellema, Rick Johnson, Ruth Johnson, Kelly, Koetje, LaSata, Law, Lemmons, Lockwood, Mans, Mead, Minore, Mortimer, Neumann, O'Neil, Pappageorge, Patterson, Pestka, Prusi, Pumford, Raczkowski, Reeves, Richner, Rocca, Schauer, Schermesser, Scott, Sheltrown, Shulman, Spade, Tabor, Tesanovich, Toy, Vaughn, Vear, Wojno and Woodward were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 5390, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30d (MCL 206.30d), as added by 1997 PA 81.

The bill was read a second time.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5390, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30d (MCL 206.30d), as added by 1997 PA 81.

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—110

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

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Reps. Birkholz, Brewer, Bob Brown, Callahan, Caul, Cherry, Clark, Daniels, DeHart, DeVuyst, Garza, Gielegghem, Gosselin, Hansen, Hardman, Jacobs, Jamnick, Jansen, Jelinek, Jellema, Ruth Johnson, Kelly, Koetje, Kukuk, Law, Lemmons, Mans, Mead, Neumann, Patterson, Pestka, Prusi, Pumford, Raczkowski, Richner, Rocca, Sanborn, Schermesser, Scott, Sheltrown, Spade, Thomas, Toy, Vander Roest, Vaughn, Voorhees, Wojno and Woodward were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5392, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 30e.

The bill was read a second time.

Rep. Bisbee moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed, a majority of the members voting therefor.

Rep. Raczkowski moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

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

House Bill No. 5392, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 30e.
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—110

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

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Reps. Allen, Basham, Birkholz, Bovin, Cameron Brown, Callahan, Caul, DeHart, DeRossett, DeVuyst, DeWeese, Ehardt, Gielegem, Gosselin, Hansen, Howell, Jacobs, Jamnick, Jansen, Jelinek, Jellema, Rick Johnson, Kelly, Kuipers, Kukuk, LaSata, Law, Mans, Mead, Neumann, Pappageorge, Patterson, Pumford, Raczkowski, Richner, Rocca, Schauer, Schermesser, Scranton, Sheltrown, Shulman, Spade, Stamas, Tabor, Toy, Vaughn and Wojno were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5393, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 1996 PA 484.

The bill was read a second time.

Rep. Neumann moved to amend the bill as follows:

1. Amend page 5, following line 8, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4448 of the 90th Legislature is enacted into law."

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

Rep. Neumann demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 73

Yeas—51

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

Nays—58

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

Reps. Shackleton, Howell, Julian, Van Woerkom, Faunce, Richardville, Kowall, DeRossett, Hager and Woronchak, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

This amendment would tie-bar the bill to unrelated legislation. While I support the concept and intent of that bill, it needs to go through the committee process and be considered on its own merit. This tie-bar could slow down needed tax relief for the families of Michigan.”

Rep. Neumann moved to amend the bill as follows:

1. Amend page 5, following line 8, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4353 of the 90th Legislature is enacted into law.”.

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

Rep. Neumann demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 74

Yeas—49

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

Nays—56

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

In The Chair: Birkholz

Rep. Spade moved to amend the bill as follows:

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

"Sec. 520. (1) Subject to the limitations and the definitions in this chapter, a claimant may claim against the tax due under this act for the tax year a credit for the property taxes on the taxpayer's homestead deductible for federal income tax purposes pursuant to section 164 of the internal revenue code, or that would have been deductible if the claimant had not elected the zero bracket amount or if the claimant had been subject to the federal income tax. The property taxes used for the credit computation shall not be greater than the amount levied for 1 tax year.

(2) A person who rents or leases a homestead may claim a similar credit computed under this section and section 522 based upon 17% of the gross rent paid for tax years before the 1994 tax year, or 20% of the gross rent paid for tax years after the 1993 tax year. A person who rents or leases a homestead subject to a service charge in lieu of ad valorem taxes as provided by section 15a of the state housing development authority act of 1966, ~~Act No. 346 of the Public Acts of 1966, being section 125.1415a of the Michigan Compiled Laws~~ 1966 PA 346, MCL 125.1415A, may claim a similar credit computed under this section and section 522 based upon 10% of the gross rent paid.

(3) If the credit claimed under this section and section 522 exceeds the tax liability for the tax year or if there is no tax liability for the tax year, the amount of the claim not used as an offset against the tax liability shall, after examination and review, be approved for payment, without interest, to the claimant. In determining the amount of the payment under this subsection, withholdings and other credits shall be used first to offset any tax liabilities.

(4) If the homestead is an integral part of a multipurpose or multidwelling building that is federally aided housing or state aided housing, a claimant who is a senior citizen entitled to a payment under subsection (2) may assign the right to that payment to a mortgagor if the mortgagor reduces the rent charged and collected on the claimant's homestead in an amount equal to the tax credit payment provided in this chapter. The assignment of the claim is valid only if the Michigan state housing development authority, by affidavit, verifies that the claimant's rent has been so reduced.

(5) Only the renter or lessee shall claim a credit on property that is rented or leased as a homestead.

(6) A person who discriminates in the charging or collection of rent on a homestead by increasing the rent charged or collected because the renter or lessee claims and receives a credit or payment under this chapter is guilty of a misdemeanor. Discrimination against a renter who claims and receives the credit under this section and section 522 by a reduction of the rent on the homestead of a person who does not claim and receive the credit is a misdemeanor. If discriminatory rents are charged or collected, each charge or collection of the higher or lower payment is a separate offense. Each acceptance of a payment of rent is a separate offense.

(7) A person who received ~~aid to families with dependent children~~, state family INDEPENDENCE assistance, ~~or~~ state disability assistance, OR OTHER ASSISTANCE THROUGH FAMILY INDEPENDENCE PROGRAMS pursuant to the social welfare act, ~~Act No. 280 of the Public Acts of 1939, as amended, being sections 400.1 to 400.119b of the Michigan Compiled Laws~~ 1939 PA 280, MCL 400.1 TO 400.119B, in the tax year for which the person is filing a return shall have a credit that is authorized and computed under this section and section 522 reduced by an amount equal to the product of the claimant's credit multiplied by the quotient of the sum of the claimant's ~~aid to families with dependent children~~, state family INDEPENDENCE assistance, ~~and~~ state disability assistance, OR OTHER ASSISTANCE THROUGH FAMILY INDEPENDENCE PROGRAMS PURSUANT TO THE SOCIAL WELFARE ACT, 1939 PA 280, MCL 400.1 TO 400.119B, for the tax year divided by the claimant's household income. The reduction of credit shall not exceed the sum of the ~~aid to families with dependent children~~, state family INDEPENDENCE assistance, ~~and~~ state disability assistance, AND OTHER ASSISTANCE THROUGH FAMILY INDEPENDENCE PROGRAMS PURSUANT TO THE SOCIAL WELFARE ACT, 1939 PA 280, MCL 400.1 TO 400.119B, for the tax year. For the purposes of this subsection, ~~aid to families with dependent children~~ ANY ASSISTANCE THROUGH FAMILY INDEPENDENCE PROGRAMS does not include child support payments that offset or reduce payments made to the claimant.

(8) A credit under subsection (1) or (2) shall be reduced by 10% for each claimant whose household income exceeds \$73,650.00 and by an additional 10% for each increment of \$1,000.00 of household income in excess of \$73,650.00.

(9) If the credit authorized and calculated under this section and section 522 and adjusted under subsection (7) or (8) does not provide to a senior citizen who rents or leases a homestead that amount attributable to rent that constitutes more than 40% of the household income of the senior citizen, the senior citizen may claim a credit based upon the amount of household income attributable to rent as provided by this section.

(10) A senior citizen whose gross rent paid for the tax year is more than the percentage of household income specified in subsection (9) for the respective tax year may claim a credit for the amount of rent paid that constitutes more than the percentage of the household income of the senior citizen specified in subsection (9) and that was not provided to the senior citizen by the credit computed pursuant to this section and section 522 and adjusted pursuant to subsection (7) or (8).

(11) The department may promulgate rules to implement subsections (9) to ~~(16)~~ (14) and may prescribe a table to allow a claimant to determine the credit provided under this section and section 522 in the instruction booklet that accompanies the respective income tax or property tax credit forms used by claimants.

(12) A senior citizen may claim the credit under subsections (9) to ~~(16)~~ (14) on the same form as the property tax credit permitted by subsection (2). The department shall adjust the forms accordingly.

(13) A senior citizen who moves to a different rented or leased homestead shall determine, for 2 tax years after the move, both his or her qualification to claim a credit under subsections (9) to ~~(16)~~ (14) and the amount of a credit under subsections (9) to ~~(16)~~ (14) on the basis of the annualized final monthly rental payment at his or her previous homestead, if this annualized rental is less than the senior citizen's actual annual rental payments.

(14) For a return of less than 12 months, the claim for a credit under subsections (9) to ~~(16)~~ (14) shall be reduced proportionately.

(15) The Michigan state housing development authority shall report on the effect of the credit provided by subsections (9) to ~~(16)~~ (14) on the price of rented and leased homesteads. If the authority determines that the price of rented and leased homesteads has increased as a result of the credit provided by subsections (9) to ~~(16)~~ (14), the authority shall make recommendations to the legislature to remedy this situation. The report shall be made to the chairpersons of the house and senate committees that have primary responsibility for taxation legislation 2 years after the credit provided by subsections (9) to ~~(16)~~ (14) is in effect.

(16) The total credit allowed by this section and section 522 shall not exceed \$1,200.00 ~~per year~~ FOR TAX YEARS BEFORE THE 2000 TAX YEAR. FOR THE 2000 TAX YEAR AND EACH TAX YEAR AFTER THE 2000 TAX YEAR, THE MAXIMUM CREDIT ALLOWED BY THIS SUBSECTION SHALL BE ADJUSTED TO REFLECT THE ANNUAL AVERAGE PERCENTAGE INCREASE IN THE CONSUMER PRICE INDEX IN THE IMMEDIATELY PRECEDING TAX YEAR. AS USED IN THIS SUBSECTION, "CONSUMER PRICE INDEX" MEANS THE UNITED STATES CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS AS DEFINED AND REPORTED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS."

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

Rep. Spade demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 75

Yeas—54

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

Nays—56

Allen	Garcia	Koetje	Richardville
Birkholz	Geiger	Kowall	Richner
Bisbee	Gilbert	Kuipers	Rocca
Bishop	Godchaux	Kukuk	Sanborn
Bradstreet	Gosselin	LaSata	Scranton
Brown, C.	Green	Law	Shackleton
Byl	Hart	Mead	Shulman

Cassis	Howell	Middaugh	Stamas
Caul	Jansen	Mortimer	Tabor
DeRossett	Jelinek	Pappageorge	Toy
DeVuyst	Jellema	Patterson	Van Woerkom
DeWeese	Johnson, Rick	Perricone	Vear
Ehardt	Johnson, Ruth	Pumford	Voorhees
Faunce	Julian	Raczkowski	Woronchak

In The Chair: Birkholz

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5393, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 1996 PA 484.

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

Roll Call No. 76

Yeas—109

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

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Reps. Allen, Basham, Birkholz, Bishop, Bovin, DeHart, DeVuyst, Ehardt, Gosselin, Hansen, Hart, Jamnick, Jansen, Jelinek, Jellema, Rick Johnson, Ruth Johnson, Kelly, Koetje, Kuipers, Kukuk, LaSata, Lemmons, Mans, Martinez, Mead, Middaugh, Mortimer, Pappageorge, Patterson, Pestka, Prusi, Pumford, Richner, Rivet, Rocca, Sanborn, Schauer, Schermesser, Scott, Scranton, Sheltroun, Shulman, Spade, Stamas, Tabor, Tesanovich, Vaughn, Vear and Voorhees were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 4032, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 1996 PA 484.

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

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4032, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 1996 PA 484.

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

Roll Call No. 77**Yeas—109**

Allen	Frank	Kowall	Richner
Baird	Garcia	Kuipers	Rison
Basham	Garza	Kukuk	Rivet
Birkholz	Geiger	LaForge	Rocca
Bisbee	Gielegem	LaSata	Sanborn
Bishop	Gilbert	Law	Schauer
Bogardus	Godchaux	Lemmons	Schermesser
Bovin	Gosselin	Lockwood	Scott
Bradstreet	Green	Mans	Scranton
Brater	Hager	Martinez	Shackleton
Brewer	Hale	Mead	Sheltroun
Brown, B.	Hanley	Middaugh	Shulman
Brown, C.	Hansen	Minore	Spade
Byl	Hardman	Mortimer	Stamas
Callahan	Hart	Neumann	Switalski

Cassis	Howell	O'Neil	Tabor
Caul	Jacobs	Pappageorge	Tesanovich
Cherry	Jamnack	Patterson	Thomas
Clark, I.	Jansen	Perricone	Toy
Clarke, H.	Jelinek	Pestka	Van Woerkom
Daniels	Jellema	Price	Vander Roest
DeHart	Johnson, Rick	Prusi	Vaughn
Dennis	Johnson, Ruth	Pumford	Vear
DeRossett	Julian	Quarles	Voorhees
DeVuyst	Kelly	Raczkowski	Wojno
DeWeese	Kilpatrick	Reeves	Woodward
Ehardt	Koetje	Richardville	Woronchak
Faunce			

Nays—0

In The Chair: Birkholz

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

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

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 520 and 522 (MCL 206.520 and 206.522), section 520 as amended by 1995 PA 245 and section 522 as amended by 1996 PA 484.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Allen, Basham, Birkholz, Bishop, Bovin, Brewer, Cameron Brown, Callahan, Cassis, Caul, Clark, Clarke, DeHart, DeVuyst, DeWeese, Ehardt, Faunce, Garza, Gielegem, Gosselin, Green, Hager, Hansen, Hardman, Hart, Jamnick, Jansen, Jelinek, Jellema, Rick Johnson, Ruth Johnson, Julian, Kelly, Koetje, Kowall, Kuipers, Kukuk, Law, Lemmons, Mans, Martinez, Mead, Middaugh, Minore, Mortimer, Neumann, O'Neil, Pappageorge, Patterson, Price, Prusi, Pumford, Richardville, Richner, Rocca, Schauer, Schermesser, Scott, Shackleton, Shulman, Spade, Stamas, Tabor, Tesanovich, Toy, Van Woerkom, Vander Roest, Vaughn, Vear, Voorhees and Wojno were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Concurrent Resolution No. 82.

A concurrent resolution to change the scope of the Technology Education Building project at Washtenaw Community College.

(For text of resolution, see House Journal No. 16, p. 240.)

(The concurrent resolution was reported by the Committee on Appropriations on February 24, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Schermesser moved that the Committee on Economic Development be discharged from further consideration of **House Bill No. 4181**.

(For first notice see House Journal No. 16, p. 246.)

The question being on the motion made by Rep. Schermesser,
Rep. Martinez demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 78**Yeas—52**

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

Nays—55

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

In The Chair: Birkholz

Rep. Schermesser moved that the Committee on Regulatory Reform be discharged from further consideration of **House Bill No. 4944**.

(For first notice see House Journal No. 16, p. 246.)

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

The motion did not prevail, a majority of the members serving not voting therefor.

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

Reps. Garza, Hale, Vaughn, Rison, Clarke, Jamnick, Minore, Clark, O'Neil, Shulman, Baird, Kelly, Callahan, Hanley, Rivet, Daniels, Thomas, Schauer, Dennis, Lemmons, Jacobs, Prusi, Bogardus, Hardman and Reeves offered the following resolution:

House Resolution No. 287.

A resolution to express support for the decision of the United States Immigration and Naturalization Service regarding Elian Gonzalez and to call for his return to his father.

Whereas, The highly publicized case of Elian Gonzalez, the young boy rescued from the sea after his mother and others attempted to come to America from Cuba, has triggered strong emotions in both countries. These emotions reflect the complicated issues at hand. As a result, the case is still awaiting resolution nearly three months after the boy was plucked from the ocean as the only survivor of the journey; and

Whereas, On January 5, 2000, the United States Immigration and Naturalization Service (INS) ruled that the boy should be returned to his father. This decision has been met with court challenges that have yet to be resolved; and

Whereas, In the consideration of this issue, it is imperative to take note of the full impact this situation is having on an important area of law and public policy. Officials of the United States Department of State have voiced concerns that our country's response to this case sets a perilous precedent for American citizens involved in international child abductions. There are families in this country now who may find it far more difficult to be reunited with a son or daughter because of the manner in which the United States is handling the Gonzalez situation; and

Whereas, All of the states, including Michigan, have laws on child custody. At the state, national, or international level, decisions on child custody must be based on clear legal authority instead of other considerations; now, therefore, be it

Resolved by the House of Representatives, That we express support for the decision of the United States Immigration and Naturalization Service regarding Elian Gonzalez and to call for his return to his father; and be it further

Resolved, That copies of this resolution be transmitted to the United States Immigration and Naturalization Service. The resolution was referred to the Committee on House Oversight and Operations.

Reps. Sheltroun, Hansen, Cherry, Middaugh, DeRossett, Hager, Koetje, LaSata, LaForge, Baird, Kowall, Kelly, Tabor, Shackleton, Vaughn, Hanley, Rivet, Spade, Gielegem, Bovin, Daniels, Thomas, Hale, Schermesser, Scott, Jellema, Quarles, Ehardt, Mortimer, Minore, Scranton, DeVuyst, Julian, Jansen, Caul, Vander Roest, Kilpatrick, Neumann, Switalski, Mans, Jamnick, Frank, Schauer, Dennis, Tesanovich, Lemmons, Raczkowski, Jacobs, Prusi, Green, Clarke, Faunce, Van Woerkom, Bradstreet, Bogardus, Birkholz, Hardman and Reeves offered the following resolution:

House Resolution No. 288.

A resolution to memorialize the Congress of the United States to provide funding for increased bovine tuberculosis testing and research in Michigan and for federal indemnification and financial assistance for the federally required destruction of Michigan cattle herds.

Whereas, The spread of bovine tuberculosis in Michigan has reached a critical level, threatening the viability of the livestock and dairy industry in this state; and

Whereas, The United States Department of Agriculture is poised to revoke Michigan's TB-free status, thereby requiring the testing of all cattle in the state; and

Whereas, The testing of all cattle in the state will not be possible with currently available resources and the lack of existing facilities; and

Whereas, No known vaccination exists to prevent cattle from acquiring bovine tuberculosis, and the only method to control the spread of the disease is through the slaughter of the infected animal; and

Whereas, The policy of the United States Department of Agriculture is to require the destruction of the entire herd, even if only one animal in the herd is infected; and

Whereas, Current indemnification rates for the destruction of cattle are inadequate, placing an extreme burden on livestock owners; and

Whereas, The Michigan House of Representatives is leading a coordinated and committed effort with Michigan farmers, hunters, and business owners to eradicate bovine tuberculosis in this state and restore Michigan's TB-free status; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to provide funding for the construction of a diagnostic laboratory at Michigan State University to handle the increased testing requirements resulting from a loss of Michigan's TB-free status; and be it further

Resolved, That we memorialize Congress to fund research initiatives at Michigan State University to study the spread of bovine tuberculosis through crops and soil; and be it further

Resolved, That we memorialize Congress to provide increased indemnification for the destruction of cattle and federally subsidized loans for the replacement of destroyed herds; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, the Secretary of the United States Department of Agriculture, and other appropriate administration officials.

Pending the reference of the resolution to a committee,

Rep. Raczkowski 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.

Rep. Patterson offered the following resolution:

House Resolution No. 289.

A resolution to express legislative intent that the Department of Natural Resources should strive to acquire land in the Keweenaw Peninsula.

Whereas, Over the past couple of years, discussions have taken place between private landowners, private companies, and officials of the Department of Natural Resources concerning parcels of property at the tip of the Keweenaw Peninsula; and

Whereas, As the DNR studies possible land exchanges between private landowners, private companies, and the state, ascertaining the true value of the lands in question is essential. This evaluation must weigh more than economic criteria alone. Potential exchanges would impact forest, wildlife, and recreational resources for many years. A central concern is any influence that the exchange could have on the environment; and

Whereas, While we respect and encourage the sentiments of those hesitant to relinquish state-managed lands, many of which are rich in timber, other parcels of land in the Keewenaw Peninsula offer unique qualities the state should protect. Currently, the state does not manage parcels that are among the most dramatic and beautiful areas in our state. These parcels include miles of beautiful Lake Superior shoreline, waterfalls, wildlife, and vistas unsurpassed as attractions for recreation. It would be a shame to lose these gifts for future generations of our citizens. Clearly, any exchanges should be made with a commitment to fairness and an eye to protection of unique resources; now, therefore, be it

Resolved by the House of Representatives, That we express legislative intent that the Department of Natural Resources should continually strive to acquire and preserve land in the Keweenaw Peninsula. We urge that the DNR weigh carefully the impact on the state's timber reserves; and be it further

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

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

Rep. Patterson offered the following concurrent resolution:

House Concurrent Resolution No. 85.

A concurrent resolution to express legislative intent that the Department of Natural Resources should strive to acquire land in the Keweenaw Peninsula.

Whereas, Over the past couple of years, discussions have taken place between private landowners, private companies, and officials of the Department of Natural Resources concerning parcels of property at the tip of the Keweenaw Peninsula; and

Whereas, As the DNR studies possible land exchanges between private landowners, private companies, and the state, ascertaining the true value of the lands in question is essential. This evaluation must weigh more than economic criteria alone. Potential exchanges would impact forest, wildlife, and recreational resources for many years. A central concern is any influence that the exchange could have on the environment; and

Whereas, While we respect and encourage the sentiments of those hesitant to relinquish state-managed lands, many of which are rich in timber, other parcels of land in the Keewenaw Peninsula offer unique qualities the state should protect. Currently, the state does not manage parcels that are among the most dramatic and beautiful areas in our state. These parcels include miles of beautiful Lake Superior shoreline, waterfalls, wildlife, and vistas unsurpassed as attractions for recreation. It would be a shame to lose these gifts for future generations of our citizens. Clearly, any exchanges should be made with a commitment to fairness and an eye to protection of unique resources; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we express legislative intent that the Department of Natural Resources should continually strive to acquire and preserve land in the Keweenaw Peninsula. We urge that the DNR weigh carefully the impact on the state's timber reserves; and be it further

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

The concurrent resolution was referred to the Committee on Conservation and Outdoor Recreation.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Friday, February 25, for his approval of the following bills:

Enrolled House Bill No. 4644 at 1:00 p.m.

Enrolled House Bill No. 4645 at 1:02 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, February 25:

House Bill Nos. 5435 5436 5437 5438 5439 5443 5444 5445

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, February 28:

**House Bill Nos. 5440 5441 5442 5446 5447 5448 5449 5450 5451 5452 5453 5454 5455 5456
5457 5458 5459**

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, February 29, for his approval of the following bills:

Enrolled House Bill No. 4591 at 11:09 a.m.

Enrolled House Bill No. 5014 at 11:11 a.m.

Enrolled House Bill No. 5067 at 11:13 a.m.

The Clerk announced that the following Senate bill had been received on Tuesday, February 29:

Senate Bill No. 938

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4742, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5205 (MCL 333.5205), as amended by 1997 PA 57.

The Senate has amended the bill as follows:

1. Amend page 2, line 16, after "located" by inserting "OR THE APPROPRIATE DISTRICT COURT".
2. Amend page 3, line 12, after "(1)" by striking out the balance of the line through "(3)" on line 13.
3. Amend page 3, line 17, by striking out "or the proposed test subject under section 5204".
4. Amend page 3, line 19, after "individual's" by striking out the balance of the line through "subject's" on line 20.
5. Amend page 3, line 22, after "individual" by striking out the balance of the line through "subject" on line 23.
6. Amend page 3, line 24, after the second "the" by inserting "CIRCUIT".
7. Amend page 3, line 25, after "immediately." by inserting "UPON RECEIPT OF A PETITION FILED UNDER SUBSECTION (3), THE CIRCUIT COURT OR THE DISTRICT COURT SHALL FIX A DATE FOR HEARING THAT SHALL BE AS SOON AS POSSIBLE, BUT NOT LATER THAN 24 HOURS AFTER THE TIME AND DATE THE PETITION IS FILED. NOTICE OF THE PETITION AND THE TIME AND PLACE OF THE HEARING SHALL BE SERVED PERSONALLY ON BOTH THE PROPOSED TEST SUBJECT UNDER SECTION 5204 AND THE PETITIONER WITHIN A TIME PERIOD THAT IS REASONABLE UNDER THE CIRCUMSTANCES. NOTICE OF THE HEARING SHALL INCLUDE NOTICE OF THE PROPOSED TEST SUBJECT'S RIGHT TO APPEAR AT THE HEARING, THE RIGHT TO PRESENT AND CROSS-EXAMINE WITNESSES, AND THE RIGHT TO COUNSEL AS PROVIDED IN SUBSECTION (12). THE PROPOSED TEST SUBJECT AND THE PETITIONER MAY WAIVE NOTICE OF THE HEARING, AND UPON FILING OF THE WAIVER IN WRITING, THE CIRCUIT COURT OR THE DISTRICT COURT MAY HEAR THE PETITION FILED UNDER SUBSECTION (3) IMMEDIATELY.".

8. Amend page 5, line 2, after "court" by inserting "OR THE DISTRICT COURT".
9. Amend page 5, line 8, after the first "the" by inserting "CIRCUIT COURT OR THE DISTRICT".
10. Amend page 8, line 11, after "under" by striking out the balance of the line through "section" on line 12 and inserting "SUBSECTION (6)".
11. Amend page 8, line 15, after "under" by striking out "this section" and inserting "SUBSECTION (6)".
12. Amend page 8, line 17, after "cause." by inserting "AN ORDER ISSUED BY THE CIRCUIT COURT UNDER SUBSECTION (7) MAY BE APPEALED TO THE COURT OF APPEALS. THE COURT OF APPEALS SHALL HEAR THE APPEAL WITHIN 15 DAYS AFTER THE DATE THE CLAIM OF APPEAL IS FILED WITH THE COURT OF APPEALS. HOWEVER, AN ORDER ISSUED BY THE CIRCUIT COURT UNDER SUBSECTION (7) SHALL NOT BE STAYED PENDING APPEAL, UNLESS ORDERED BY THE COURT OF APPEALS ON MOTION FOR GOOD CAUSE. AN ORDER ISSUED BY A DISTRICT COURT UNDER SUBSECTION (7) MAY BE APPEALED TO THE CIRCUIT COURT FOR THE COUNTY IN WHICH THE DISTRICT COURT IS LOCATED. THE CIRCUIT COURT SHALL HEAR THE APPEAL WITHIN 15 DAYS AFTER THE DATE THE CLAIM OF APPEAL IS FILED WITH THE CIRCUIT COURT. HOWEVER, AN ORDER ISSUED BY A DISTRICT COURT UNDER SUBSECTION (7) SHALL NOT BE STAYED PENDING APPEAL, UNLESS ORDERED BY THE CIRCUIT COURT ON MOTION FOR GOOD CAUSE.".

The Senate has passed the bill as amended, 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. 938, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 111a and 111b (MCL 400.111a and 400.111b), section 111a as amended by 1986 PA 227 and section 111b as amended by 1994 PA 74, and by adding section 111i.

The Senate has passed the bill.

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Agriculture and Resource Management, by Rep. Green, Chair, reported

Senate Bill No. 763, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 36109 (MCL 324.36109), as amended by 1996 PA 233.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 763 To Report Out:

Yeas: Reps. Green, Julian, Bradstreet, DeRossett, DeVuyst, Ehardt, Howell, Rick Johnson, Koetje, Vear, Brater, Hansen, LaForge, Rivet, Sheltroun, Spade,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 29, 2000, at 9:00 a.m.,

Present: Reps. Green, Julian, Bradstreet, DeRossett, DeVuyst, Ehardt, Howell, Rick Johnson, Koetje, Vear, Brater, Bogardus, Hansen, LaForge, Rivet, Sheltroun, Spade.

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

Senate Bill No. 57, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending sections 5, 7, 10, 10a, 17, 19, and 55 (MCL 257.1805, 257.1807, 257.1810, 257.1810a, 257.1817, 257.1819, and 257.1855), section 7 as amended by

1992 PA 227, section 10 as amended by 1996 PA 191, section 10a as added by 1990 PA 322, and section 55 as amended by 1991 PA 184.

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 57 To Report Out:

Yeas: Reps. Allen, Ruth Johnson, DeWeese, Hager, Hart, Rick Johnson, Van Woerkom, Bogardus, Clark, Gielegem, Hansen, Scott, Spade,

Nays: Reps. Bradstreet, Kuipers.

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

Senate Bill No. 766, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1104 (MCL 380.1104), as amended by 1995 PA 289.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 766 To Report Out:

Yeas: Reps. Allen, Ruth Johnson, Bradstreet, DeWeese, Hager, Hart, Rick Johnson, Kuipers, Van Woerkom, Voorhees, Bogardus, Clark, Gielegem, Hansen, Scott, Spade,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 29, 2000, at 10:30 a.m.,

Present: Reps. Allen, Ruth Johnson, Bradstreet, DeWeese, Hager, Hart, Rick Johnson, Kuipers, Van Woerkom, Voorhees, Bogardus, Clark, Gielegem, Hansen, Scott, Spade,

Absent: Rep. Daniels,

Excused: Rep. Daniels.

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

House Bill No. 5394, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 35a (MCL 208.35a), as added by 1999 PA 115.

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

1. Amend page 4, line 2, after "LESS," by striking out "1.5%" and inserting "1.0%".

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

Favorable Roll Call

HB 5394 To Report Out:

Yeas: Reps. Cassis, Allen, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Vear, O'Neil,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 29, 2000, at 9:00 a.m.,

Present: Reps. Cassis, Woronchak, Allen, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Vear, Quarles, Basham, Garza, Jamnick, Minore, O'Neil, Switalski.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 29, 2000, at 9:00 a.m.,

Present: Reps. Garcia, Kowall, Bisbee, Richardville, Van Woerkom, Bob Brown, Lockwood,

Absent: Reps. Mans, Vaughn,

Excused: Reps. Mans, Vaughn.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Howell, Vice-Chair of the Committee on House Oversight and Operations, was received and read:

Meeting held on: Tuesday, February 29, 2000, at 12:00 Noon,

Present: Reps. Raczkowski, Howell, Ruth Johnson, Shackleton, Rivet, Brewer, DeHart.

Communications from State Officers

The following communication from the Secretary of State was received and read:

Notice of Filing Administrative Rules

February 2, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:00 P.M. this date, administrative rule (00-02-01) for the Department of State, Bureau of Elections, entitled "*Campaign Financing*", effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
James Fackler, Acting Supervisor
Office of the Great Seal

The communication was referred to the Clerk.

The following communication from the Department of Consumer and Industry Services was received and read:

February 18, 2000

Transmitted is a copy of the preliminary report on the state of competition in the commercial liability insurance market and my certification as to the presence of workable competition in the market during 1999.

This report and certification were prepared in accordance with the requirements of Section 2409 of the Insurance Code, MCLA 500.2409(c).

Sincerely,
Frank M. Fitzgerald
Commissioner of Insurance

The communication was referred to the Clerk.

The following communication from the State Budget Office was received and read:

February 24, 2000

Transmitted is a schedule entitled "Statement of Revenue Subject to Constitutional Limitation - Legal Basis." The statement is submitted pursuant to Section 18.1350 of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 26 of the Michigan Constitution for the fiscal year 1998-99.

If you have questions regarding this report, please contact Mr. Leon E. Hank, Director, Office of Financial Management, at 373-1010.

Sincerely,
Mary A. Lannoye
State Budget Director

The communication was referred to the Clerk.

The following communication from the Auditor General was received and read:

February 24, 2000

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the
Automobile Theft Prevention Authority
Michigan Department of State Police
February 2000

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The communication was referred to the Clerk and the accompanying report referred to the Committee on House Oversight and Operations.

Introduction of Bills

Reps. Green, Scranton, Julian, Gilbert, Rocca, Ruth Johnson, Caul, Wojno, Spade, Bovin, Voorhees, Ehardt, Toy, Law, Geiger, Gosselin, Mortimer, Richner, Jellema, Van Woerkom, Schermesser, Vander Roest, Faunce, Kowall, DeWeese, Tabor, Neumann, Lockwood, Jansen and Cassis introduced

House Bill No. 5460, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20155 (MCL 333.20155), as amended by 1996 PA 267.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Green, Julian, Gilbert, DeRossett, Ehardt, Caul, Geiger, Richner, Van Woerkom, Schermesser, Vander Roest, Faunce, Kowall, Sanborn, Shackleton and Jansen introduced

House Bill No. 5461, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," by amending section 107 (MCL 55.107), as amended by 1997 PA 60.

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

Reps. Switalski, Godchaux, Rivet, Thomas, Ehardt, Scranton, Shackleton, Scott, Middaugh, Birkholz and Lemmons introduced

House Bill No. 5462, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1165. The bill was read a first time by its title and referred to the Committee on Education.

Rep. Switalski introduced

House Bill No. 5463, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 613a (MCL 168.613a), as amended by 1999 PA 72.

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

Reps. Garza, DeHart, Hardman, Hale, Stallworth, Bovin, Schauer, Jacobs and Lemmons introduced

House Bill No. 5464, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding section 717a. The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Sheltroun, Neumann, Rivet, Spade and Bovin introduced

House Bill No. 5465, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act of 1987," by amending section 14 (MCL 287.714), as amended by 1998 PA 552.

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

Rep. Geiger introduced

House Bill No. 5466, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 304 (MCL 257.304), as amended by 1989 PA 67.

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

Reps. Raczkowski, Scranton, Vear, Caul, DeVuyst, DeRossett, Hager, Ehardt, Richardville, Switalski, LaSata, Van Woerkom, DeWeese, Faunce, Richner, Cameron Brown, Middaugh, Birkholz, Godchaux, Tabor, Jellema and Shackleton introduced

House Bill No. 5467, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 81 (MCL 750.81), as amended by 1999 PA 270.

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

Reps. Vander Roest, Scranton, Jelinek, Julian, Caul, Gosselin, Ehardt, Bishop, Mortimer, Garcia, Middaugh, Geiger, Mead, Birkholz, Koetje, Tabor and DeHart introduced

House Bill No. 5468, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 5 (MCL 38.1305), as amended by 1998 PA 123.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Sheltroun, Bradstreet, Ehardt, DeHart, Pappageorge, Green, Rick Johnson and Bishop introduced

House Bill No. 5469, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding section 523.

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

Rep. Jamnick introduced

House Bill No. 5470, entitled

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

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

Rep. Tabor introduced

House Bill No. 5471, entitled

A bill to amend 1986 PA 255, entitled "Prepaid funeral contract funding act," by amending sections 14 and 19 (MCL 328.224 and 328.229).

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Rep. Tabor introduced

House Bill No. 5472, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2080 (MCL 500.2080), as amended by 1986 PA 318.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Bradstreet, Gosselin, Voorhees, Sheltroun, Rocca, Patterson, Green, Vear, Ehardt, Mortimer, Vander Roest, Bishop, Mead, Tabor, Shackleton, DeWeese, Middaugh, Allen, Birkholz, DeVuyst, Faunce, Byl, Rick Johnson, Kowall, Jansen and Koetje introduced

House Bill No. 5473, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1999 PA 181; and to repeal acts and parts of acts.

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

Rep. Caul moved that the House adjourn.
The motion prevailed, the time being 5:25 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, March 1, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.

