

No. 46
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
90th Legislature
REGULAR SESSION OF 2000

House Chamber, Lansing, Thursday, May 18, 2000.

12:00 Noon.

The House was called to order by Associate Speaker Pro Tempore Patterson.

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

Allen—present	Frank—present	Kuipers—present	Rison—present
Baird—e/d/s	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—e/d/s	Schermesser—excused
Bogardus—present	Godchaux—present	Lockwood—present	Scott—present
Bovin—excused	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—excused	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—present	Quarles—present	Vear—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—present	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—excused	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Rev. Douglas Stockwell, Pastor of First Baptist Church in Vassar, offered the following invocation:

“Glorious, Heavenly Father, as we come into Your presence, we are grateful for what You have done for us. Father, we thank You for the ability to live in the greatest land on earth and in the great state of Michigan. Father, we want to say thank You for these men and women who serve our state and we pray that You would be with them as they conduct the business of the state. As bills and laws are being considered, help us to be mindful of Your law. Father, help us to be in cooperation with that, rather than opposed to that. Father, we leave each one of these men and women into Your care and we ask that they would seek Your wisdom and Your guidance as they make the decisions of the day. We ask this in Your precious name, Amen.”

Rep. Scott moved that Reps. Bovin, DeHart and Schermesser be excused from today’s session.
The motion prevailed.

Rep. DeWeese moved that Rep. Ehardt be excused from today’s session.
The motion prevailed.

Messages from the Senate

The Speaker laid before the House

House Bill No. 5227, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 232 (MCL 257.232), as amended by 1997 PA 101.

(The bill was received from the Senate on May 11 with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 16, see House Journal No. 43, p. 956.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 415

Yeas—103

Allen	Garza	Kuipers	Rivet
Basham	Geiger	Kukuk	Rocca
Birkholz	Gielegem	LaForge	Sanborn
Bisbee	Gilbert	LaSata	Schauer
Bishop	Godchaux	Law	Scott
Bogardus	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
Dennis	Johnson, Rick	Prusi	Vaughn
DeRossett	Johnson, Ruth	Pumford	Vear

DeVuyst
DeWeese
Faunce
Frank
Garcia

Julian
Kelly
Kilpatrick
Koetje
Kowall

Quarles
Raczkowski
Reeves
Richardville
Richner

Voorhees
Wojno
Woodward
Woronchak

Nays—0

In The Chair: Patterson

The House agreed to the full title of the bill.

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

Rep. Lemmons entered the House Chambers.

The Speaker laid before the House

House Bill No. 5230, entitled

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations,” by amending section 10 (MCL 28.300), as added by 1997 PA 99.

(The bill was received from the Senate on May 11 with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 16, see House Journal No. 43, p. 956.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 416

Yeas—104

Allen
Basham
Birkholz
Bisbee
Bishop
Bogardus
Bradstreet
Brater
Brewer
Brown, B.
Brown, C.
Byl
Callahan
Cassis
Caul
Cherry
Clark, I.
Clarke, H.
Daniels
Dennis

Garza
Geiger
Gielegem
Gilbert
Godchaux
Gosselin
Green
Hager
Hale
Hanley
Hansen
Hardman
Hart
Howell
Jacobs
Jammnick
Jansen
Jelinek
Jellema
Johnson, Rick

Kuipers
Kukuk
LaForge
LaSata
Law
Lemmons
Lockwood
Mans
Martinez
Mead
Middaugh
Minore
Mortimer
O’Neil
Pappageorge
Patterson
Perricone
Pestka
Price
Prusi

Rison
Rivet
Rocca
Sanborn
Schauer
Scott
Scranton
Shackleton
Sheltrown
Shulman
Spade
Stallworth
Stamas
Switalski
Tabor
Tesanovich
Thomas
Toy
Van Woerkom
Vander Roest

DeRossett	Johnson, Ruth	Pumford	Vaughn
DeVuyst	Julian	Quarles	Vear
DeWeese	Kelly	Rackowski	Voorhees
Faunce	Kilpatrick	Reeves	Wojno
Frank	Koetje	Richardville	Woodward
Garcia	Kowall	Richner	Woronchak

Nays—0

In The Chair: Patterson

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

Rep. Baird entered the House Chambers.

The Speaker laid before the House

House Bill No. 5270, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80130c, 80315c, 81114c, and 82156c (MCL 324.80130c, 324.80315c, 324.81114c, and 324.82156c), as added by 1997 PA 102.

(The bill was received from the Senate on May 11 with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 16, see House Journal No. 43, p. 956.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 417**Yeas—102**

Allen	Garza	LaSata	Rivet
Baird	Geiger	Law	Rocca
Basham	Gielegem	Lemmons	Sanborn
Birkholz	Gilbert	Lockwood	Schauer
Bisbee	Godchaux	Mans	Scott
Bishop	Gosselin	Martinez	Scranton
Bogardus	Hager	Mead	Shackleton
Bradstreet	Hale	Middaugh	Sheltrown
Brater	Hansen	Minore	Shulman
Brewer	Hardman	Mortimer	Spade
Brown, B.	Hart	Neumann	Stallworth
Brown, C.	Howell	O'Neil	Stamas
Byl	Jacobs	Pappageorge	Switalski
Callahan	Jansen	Patterson	Tabor
Cassis	Jelinek	Perricone	Tesanovich
Caul	Jellema	Pestka	Thomas
Cherry	Johnson, Rick	Price	Toy
Clark, I.	Johnson, Ruth	Prusi	Van Woerkom
Clarke, H.	Julian	Pumford	Vander Roest
Daniels	Kelly	Quarles	Vaughn
Dennis	Kilpatrick	Rackowski	Vear

DeRossett
DeVuyst
Faunce
Frank
Garcia

Koetje
Kowall
Kuipers
Kukuk
LaForge

Reeves
Richardville
Richner
Rison

Voorhees
Wojno
Woodward
Woronchak

Nays—0

In The Chair: Patterson

The House agreed to the title as amended.

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

Second Reading of Bills

House Bill No. 5653, 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 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. 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. Byl 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. 5653, 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. 418

Yeas—103

Allen
Baird
Basham
Birkholz
Bisbee
Bishop
Bogardus
Bradstreet
Brater
Brewer
Brown, B.
Brown, C.
Byl
Callahan
Cassis

Garza
Geiger
Gielegem
Gilbert
Godchaux
Gosselin
Green
Hager
Hale
Hanley
Hansen
Hardman
Hart
Howell
Jacobs

Kuipers
Kukuk
LaForge
LaSata
Law
Lemmons
Lockwood
Mans
Martinez
Mead
Middaugh
Mortimer
Neumann
O’Neil
Pappageorge

Rison
Rivet
Rocca
Sanborn
Schauer
Scott
Scranton
Shackleton
Sheltrown
Shulman
Spade
Stallworth
Stamas
Switalski
Tabor

Caul	Jamnick	Patterson	Tesanovich
Clark, I.	Jansen	Perricone	Toy
Clarke, H.	Jelinek	Pestka	Van Woerkom
Daniels	Jellema	Price	Vander Roest
Dennis	Johnson, Rick	Prusi	Vaughn
DeRossett	Johnson, Ruth	Pumford	Vear
DeVuyst	Julian	Quarles	Voorhees
DeWeese	Kelly	Raczkowski	Wojno
Faunce	Kilpatrick	Reeves	Woodward
Frank	Koetje	Richardville	Woronchak
Garcia	Kowall	Richner	

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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

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

Reps. Baird, Basham, Bishop, Bradstreet, Brater, Brewer, Bob Brown, Cameron Brown, Callahan, Cassis, Caul, Clark, Clarke, DeRossett, DeVuyst, DeWeese, Faunce, Garcia, Hager, Hardman, Howell, Jacobs, Jansen, Jelinek, Jellema, Ruth Johnson, Julian, Kelly, Kilpatrick, Kowall, Kuipers, Kukuk, LaSata, Law, Lemmons, Mans, Martinez, Middaugh, Mortimer, Neumann, Pappageorge, Patterson, Pestka, Price, Prusi, Pumford, Raczkowski, Reeves, Richardville, Rocca, Sanborn, Scott, Scranton, Shackleton, Shulman, Spade, Tabor, Tesanovich, Toy, Vander Roest, Vaughn, Voorhees, Wojno and Woodward were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5654, entitled

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

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. Byl 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. 5654, entitled

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

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

Roll Call No. 419

Yeas—106

Allen	Garza	Kukuk	Rison
Baird	Geiger	LaForge	Rivet
Basham	Gielegem	LaSata	Rocca
Birkholz	Gilbert	Law	Sanborn
Bisbee	Godchaux	Lemmons	Schauer
Bishop	Gosselin	Lockwood	Scott

Bogardus	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	Jamnick	Patterson	Tesanovich
Cherry	Jansen	Perricone	Thomas
Clark, I.	Jelinek	Pestka	Toy
Clarke, H.	Jellema	Price	Van Woerkom
Daniels	Johnson, Rick	Prusi	Vander Roest
Dennis	Johnson, Ruth	Pumford	Vaughn
DeRossett	Julian	Quarles	Vear
DeVuyst	Kelly	Rackowski	Voorhees
DeWeese	Kilpatrick	Reeves	Wojno
Faunce	Koetje	Richardville	Woodward
Frank	Kowall	Richner	Woronchak
Garcia	Kuipers		

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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

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

Second Reading of Bills

Senate Bill No. 599, entitled

A bill to create the Michigan education savings program; to provide for education savings accounts; to prescribe the powers and duties of certain state agencies, boards, and departments; to allow certain tax credits or deductions; and to provide for penalties and remedies.

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. Byl 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. Byl moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 599, entitled

A bill to create the Michigan education savings program; to provide for education savings accounts; to prescribe the powers and duties of certain state agencies, boards, and departments; to allow certain tax credits or deductions; and to provide for penalties and remedies.

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

Roll Call No. 420**Yeas—105**

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

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 5681, entitled**

A bill to amend 1905 PA 282, entitled "An act to provide for the assessment of the property, by whomsoever owned, operated or conducted, of railroad companies, union station and depot companies, telegraph companies, telephone companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight companies, and all other companies owning, leasing, running or operating any freight, stock, refrigerator, or any other cars, not being exclusively the property of any railroad company paying taxes upon its rolling stock under the provisions of this act, over or upon the line or lines of any railroad or railroads in this state, and for the levy of taxes thereon by a state board of assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act," (MCL 207.1 to 207.21) by adding section 13a.

The bill was read a second time.

Rep. Kowall 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. Byl 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. 5681, entitled

A bill to amend 1905 PA 282, entitled "An act to provide for the assessment of the property, by whomsoever owned, operated or conducted, of railroad companies, union station and depot companies, telegraph companies, telephone companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight companies, and all other companies owning, leasing, running or operating any freight, stock, refrigerator, or any other cars, not being exclusively the property of any railroad company paying taxes upon its rolling stock under the provisions of this act, over or upon the line or lines of any railroad or railroads in this state, and for the levy of taxes thereon by a state board of assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act," (MCL 207.1 to 207.21) by adding section 13a.

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

Roll Call No. 421

Yeas—90

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

Nays—15

Bogardus	Jacobs	Martinez	Vaughn
Byl	Kelly	O'Neil	Wojno
Callahan	LaForge	Prusi	Woodward
Cherry	Mans	Tesanovich	

In The Chair: Patterson

The House agreed to the title of the bill.

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

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

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
House Bill No. 4400, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 2, 3, 4, 5, 8, 13, 15, 16, and 19 (MCL 125.2652, 125.2653, 125.2654, 125.2655, 125.2658, 125.2663, 125.2665, 125.2666, and 125.2669).

(The conference report was reported by the conference committee on May 17, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 45, p. 1024.)

The question being on the adoption of the conference report,

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

Roll Call No. 422

Yeas—105

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

Nays—0

In The Chair: Patterson

Rep. Byl moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

The Speaker laid before the House the conference report relative to
House Bill No. 5443, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending the title and sections 3, 6, 7, and 8 (MCL 207.803, 207.806, 207.807, and 207.808) and by adding section 7a.

(The conference report was reported by the conference committee on May 17, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 45, p. 1026.)

The question being on the adoption of the conference report,

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

Roll Call No. 423**Yeas—104**

Allen	Garcia	Kowall	Richner
Baird	Garza	Kuipers	Rison
Basham	Geiger	Kukuk	Rocca
Birkholz	Gielegem	LaSata	Sanborn
Bisbee	Gilbert	Law	Schauer
Bishop	Godchaux	Lemmons	Scott
Bogardus	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	Jamnack	Patterson	Thomas
Clark, I.	Jansen	Perricone	Toy
Clarke, H.	Jelinek	Pestka	Van Woerkom
Daniels	Jellema	Price	Vander Roest
Dennis	Johnson, Rick	Prusi	Vaughn
DeRossett	Johnson, Ruth	Pumford	Vear
DeVuyst	Julian	Quarles	Voorhees
DeWeese	Kelly	Raczkowski	Wojno
Faunce	Kilpatrick	Reeves	Woodward
Frank	Koetje	Richardville	Woronchak

Nays—0

In The Chair: Patterson

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

The Speaker laid before the House the conference report relative to
House Bill No. 5444, entitled

A bill to provide for the establishment of obsolete property rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local government officials; and to provide penalties.

(The conference report was reported by the conference committee on May 17, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 45, p. 1027.)

The question being on the adoption of the conference report,

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

Roll Call No. 424**Yeas—102**

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

Nays—0

In The Chair: Patterson

Rep. Byl moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Senate Bill No. 269, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 38g.
The Senate has adopted the report of the Committee of Conference and ordered that the bill be given immediate effect.

The Conference Report was read as follows:

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 269, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 38g.

Recommends:

First: That the Senate and House agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 38g.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

SEC. 38G. (1) SUBJECT TO THE CRITERIA UNDER THIS SECTION, AN ELIGIBLE TAXPAYER MAY CLAIM A CREDIT AGAINST THE TAX IMPOSED BY THIS ACT AS DETERMINED UNDER SUBSECTIONS (19) TO (24); AND SUBJECT TO THE CRITERIA UNDER THIS SECTION, A QUALIFIED TAXPAYER THAT HAS A PREAPPROVAL LETTER ISSUED AFTER DECEMBER 31, 1999 AND BEFORE JANUARY 1, 2003, PROVIDED THAT THE PROJECT IS COMPLETED NOT MORE THAN 5 YEARS AFTER THE PREAPPROVAL LETTER FOR THE PROJECT IS ISSUED, OR AN ASSIGNEE UNDER SUBSECTION (16) OR (17) MAY CLAIM A CREDIT THAT HAS BEEN APPROVED UNDER SUBSECTION (2) OR (3) AGAINST THE TAX IMPOSED BY THIS ACT EQUAL TO EITHER OF THE FOLLOWING:

(A) IF THE TOTAL OF ALL CREDITS FOR A PROJECT IS \$1,000,000.00 OR LESS, 10% OF THE COST OF THE QUALIFIED TAXPAYER'S ELIGIBLE INVESTMENT PAID OR ACCRUED BY THE QUALIFIED TAXPAYER ON AN ELIGIBLE PROPERTY PROVIDED THAT THE PROJECT DOES NOT EXCEED THE AMOUNT STATED IN THE PREAPPROVAL LETTER. IF ELIGIBLE INVESTMENT EXCEEDS THE AMOUNT OF ELIGIBLE INVESTMENT IN THE PREAPPROVAL LETTER FOR THAT PROJECT, THE TOTAL OF ALL CREDITS FOR THE PROJECT SHALL NOT EXCEED THE TOTAL OF ALL CREDITS ON THE CERTIFICATE OF COMPLETION.

(B) IF THE TOTAL OF ALL CREDITS FOR A PROJECT IS MORE THAN \$1,000,000.00 BUT \$30,000,000.00 OR LESS AND, EXCEPT AS PROVIDED IN SUBSECTION (4)(B), THE PROJECT IS LOCATED IN A QUALIFIED LOCAL GOVERNMENTAL UNIT, A PERCENTAGE AS DETERMINED BY THE MICHIGAN ECONOMIC GROWTH AUTHORITY NOT TO EXCEED 10% OF THE COST OF THE QUALIFIED TAXPAYER'S ELIGIBLE INVESTMENT AS DETERMINED UNDER SUBSECTION (7) PAID OR ACCRUED BY THE QUALIFIED TAXPAYER ON AN ELIGIBLE PROPERTY. IF ELIGIBLE INVESTMENT EXCEEDS THE AMOUNT OF ELIGIBLE INVESTMENT IN THE PREAPPROVAL LETTER FOR THAT PROJECT, THE TOTAL OF ALL CREDITS FOR THE PROJECT SHALL NOT EXCEED THE TOTAL OF ALL CREDITS ON THE CERTIFICATE OF COMPLETION.

(2) IF THE COST OF A PROJECT WILL BE FOR \$10,000,000.00 OR LESS, A TAXPAYER SHALL APPLY TO THE STATE TREASURER FOR APPROVAL OF THE PROJECT UNDER THIS SUBSECTION. THE STATE TREASURER SHALL APPROVE OR DENY THE PROJECT NOT MORE THAN 45 DAYS AFTER RECEIPT OF THE APPLICATION. IF THE STATE TREASURER DOES NOT APPROVE OR DENY AN APPLICATION WITHIN 45 DAYS AFTER HE OR SHE RECEIVES THE APPLICATION, THE APPLICATION IS CONSIDERED APPROVED AS WRITTEN. THE TOTAL OF ALL CREDITS FOR ALL PROJECTS APPROVED UNDER THIS SUBSECTION SHALL NOT EXCEED \$30,000,000.00 IN ANY CALENDAR YEAR. THE STATE TREASURER SHALL USE THE CRITERIA IN SUBSECTION (5) WHEN APPROVING PROJECTS UNDER THIS SUBSECTION. WHEN APPROVING PROJECTS UNDER THIS SUBSECTION, THE STATE TREASURER SHALL GIVE PRIORITY TO PROJECTS ON A FACILITY. THE TOTAL OF ALL CREDITS FOR AN APPROVED PROJECT UNDER THIS SUBSECTION SHALL NOT EXCEED \$1,000,000.00. A TAXPAYER MAY APPLY UNDER THIS SUBSECTION INSTEAD OF SUBSECTION (3) FOR APPROVAL OF A PROJECT THAT WILL BE FOR MORE THAN \$10,000,000.00 BUT THE TOTAL OF ALL CREDITS FOR THAT PROJECT SHALL NOT EXCEED \$1,000,000.00. IF THE STATE TREASURER APPROVES A PROJECT UNDER THIS SUBSECTION, THE STATE TREASURER SHALL ISSUE A PREAPPROVAL LETTER THAT STATES THAT THE TAXPAYER IS A QUALIFIED TAXPAYER; THE MAXIMUM TOTAL ELIGIBLE INVESTMENT FOR THE PROJECT ON WHICH CREDITS MAY BE CLAIMED AND THE MAXIMUM TOTAL OF ALL CREDITS FOR THE PROJECT WHEN THE PROJECT IS COMPLETED AND A CERTIFICATE OF COMPLETION IS ISSUED; AND THE PROJECT NUMBER ASSIGNED BY THE STATE TREASURER. IF A PROJECT IS DENIED UNDER THIS SUBSECTION, A TAXPAYER IS NOT PROHIBITED FROM SUBSEQUENTLY APPLYING UNDER THIS SUBSECTION OR SUBSECTION (3) FOR THE SAME PROJECT OR FOR ANOTHER PROJECT.

(3) IF THE COST OF A PROJECT WILL BE FOR MORE THAN \$10,000,000.00 AND, EXCEPT AS PROVIDED IN SUBSECTION (4)(B), THE PROJECT IS LOCATED IN A QUALIFIED LOCAL GOVERNMENTAL UNIT, A TAXPAYER SHALL APPLY TO THE MICHIGAN ECONOMIC GROWTH AUTHORITY FOR APPROVAL OF THE PROJECT. THE MICHIGAN ECONOMIC GROWTH AUTHORITY SHALL APPROVE OR DENY THE PROJECT NOT MORE THAN 65 DAYS AFTER RECEIPT OF THE APPLICATION. A PROJECT UNDER THIS SUBSECTION SHALL NOT BE APPROVED WITHOUT THE CONCURRENCE OF THE STATE TREASURER. IF THE MICHIGAN ECONOMIC GROWTH AUTHORITY DOES NOT APPROVE OR DENY THE APPLICATION WITHIN 65 DAYS AFTER IT RECEIVES THE APPLICATION, THE MICHIGAN ECONOMIC GROWTH AUTHORITY SHALL SEND THE APPLICATION TO THE STATE TREASURER. THE STATE TREASURER SHALL APPROVE OR DENY THE APPLICATION WITHIN 5 DAYS AFTER RECEIPT OF THE APPLICATION. IF THE STATE TREASURER DOES NOT DENY THE APPLICATION WITHIN THE 5 DAYS AFTER RECEIPT OF THE APPLICATION, THE APPLICATION IS CONSIDERED APPROVED. THE MICHIGAN ECONOMIC GROWTH AUTHORITY SHALL APPROVE A LIMITED NUMBER OF PROJECTS UNDER THIS SUBSECTION DURING EACH CALENDAR YEAR AS PROVIDED IN SUBSECTION (4). THE MICHIGAN ECONOMIC

GROWTH AUTHORITY SHALL USE THE CRITERIA IN SUBSECTION (5) WHEN APPROVING PROJECTS UNDER THIS SUBSECTION, WHEN DETERMINING THE TOTAL AMOUNT OF ELIGIBLE INVESTMENT, AND WHEN DETERMINING THE PERCENTAGE OF ELIGIBLE INVESTMENT FOR THE PROJECT TO BE USED TO CALCULATE A CREDIT. THE TOTAL OF ALL CREDITS FOR AN APPROVED PROJECT UNDER THIS SUBSECTION SHALL NOT EXCEED THE AMOUNT DESIGNATED IN THE PREAPPROVAL LETTER FOR THAT PROJECT. IF THE MICHIGAN ECONOMIC GROWTH AUTHORITY APPROVES A PROJECT UNDER THIS SUBSECTION, THE MICHIGAN ECONOMIC GROWTH AUTHORITY SHALL ISSUE A PREAPPROVAL LETTER THAT STATES THAT THE TAXPAYER IS A QUALIFIED TAXPAYER; THE PERCENTAGE OF ELIGIBLE INVESTMENT FOR THE PROJECT DETERMINED BY THE MICHIGAN ECONOMIC GROWTH AUTHORITY FOR PURPOSES OF SUBSECTION (1)(B); THE MAXIMUM TOTAL ELIGIBLE INVESTMENT FOR THE PROJECT ON WHICH CREDITS MAY BE CLAIMED AND THE MAXIMUM TOTAL OF ALL CREDITS FOR THE PROJECT WHEN THE PROJECT IS COMPLETED AND A CERTIFICATE OF COMPLETION IS ISSUED; AND THE PROJECT NUMBER ASSIGNED BY THE MICHIGAN ECONOMIC GROWTH AUTHORITY. THE MICHIGAN ECONOMIC GROWTH AUTHORITY SHALL SEND A COPY OF THE PREAPPROVAL LETTER TO THE DEPARTMENT. IF A PROJECT IS DENIED UNDER THIS SUBSECTION, A TAXPAYER IS NOT PROHIBITED FROM SUBSEQUENTLY APPLYING UNDER THIS SUBSECTION OR SUBSECTION (2) FOR THE SAME PROJECT OR FOR ANOTHER PROJECT.

(4) THE MICHIGAN ECONOMIC GROWTH AUTHORITY MAY APPROVE NOT MORE THAN 15 PROJECTS EACH CALENDAR YEAR UNDER SUBSECTION (3), AND THE FOLLOWING LIMITATIONS APPLY:

(A) OF THE 15 PROJECTS ALLOWED UNDER THIS SUBSECTION, THE TOTAL OF ALL CREDITS FOR EACH PROJECT MAY BE MORE THAN \$10,000,000.00 BUT \$30,000,000.00 OR LESS FOR UP TO 3 PROJECTS.

(B) OF THE 15 PROJECTS ALLOWED UNDER THIS SUBSECTION, UP TO 3 PROJECTS MAY BE APPROVED FOR PROJECTS THAT ARE NOT IN A QUALIFIED LOCAL GOVERNMENTAL UNIT IF THE PROPERTY IS A FACILITY FOR WHICH ELIGIBLE ACTIVITIES ARE IDENTIFIED IN A BROWNFIELD PLAN. FOR PURPOSES OF THIS SUBDIVISION, A FACILITY INCLUDES A BUILDING OR COMPLEX OF BUILDINGS THAT WAS USED BY A STATE OR FEDERAL AGENCY AND THAT IS NO LONGER BEING USED FOR THE PURPOSE FOR WHICH IT WAS USED BY THE STATE OR FEDERAL AGENCY.

(C) OF THE 3 PROJECTS ALLOWED UNDER SUBDIVISION (A), 1 MAY BE A PROJECT THAT ALSO QUALIFIES UNDER SUBDIVISION (B).

(5) THE MICHIGAN ECONOMIC GROWTH AUTHORITY SHALL REVIEW ALL APPLICATIONS FOR PROJECTS UNDER SUBSECTION (3) AND, IF AN APPLICATION IS APPROVED, SHALL DETERMINE THE MAXIMUM TOTAL OF ALL CREDITS FOR THAT PROJECT. BEFORE APPROVING A PROJECT FOR WHICH THE TOTAL OF ALL CREDITS WILL BE MORE THAN \$10,000,000.00 BUT \$30,000,000.00 OR LESS ONLY, THE MICHIGAN ECONOMIC GROWTH AUTHORITY SHALL DETERMINE THAT THE PROJECT WOULD NOT OCCUR IN THIS STATE WITHOUT THE TAX CREDIT OFFERED UNDER SUBSECTION (3), EXCEPT THAT THE MICHIGAN ECONOMIC GROWTH AUTHORITY MAY APPROVE 1 PROJECT THE CONSTRUCTION OF WHICH BEGAN AFTER JANUARY 1, 2000 AND BEFORE JANUARY 1, 2001 WITHOUT DETERMINING THAT THE ELIGIBLE INVESTMENT WOULD NOT OCCUR IN THIS STATE WITHOUT THE TAX CREDIT OFFERED UNDER THIS SECTION. THE MICHIGAN ECONOMIC GROWTH AUTHORITY SHALL CONSIDER THE FOLLOWING CRITERIA TO THE EXTENT REASONABLY APPLICABLE TO THE TYPE OF PROJECT PROPOSED WHEN APPROVING A PROJECT UNDER SUBSECTION (3) AND THE STATE TREASURER SHALL CONSIDER THE FOLLOWING CRITERIA TO THE EXTENT REASONABLY APPLICABLE TO THE TYPE OF PROJECT PROPOSED WHEN APPROVING A PROJECT UNDER SUBSECTION (2):

(A) THE OVERALL BENEFIT TO THE PUBLIC.

(B) THE EXTENT OF REUSE OF VACANT BUILDINGS AND REDEVELOPMENT OF BLIGHTED PROPERTY.

(C) CREATION OF JOBS.

(D) WHETHER THE ELIGIBLE PROPERTY IS IN AN AREA OF HIGH UNEMPLOYMENT.

(E) THE LEVEL AND EXTENT OF CONTAMINATION ALLEVIATED BY THE QUALIFIED TAXPAYER'S ELIGIBLE INVESTMENT TO THE EXTENT KNOWN TO THE QUALIFIED TAXPAYER.

(F) THE LEVEL OF PRIVATE SECTOR CONTRIBUTION.

(G) THE COST GAP THAT EXISTS BETWEEN THE SITE AND A SIMILAR GREENFIELD SITE AS DETERMINED BY THE MICHIGAN ECONOMIC GROWTH AUTHORITY.

(H) IF THE QUALIFIED TAXPAYER IS MOVING FROM ANOTHER LOCATION IN THIS STATE, WHETHER THE MOVE WILL CREATE A BROWNFIELD.

(I) WHETHER THE FINANCIAL STATEMENTS OF THE QUALIFIED TAXPAYER INDICATE THAT IT IS FINANCIALLY SOUND AND THAT THE PROJECT IS ECONOMICALLY SOUND.

(J) ANY OTHER CRITERIA THAT THE MICHIGAN ECONOMIC GROWTH AUTHORITY OR THE STATE TREASURER, AS APPLICABLE, CONSIDERS APPROPRIATE FOR THE DETERMINATION OF ELIGIBILITY UNDER SUBSECTION (2) OR (3).

(6) A QUALIFIED TAXPAYER MAY APPLY FOR PROJECTS UNDER SUBSECTION (2) OR (3) FOR ELIGIBLE INVESTMENT ON MORE THAN 1 ELIGIBLE PROPERTY IN A TAX YEAR. EACH PROJECT APPROVED AND EACH PROJECT FOR WHICH A CERTIFICATE OF COMPLETION IS ISSUED UNDER THIS SECTION SHALL BE FOR ELIGIBLE INVESTMENT ON 1 ELIGIBLE PROPERTY.

(7) WHEN A PROJECT UNDER SUBSECTION (2) OR (3) IS COMPLETED, THE TAXPAYER SHALL SUBMIT DOCUMENTATION THAT THE PROJECT IS COMPLETED, AN ACCOUNTING OF THE COST OF THE PROJECT, AND THE ELIGIBLE INVESTMENT OF EACH TAXPAYER IF THERE IS MORE THAN 1 TAXPAYER ELIGIBLE FOR A CREDIT FOR THE PROJECT. THE STATE TREASURER, FOR PROJECTS APPROVED UNDER SUBSECTION (2), OR THE MICHIGAN ECONOMIC GROWTH AUTHORITY, FOR PROJECTS APPROVED UNDER SUBSECTION (3), SHALL VERIFY THAT THE PROJECT IS COMPLETED. FOR PROJECTS APPROVED UNDER SUBSECTION (3), THE MICHIGAN ECONOMIC GROWTH AUTHORITY SHALL CONDUCT AN ON-SITE INSPECTION AS PART OF THE VERIFICATION PROCESS. WHEN THE COMPLETION OF THE PROJECT IS VERIFIED, A CERTIFICATE OF COMPLETION SHALL BE ISSUED TO EACH QUALIFIED TAXPAYER THAT HAS MADE ELIGIBLE INVESTMENT ON THAT ELIGIBLE PROPERTY. THE CERTIFICATE OF COMPLETION SHALL STATE THE TOTAL AMOUNT OF ALL CREDITS FOR THE PROJECT AND THAT TOTAL SHALL NOT EXCEED THE MAXIMUM TOTAL OF ALL CREDITS LISTED IN THE PREAPPROVAL LETTER FOR THE PROJECT UNDER SUBSECTION (2) OR (3) AS APPLICABLE AND SHALL STATE ALL OF THE FOLLOWING:

(A) THAT THE TAXPAYER IS A QUALIFIED TAXPAYER.

(B) THE TOTAL COST OF THE PROJECT AND THE ELIGIBLE INVESTMENT OF EACH QUALIFIED TAXPAYER.

(C) EACH QUALIFIED TAXPAYER'S CREDIT AMOUNT.

(D) THE QUALIFIED TAXPAYER'S FEDERAL EMPLOYER IDENTIFICATION NUMBER OR THE MICHIGAN TREASURY NUMBER ASSIGNED TO THE TAXPAYER.

(E) THE PROJECT NUMBER.

(F) FOR A PROJECT APPROVED UNDER SUBSECTION (3) FOR WHICH THE TOTAL OF ALL CREDITS IS MORE THAN \$10,000,000.00 BUT \$30,000,000.00 OR LESS, THE TOTAL OF ALL CREDITS AND THE SCHEDULE ON WHICH THE ANNUAL CREDIT AMOUNT SHALL BE CLAIMED BY THE QUALIFIED TAXPAYER.

(8) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, QUALIFIED TAXPAYERS SHALL CLAIM CREDITS UNDER SUBSECTIONS (2) AND (3) IN THE TAX YEAR IN WHICH THE CERTIFICATE OF COMPLETION IS ISSUED. FOR A PROJECT APPROVED UNDER SUBSECTION (3) FOR WHICH THE TOTAL OF ALL CREDITS IS MORE THAN \$10,000,000.00 BUT \$30,000,000.00 OR LESS, THE QUALIFIED TAXPAYER SHALL CLAIM 10% OF ITS APPROVED CREDIT EACH YEAR FOR 10 YEARS.

(9) THE COST OF ELIGIBLE INVESTMENT FOR LEASED MACHINERY, EQUIPMENT, OR FIXTURES IS THE COST OF THAT PROPERTY HAD THE PROPERTY BEEN PURCHASED MINUS THE LESSOR'S ESTIMATE, MADE AT THE TIME THE LEASE IS ENTERED INTO, OF THE MARKET VALUE THE PROPERTY WILL HAVE AT THE END OF THE LEASE. A CREDIT FOR PROPERTY DESCRIBED IN THIS SUBSECTION IS ALLOWED ONLY IF THE COST OF THAT PROPERTY HAD THE PROPERTY BEEN PURCHASED AND THE LESSOR'S ESTIMATE OF THE MARKET VALUE AT THE END OF THE LEASE ARE PROVIDED TO THE STATE TREASURER OR THE MICHIGAN ECONOMIC GROWTH AUTHORITY, AS APPLICABLE.

(10) FOR CREDITS UNDER SUBSECTIONS (2) AND (3), CREDITS CLAIMED BY A LESSEE OF ELIGIBLE PROPERTY ARE SUBJECT TO THE TOTAL OF ALL CREDITS LIMITATION UNDER THIS SECTION.

(11) EACH QUALIFIED TAXPAYER AND ASSIGNEE UNDER SUBSECTION (16) OR (17) THAT CLAIMS A CREDIT UNDER SUBSECTION (1)(A) OR (B) SHALL ATTACH A COPY OF THE CERTIFICATE OF COMPLETION AND, IF THE CREDIT WAS ASSIGNED, A COPY OF THE ASSIGNMENT FORM PROVIDED FOR UNDER THIS SECTION TO THE ANNUAL RETURN FILED UNDER THIS ACT ON WHICH THE CREDIT UNDER SUBSECTION (2) OR (3) IS CLAIMED.

(12) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION OR SUBSECTION (14), (16), OR (17), A CREDIT UNDER SUBSECTION (2) OR (3) SHALL BE CLAIMED IN THE TAX YEAR IN WHICH THE CERTIFICATE OF COMPLETION IS ISSUED TO THE QUALIFIED TAXPAYER. FOR A PROJECT DESCRIBED IN SUBSECTION (7)(F) FOR WHICH A SCHEDULE FOR CLAIMING ANNUAL CREDIT AMOUNTS IS DESIGNATED ON THE CERTIFICATE OF COMPLETION BY THE MICHIGAN ECONOMIC GROWTH AUTHORITY, THE ANNUAL CREDIT AMOUNT SHALL BE CLAIMED IN THE TAX YEAR SPECIFIED ON THE CERTIFICATE OF COMPLETION.

(13) THE CREDITS APPROVED UNDER THIS SECTION SHALL BE CALCULATED AFTER APPLICATION OF ALL OTHER CREDITS ALLOWED UNDER THIS ACT. THE CREDITS UNDER SUBSECTIONS (2) AND (3) SHALL BE CALCULATED BEFORE THE CALCULATION OF CREDITS UNDER SUBSECTIONS (19) TO (24) AND BEFORE THE CREDITS UNDER SECTIONS 37C AND 37D.

(14) IF THE CREDIT ALLOWED UNDER SUBSECTION (2) OR (3) FOR THE TAX YEAR AND ANY UNUSED CARRYFORWARD OF THE CREDIT ALLOWED UNDER SUBSECTION (2) OR (3) EXCEED THE QUALIFIED TAXPAYER'S OR ASSIGNEE'S TAX LIABILITY FOR THE TAX YEAR, THAT PORTION THAT EXCEEDS THE TAX LIABILITY FOR THE TAX YEAR SHALL NOT BE REFUNDED BUT MAY BE CARRIED FORWARD TO OFFSET TAX LIABILITY IN SUBSEQUENT TAX YEARS FOR 10 YEARS OR UNTIL USED UP, WHICHEVER OCCURS FIRST. EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE MAXIMUM TIME ALLOWED UNDER THE CARRYFORWARD PROVISIONS UNDER THIS SUBSECTION BEGINS WITH THE TAX YEAR IN WHICH THE CERTIFICATE OF COMPLETION IS ISSUED TO THE QUALIFIED TAXPAYER. IF THE QUALIFIED TAXPAYER ASSIGNS ALL OR ANY PORTION OF ITS CREDIT APPROVED UNDER SUBSECTION (2) OR (3), THE MAXIMUM TIME ALLOWED UNDER THE CARRYFORWARD PROVISIONS FOR AN ASSIGNEE BEGINS TO RUN WITH THE TAX YEAR IN WHICH THE ASSIGNMENT IS MADE AND THE ASSIGNEE FIRST CLAIMS A CREDIT, WHICH SHALL BE THE SAME TAX YEAR. THE MAXIMUM TIME ALLOWED UNDER THE CARRYFORWARD PROVISIONS FOR AN ANNUAL CREDIT AMOUNT FOR A CREDIT ALLOWED UNDER SUBSECTION (3) BEGINS TO RUN IN THE TAX YEAR FOR WHICH THE ANNUAL CREDIT AMOUNT IS DESIGNATED ON THE CERTIFICATE OF COMPLETION ISSUED UNDER THIS SECTION.

(15) IF A PROJECT OR CREDIT UNDER SUBSECTION (2) OR (3) IS FOR THE ADDITION OF PERSONAL PROPERTY, IF THE COST OF THAT PERSONAL PROPERTY IS USED TO CALCULATE A CREDIT UNDER SUBSECTION (2) OR (3), AND IF THE PERSONAL PROPERTY IS SOLD OR DISPOSED OF OR TRANSFERRED FROM ELIGIBLE PROPERTY TO ANY OTHER LOCATION, THE QUALIFIED TAXPAYER THAT SOLD, DISPOSED OF, OR TRANSFERRED THE PERSONAL PROPERTY SHALL ADD THE SAME PERCENTAGE AS DETERMINED PURSUANT TO SUBSECTION (1) OF THE FEDERAL BASIS OF THE PERSONAL PROPERTY USED FOR DETERMINING GAIN OR LOSS AS OF THE DATE OF THE SALE, DISPOSITION, OR TRANSFER TO THE QUALIFIED TAXPAYER'S TAX LIABILITY AFTER APPLICATION OF ALL CREDITS UNDER THIS ACT FOR THE TAX YEAR IN WHICH THE SALE, DISPOSITION, OR TRANSFER OCCURS. IF A QUALIFIED TAXPAYER HAS AN UNUSED CARRYFORWARD OF A CREDIT UNDER SUBSECTION (2) OR (3), THE AMOUNT OTHERWISE ADDED UNDER THIS SUBSECTION TO THE QUALIFIED TAXPAYER'S TAX LIABILITY MAY INSTEAD BE USED TO REDUCE THE QUALIFIED TAXPAYER'S CARRYFORWARD UNDER SUBSECTION (14).

(16) FOR CREDITS UNDER SUBSECTIONS (2) AND (3) AND EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, IF A QUALIFIED TAXPAYER PAYS OR ACCRUES ELIGIBLE INVESTMENT ON OR TO AN ELIGIBLE PROPERTY THAT IS LEASED FOR A MINIMUM TERM OF 10 YEARS TO ANOTHER TAXPAYER FOR USE IN A BUSINESS ACTIVITY, THE QUALIFIED TAXPAYER MAY ASSIGN ALL OR A PORTION OF THE CREDIT BASED ON THAT ELIGIBLE INVESTMENT TO THE LESSEE. A CREDIT ASSIGNMENT UNDER THIS SUBSECTION IS IRREVOCABLE AND SHALL BE MADE IN THE TAX YEAR IN WHICH THE CERTIFICATE OF COMPLETION IS ISSUED, UNLESS THE ASSIGNEE IS UNKNOWN. IF A QUALIFIED TAXPAYER WISHES TO ASSIGN ALL OR A PORTION OF ITS CREDIT TO A LESSEE BUT THE LESSEE IS UNKNOWN IN THE TAX YEAR IN WHICH THE CERTIFICATE OF COMPLETION IS ISSUED, THE QUALIFIED TAXPAYER MAY DELAY CLAIMING AND ASSIGNING THE CREDIT UNTIL THE FIRST TAX YEAR IN WHICH THE LESSEE IS KNOWN. A QUALIFIED TAXPAYER MAY CLAIM A PORTION OF A CREDIT AND ASSIGN THE REMAINING CREDIT AMOUNT. EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, IF THE QUALIFIED TAXPAYER BOTH CLAIMS AND ASSIGNS PORTIONS OF THE CREDIT, THE QUALIFIED TAXPAYER SHALL CLAIM THE PORTION IT CLAIMS IN THE TAX YEAR IN WHICH THE CERTIFICATE OF COMPLETION IS ISSUED. IF A QUALIFIED TAXPAYER ASSIGNS ALL OR A PORTION OF THE CREDIT AND THE ELIGIBLE PROPERTY IS LEASED TO MORE THAN 1 TAXPAYER, THE QUALIFIED TAXPAYER SHALL PRORATE THE CREDIT TO EACH LESSEE. A LESSEE SHALL NOT SUBSEQUENTLY ASSIGN A CREDIT OR ANY PORTION OF A CREDIT ASSIGNED UNDER THIS SUBSECTION. THE CREDIT ASSIGNMENT UNDER THIS SUBSECTION SHALL BE MADE ON A FORM PRESCRIBED BY THE DEPARTMENT. THE QUALIFIED TAXPAYER SHALL SEND A COPY OF THE COMPLETED ASSIGNMENT FORM TO THE DEPARTMENT IN THE TAX YEAR IN WHICH THE ASSIGNMENT IS MADE. THE ASSIGNEE SHALL ATTACH A COPY OF THE COMPLETED ASSIGNMENT FORM TO ITS ANNUAL RETURN REQUIRED TO BE FILED UNDER THIS ACT, FOR THE TAX YEAR IN WHICH THE ASSIGNMENT IS MADE AND THE ASSIGNEE FIRST CLAIMS A CREDIT, WHICH SHALL BE THE SAME TAX YEAR. IN ADDITION TO ALL OTHER PROCEDURES UNDER THIS SUBSECTION, THE FOLLOWING APPLY IF THE TOTAL OF ALL CREDITS FOR A PROJECT IS MORE THAN \$10,000,000.00 BUT \$30,000,000.00 OR LESS:

(A) THE CREDIT SHALL BE ASSIGNED BASED ON THE SCHEDULE CONTAINED IN THE CERTIFICATE OF COMPLETION.

(B) IF THE QUALIFIED TAXPAYER ASSIGNS ALL OR A PORTION OF THE CREDIT AMOUNT, THE QUALIFIED TAXPAYER SHALL ASSIGN THE ANNUAL CREDIT AMOUNT FOR EACH TAX YEAR SEPARATELY.

(C) MORE THAN 1 ANNUAL CREDIT AMOUNT MAY BE ASSIGNED TO ANY 1 ASSIGNEE AND THE QUALIFIED TAXPAYER MAY ASSIGN ALL OR A PORTION OF EACH ANNUAL CREDIT AMOUNT TO ANY ASSIGNEE.

(D) THE QUALIFIED TAXPAYER SHALL NOT ASSIGN MORE THAN THE ANNUAL CREDIT AMOUNT FOR EACH TAX YEAR.

(17) IF A QUALIFIED TAXPAYER IS A PARTNERSHIP, LIMITED LIABILITY COMPANY, OR SUBCHAPTER S CORPORATION, THE QUALIFIED TAXPAYER MAY ASSIGN ALL OR A PORTION OF A CREDIT ALLOWED UNDER SUBSECTION (2) OR (3) TO ITS PARTNERS, MEMBERS, OR SHAREHOLDERS, BASED ON THEIR PROPORTIONATE SHARE OF OWNERSHIP OF THE PARTNERSHIP, LIMITED LIABILITY COMPANY, OR SUBCHAPTER S CORPORATION. A CREDIT ASSIGNMENT UNDER THIS SUBSECTION IS IRREVOCABLE AND SHALL BE MADE IN THE TAX YEAR IN WHICH A CERTIFICATE OF COMPLETION IS ISSUED. A QUALIFIED TAXPAYER MAY CLAIM A PORTION OF A CREDIT AND ASSIGN THE REMAINING CREDIT AMOUNT. IF THE QUALIFIED TAXPAYER BOTH CLAIMS AND ASSIGNS PORTIONS OF THE CREDIT, THE QUALIFIED TAXPAYER SHALL CLAIM THE PORTION IT CLAIMS IN THE TAX YEAR IN WHICH A CERTIFICATE OF COMPLETION IS ISSUED. A PARTNER, MEMBER, OR SHAREHOLDER THAT IS AN ASSIGNEE SHALL NOT SUBSEQUENTLY ASSIGN A CREDIT OR ANY PORTION OF A CREDIT ASSIGNED UNDER THIS SUBSECTION. THE CREDIT ASSIGNMENT UNDER THIS SUBSECTION SHALL BE MADE ON A FORM PRESCRIBED BY THE DEPARTMENT. THE QUALIFIED TAXPAYER SHALL SEND A COPY OF THE COMPLETED ASSIGNMENT FORM TO THE DEPARTMENT IN THE TAX YEAR IN WHICH THE ASSIGNMENT IS MADE. A PARTNER, MEMBER, OR SHAREHOLDER WHO IS AN ASSIGNEE SHALL ATTACH A COPY OF THE COMPLETED ASSIGNMENT FORM TO ITS ANNUAL RETURN REQUIRED UNDER THIS ACT, FOR THE TAX YEAR IN WHICH THE ASSIGNMENT IS MADE AND THE ASSIGNEE FIRST CLAIMS A CREDIT, WHICH SHALL BE THE SAME TAX YEAR. IN ADDITION TO ALL OTHER PROCEDURES UNDER THIS SUBSECTION, THE FOLLOWING APPLY IF THE TOTAL OF ALL CREDITS FOR A PROJECT IS MORE THAN \$10,000,000.00 BUT \$30,000,000.00 OR LESS:

(A) THE CREDIT SHALL BE ASSIGNED BASED ON THE SCHEDULE CONTAINED IN THE CERTIFICATE OF COMPLETION.

(B) IF THE QUALIFIED TAXPAYER ASSIGNS ALL OR A PORTION OF THE CREDIT AMOUNT, THE QUALIFIED TAXPAYER SHALL ASSIGN THE ANNUAL CREDIT AMOUNT FOR EACH TAX YEAR SEPARATELY.

(C) MORE THAN 1 ANNUAL CREDIT AMOUNT MAY BE ASSIGNED TO ANY 1 ASSIGNEE AND THE QUALIFIED TAXPAYER MAY ASSIGN ALL OR A PORTION OF EACH ANNUAL CREDIT AMOUNT TO ANY ASSIGNEE.

(D) THE QUALIFIED TAXPAYER SHALL NOT ASSIGN MORE THAN THE ANNUAL CREDIT AMOUNT FOR EACH TAX YEAR.

(18) A QUALIFIED TAXPAYER OR ASSIGNEE UNDER SUBSECTION (16) OR (17) SHALL NOT CLAIM A CREDIT UNDER SUBSECTION (1)(A) OR (B) BASED ON ELIGIBLE INVESTMENT ON WHICH A CREDIT CLAIMED UNDER SECTION 38D WAS BASED.

(19) IN ADDITION TO THE OTHER CREDITS ALLOWED UNDER THIS SECTION AND SECTIONS 37C AND 37D, FOR TAX YEARS THAT BEGIN AFTER DECEMBER 31, 1999 AND FOR A PERIOD OF TIME NOT TO EXCEED 20 YEARS AS DETERMINED BY THE MICHIGAN ECONOMIC GROWTH AUTHORITY, AN ELIGIBLE TAXPAYER MAY CREDIT AGAINST THE TAX IMPOSED BY SECTION 31 THE AMOUNT CERTIFIED EACH YEAR BY THE MICHIGAN ECONOMIC GROWTH AUTHORITY THAT IS 1 OF THE FOLLOWING:

(A) FOR AN ELIGIBLE BUSINESS UNDER SECTION 8(5)(A) OF THE MICHIGAN ECONOMIC GROWTH AUTHORITY ACT, 1995 PA 24, MCL 207.808, AN AMOUNT THAT IS NOT MORE THAN 50% OF 1 OR BOTH OF THE FOLLOWING AS DETERMINED BY THE MICHIGAN ECONOMIC GROWTH AUTHORITY:

(i) AN AMOUNT DETERMINED UNDER THE MICHIGAN ECONOMIC GROWTH AUTHORITY ACT, 1995 PA 24, MCL 207.801 TO 207.810, THAT DOES NOT EXCEED THE PAYROLL OF THE ELIGIBLE TAXPAYER ATTRIBUTABLE TO EMPLOYEES WHO PERFORM RETAINED JOBS MULTIPLIED BY THE TAX RATE FOR THE TAX YEAR.

(ii) THE TAX LIABILITY ATTRIBUTABLE TO THE ELIGIBLE TAXPAYER'S BUSINESS ACTIVITY MULTIPLIED BY A FRACTION THE NUMERATOR OF WHICH IS THE RATIO OF THE VALUE OF NEW CAPITAL INVESTMENT TO ALL OF THE TAXPAYER'S PROPERTY LOCATED IN THIS STATE PLUS THE RATIO OF THE TAXPAYER'S PAYROLL ATTRIBUTABLE TO RETAINED JOBS TO ALL OF THE TAXPAYER'S PAYROLL IN THIS STATE AND THE DENOMINATOR OF WHICH IS 2.

(B) FOR AN ELIGIBLE BUSINESS UNDER SECTION 8(5)(B) OF THE MICHIGAN ECONOMIC GROWTH AUTHORITY ACT, 1995 PA 24, MCL 207.808, AN AMOUNT THAT IS NOT MORE THAN 1 OR BOTH OF THE FOLLOWING AS DETERMINED BY THE MICHIGAN ECONOMIC GROWTH AUTHORITY:

(i) AN AMOUNT DETERMINED UNDER THE MICHIGAN ECONOMIC GROWTH AUTHORITY ACT, 1995 PA 24, MCL 207.801 TO 207.810, THAT DOES NOT EXCEED THE PAYROLL OF THE ELIGIBLE TAXPAYER ATTRIBUTABLE TO EMPLOYEES WHO PERFORM RETAINED JOBS MULTIPLIED BY THE TAX RATE FOR THE TAX YEAR.

(ii) THE TAX LIABILITY ATTRIBUTABLE TO ELIGIBLE TAXPAYER'S BUSINESS MULTIPLIED BY A FRACTION THE NUMERATOR OF WHICH IS THE RATIO OF THE VALUE OF CAPITAL INVESTMENT TO ALL OF THE TAXPAYER'S PROPERTY LOCATED IN THIS STATE PLUS THE RATIO OF THE TAXPAYER'S PAYROLL ATTRIBUTABLE TO RETAINED JOBS TO ALL OF THE TAXPAYER'S PAYROLL IN THIS STATE AND THE DENOMINATOR OF WHICH IS 2.

(20) AN ELIGIBLE TAXPAYER SHALL NOT CLAIM A CREDIT UNDER SUBSECTION (19) UNLESS THE MICHIGAN ECONOMIC GROWTH AUTHORITY HAS ISSUED A CERTIFICATE UNDER SECTION 9 OF THE MICHIGAN ECONOMIC GROWTH AUTHORITY ACT, 1995 PA 24, MCL 207.809, TO THE TAXPAYER. THE ELIGIBLE TAXPAYER SHALL ATTACH THE CERTIFICATE TO THE RETURN FILED UNDER THIS ACT ON WHICH A CREDIT UNDER SUBSECTION (19) IS CLAIMED.

(21) AN AFFILIATED GROUP AS DEFINED IN THIS ACT, A CONTROLLED GROUP OF CORPORATIONS AS DEFINED IN SECTION 1563 OF THE INTERNAL REVENUE CODE AND FURTHER DESCRIBED IN 26 C.F.R. 1.414 (b)-1 AND 1.414(c)-1 TO 1.414(c)-5, OR AN ENTITY UNDER COMMON CONTROL AS DEFINED BY THE INTERNAL REVENUE CODE SHALL CLAIM ONLY 1 CREDIT UNDER SUBSECTION (19) FOR EACH TAX YEAR BASED ON EACH WRITTEN AGREEMENT WHETHER OR NOT A COMBINED OR CONSOLIDATED RETURN IS FILED.

(22) A CREDIT SHALL NOT BE CLAIMED BY A TAXPAYER UNDER SUBSECTION (19) IF THE ELIGIBLE TAXPAYER'S INITIAL CERTIFICATION UNDER SECTION 9 OF THE MICHIGAN ECONOMIC GROWTH AUTHORITY ACT, 1995 PA 24, MCL 207.809, IS ISSUED AFTER DECEMBER 31, 2003.

(23) IF THE CREDIT ALLOWED UNDER SUBSECTION (19)(A)(ii) OR (19)(B)(ii) FOR THE TAX YEAR AND ANY UNUSED CARRYFORWARD OF THE CREDIT ALLOWED BY SUBSECTION (19)(A)(ii) OR (B)(ii) EXCEED THE TAXPAYER'S TAX LIABILITY FOR THE TAX YEAR, THAT PORTION THAT EXCEEDS THE TAX LIABILITY FOR THE TAX YEAR SHALL NOT BE REFUNDED BUT MAY BE CARRIED FORWARD TO OFFSET TAX LIABILITY IN SUBSEQUENT TAX YEARS FOR 10 YEARS OR UNTIL USED UP, WHICHEVER OCCURS FIRST.

(24) IF THE CREDIT ALLOWED UNDER SUBSECTION (19)(A)(i) OR (19)(B)(i) EXCEEDS THE TAX LIABILITY OF THE ELIGIBLE TAXPAYER FOR THE TAX YEAR, THE EXCESS SHALL BE REFUNDED TO THE ELIGIBLE TAXPAYER.

(25) AN ELIGIBLE TAXPAYER THAT CLAIMS A CREDIT UNDER SUBSECTION (1)(A) OR (B) IS NOT PROHIBITED FROM CLAIMING A CREDIT UNDER SUBSECTION (19). HOWEVER, THE ELIGIBLE TAXPAYER SHALL NOT CLAIM A CREDIT UNDER BOTH SUBSECTIONS (1)(A) OR (B) AND (19) BASED ON THE SAME COSTS.

(26) ELIGIBLE INVESTMENT ATTRIBUTABLE OR RELATED TO THE OPERATION OF A PROFESSIONAL SPORTS STADIUM, AND ELIGIBLE INVESTMENT THAT IS ASSOCIATED OR AFFILIATED WITH THE OPERATION OF A PROFESSIONAL SPORTS STADIUM, INCLUDING, BUT NOT LIMITED TO, THE OPERATION OF A PARKING LOT OR RETAIL STORE, SHALL NOT BE USED AS A BASIS FOR A CREDIT UNDER SUBSECTION (2) OR (3). PROFESSIONAL SPORTS STADIUM DOES NOT INCLUDE A PROFESSIONAL SPORTS STADIUM THAT WILL NO LONGER BE USED BY A PROFESSIONAL SPORTS TEAM ON AND AFTER THE DATE THAT AN APPLICATION RELATED TO THAT PROFESSIONAL SPORTS STADIUM IS FILED UNDER SUBSECTION (2) OR (3).

(27) ELIGIBLE INVESTMENT ATTRIBUTABLE OR RELATED TO THE OPERATION OF A CASINO, AND ELIGIBLE INVESTMENT THAT IS ASSOCIATED OR AFFILIATED WITH THE OPERATION OF A CASINO, INCLUDING, BUT NOT LIMITED TO, THE OPERATION OF A PARKING LOT, HOTEL, MOTEL, OR RETAIL STORE, SHALL NOT BE USED AS A BASIS FOR A CREDIT UNDER SUBSECTION (2) OR (3). AS USED IN THIS SUBSECTION, "CASINO" MEANS A CASINO REGULATED BY THIS STATE PURSUANT TO THE MICHIGAN GAMING CONTROL AND REVENUE ACT, THE INITIATED LAW OF 1996, MCL 432.201 TO 432.226.

(28) ELIGIBLE INVESTMENT ATTRIBUTABLE OR RELATED TO THE CONSTRUCTION OF A NEW LANDFILL OR THE EXPANSION OF AN EXISTING LANDFILL REGULATED UNDER PART 115 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.11501 TO 324.11550, SHALL NOT BE USED AS A BASIS FOR A CREDIT UNDER SUBSECTION (2) OR (3).

(29) THE DEPARTMENT ANNUALLY SHALL PREPARE AND SUBMIT TO THE HOUSE OF REPRESENTATIVES AND SENATE COMMITTEES RESPONSIBLE FOR TAX POLICY AND ECONOMIC DEVELOPMENT ISSUES A REPORT ON THE CREDITS UNDER SUBSECTION (2). THE REPORT SHALL INCLUDE, BUT IS NOT LIMITED TO, ALL OF THE FOLLOWING:

(A) A LISTING OF THE PROJECTS UNDER SUBSECTION (2) THAT WERE APPROVED IN THE CALENDAR YEAR.

(B) THE TOTAL AMOUNT OF ELIGIBLE INVESTMENT FOR PROJECTS APPROVED UNDER SUBSECTION (2) IN THE CALENDAR YEAR.

(30) AS USED IN THIS SECTION:

(A) "ANNUAL CREDIT AMOUNT" MEANS THE MAXIMUM AMOUNT THAT A QUALIFIED TAXPAYER IS ELIGIBLE TO CLAIM EACH TAX YEAR FOR A PROJECT FOR WHICH THE TOTAL OF ALL CREDITS IS MORE THAN \$10,000,000.00 BUT \$30,000,000.00 OR LESS, WHICH SHALL BE 10% OF THE QUALIFIED TAXPAYER'S CREDIT AMOUNT APPROVED UNDER SUBSECTION (3).

(B) "AUTHORITY" MEANS A BROWNFIELD REDEVELOPMENT AUTHORITY CREATED UNDER THE BROWNFIELD REDEVELOPMENT FINANCING ACT, 1996 PA 381, MCL 125.2651 TO 125.2672.

(C) "AUTHORIZED BUSINESS", "FULL-TIME JOB", "NEW CAPITAL INVESTMENT", "RETAINED JOBS", AND "WRITTEN AGREEMENT" MEAN THOSE TERMS AS DEFINED IN THE MICHIGAN ECONOMIC GROWTH AUTHORITY ACT, 1995 PA 24, MCL 207.801 TO 207.810.

(D) "BLIGHTED", "BROWNFIELD PLAN", "ELIGIBLE ACTIVITIES", "ELIGIBLE PROPERTY", "FACILITY", "FUNCTIONALLY OBSOLETE", AND "RESPONSE ACTIVITY" MEAN THOSE TERMS AS DEFINED IN THE BROWNFIELD REDEVELOPMENT FINANCING ACT, 1996 PA 381, MCL 125.2651 TO 125.2672.

(E) "ELIGIBLE INVESTMENT" MEANS DEMOLITION, CONSTRUCTION, RESTORATION, ALTERATION, RENOVATION, OR IMPROVEMENT OF BUILDINGS OR SITE IMPROVEMENTS ON ELIGIBLE PROPERTY AND THE ADDITION OF MACHINERY, EQUIPMENT, AND FIXTURES TO ELIGIBLE PROPERTY AFTER THE DATE THAT ELIGIBLE ACTIVITIES ON THAT ELIGIBLE PROPERTY HAVE STARTED PURSUANT TO A BROWNFIELD PLAN UNDER THE BROWNFIELD REDEVELOPMENT FINANCING ACT, 1996 PA 381, MCL 125.2651 TO 125.2672, AND AFTER THE DATE THAT THE PREAPPROVAL LETTER IS ISSUED, EXCEPT THAT THE DATE THAT THE PREAPPROVAL LETTER IS ISSUED IS NOT A LIMITATION FOR 1 PROJECT THE CONSTRUCTION OF WHICH BEGAN AFTER JANUARY 1, 2000 AND BEFORE JANUARY 1, 2001 WITHOUT THE MICHIGAN ECONOMIC GROWTH AUTHORITY DETERMINING THAT THE PROJECT WOULD NOT OCCUR IN THIS STATE WITHOUT THE TAX CREDIT OFFERED UNDER THIS SECTION AS PROVIDED IN SUBSECTION (5), IF THE COSTS OF THE ELIGIBLE INVESTMENT ARE NOT OTHERWISE REIMBURSED TO THE TAXPAYER OR PAID FOR ON BEHALF OF THE TAXPAYER FROM ANY SOURCE OTHER THAN THE TAXPAYER. THE ADDITION OF LEASED MACHINERY, EQUIPMENT, OR FIXTURES TO ELIGIBLE PROPERTY BY A LESSEE OF THE MACHINERY, EQUIPMENT, OR FIXTURES IS ELIGIBLE INVESTMENT IF THE LEASE OF THE MACHINERY, EQUIPMENT, OR FIXTURES HAS A MINIMUM TERM OF 10 YEARS OR IS FOR THE EXPECTED USEFUL LIFE OF THE MACHINERY, EQUIPMENT, OR FIXTURES, AND IF THE OWNER OF THE MACHINERY, EQUIPMENT, OR FIXTURES IS NOT THE QUALIFIED TAXPAYER WITH REGARD TO THAT MACHINERY, EQUIPMENT, OR FIXTURES.

(F) "ELIGIBLE TAXPAYER" MEANS AN ELIGIBLE BUSINESS THAT MEETS THE CRITERIA UNDER SECTION 8(5) OF THE MICHIGAN ECONOMIC GROWTH AUTHORITY ACT, 1995 PA 24, MCL 207.808.

(G) "MICHIGAN ECONOMIC GROWTH AUTHORITY" MEANS THE MICHIGAN ECONOMIC GROWTH AUTHORITY CREATED IN THE MICHIGAN ECONOMIC GROWTH AUTHORITY ACT, 1995 PA 24, MCL 207.801 TO 207.810.

(H) "PAYROLL" AND "TAX RATE" MEAN THOSE TERMS AS DEFINED IN SECTION 37C.

(I) "PERSONAL PROPERTY" MEANS THAT TERM AS DEFINED IN SECTION 8 OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.8, EXCEPT THAT PERSONAL PROPERTY DOES NOT INCLUDE EITHER OF THE FOLLOWING:

(i) PERSONAL PROPERTY DESCRIBED IN SECTION 8(H), (I), OR (J) OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.8.

(ii) BUILDINGS DESCRIBED IN SECTION 14(6) OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.14.

(J) "PROJECT" MEANS THE TOTAL OF ALL ELIGIBLE INVESTMENT ON AN ELIGIBLE PROPERTY OR, FOR PURPOSES OF SUBSECTION (4)(B), ALL ELIGIBLE INVESTMENT ON PROPERTY NOT IN A QUALIFIED LOCAL GOVERNMENTAL UNIT THAT IS A FACILITY.

(K) "QUALIFIED LOCAL GOVERNMENTAL UNIT" MEANS THAT TERM AS DEFINED IN THE OBSOLETE PROPERTY REHABILITATION ACT.

(l) "QUALIFIED TAXPAYER" MEANS A TAXPAYER THAT MEETS BOTH OF THE FOLLOWING CRITERIA:

(i) OWNS OR LEASES ELIGIBLE PROPERTY.

(ii) CERTIFIES THAT THE DEPARTMENT OF ENVIRONMENTAL QUALITY HAS NOT SUED OR ISSUED A UNILATERAL ORDER TO THE TAXPAYER PURSUANT TO PART 201 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.20101 TO 324.20142, TO COMPEL RESPONSE ACTIVITY ON OR TO THE ELIGIBLE PROPERTY, OR EXPENDED ANY STATE FUNDS FOR RESPONSE ACTIVITY ON OR TO THE ELIGIBLE PROPERTY AND DEMANDED REIMBURSEMENT FOR THOSE EXPENDITURES FROM THE QUALIFIED TAXPAYER.

(M) “TAX LIABILITY ATTRIBUTABLE TO AUTHORIZED BUSINESS ACTIVITY” MEANS THE TAX LIABILITY IMPOSED BY THIS ACT AFTER THE CALCULATION OF CREDITS PROVIDED IN SECTIONS 36, 37, AND 39.

Enacting section 1. 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. 4400.
- (b) House Bill No. 5443.
- (c) House Bill No. 5444.

Second: That the Senate and House agree to the title of the bill to read as follows:

A bill to amend 1975 PA 228, entitled “An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation,” (MCL 208.1 to 208.145) by adding section 38g.

Bill Schuette
Joanne G. Emmons
Gary Peters
Conferees for the Senate

Valde Garcia
Bob Brown
Conferees for the House

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Rep. Byl moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been placed on the members’ desks.

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 425

Yeas—102

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

Faunce
Frank
Garcia

Koetje
Kowall
Kuipers

Richardville
Richner

Woodward
Woronchak

Nays—2

Bisbee

LaForge

In The Chair: Patterson

Rep. Byl moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

Senate Bill No. 1008, entitled

A bill to amend 1995 PA 266, entitled “An act to authorize and regulate credit card transactions involving local units of government, including the use of credit cards by officers and employees of local units of government; and to provide for powers and duties of certain state and local agencies, officers, and employees,” by amending section 1 (MCL 129.241).

The bill was read a second time.

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

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

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

Rep. Bob Brown moved that Rep. Thomas be excused temporarily from today’s session.
The motion prevailed.

Rep. Kelly moved that Rep. LaForge be excused temporarily from today’s session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1008, entitled

A bill to amend 1995 PA 266, entitled “An act to authorize and regulate credit card transactions involving local units of government, including the use of credit cards by officers and employees of local units of government; and to provide for powers and duties of certain state and local agencies, officers, and employees,” by amending section 1 (MCL 129.241).

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

Roll Call No. 426

Yeas—102

Allen
Baird

Garcia
Garza

Kuipers
Kukuk

Rison
Rivet

Basham	Geiger	LaSata	Rocca
Birkholz	Gielegem	Law	Sanborn
Bisbee	Gilbert	Lemmons	Schauer
Bishop	Godchaux	Lockwood	Scott
Bogardus	Gosselin	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	Jamnick	Patterson	Tesanovich
Cherry	Jansen	Perricone	Toy
Clark, I.	Jelinek	Pestka	Van Woerkom
Clarke, H.	Jellema	Price	Vander Roest
Daniels	Johnson, Rick	Pumford	Vaughn
Dennis	Johnson, Ruth	Quarles	Vear
DeRossett	Julian	Raczkowski	Voorhees
DeVuyst	Kelly	Reeves	Wojno
DeWeese	Kilpatrick	Richardville	Woodward
Faunce	Koetje	Richner	Woronchak
Frank	Kowall		

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4313, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3913 (MCL 500.3913), as added by 1992 PA 84.

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

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

Reps. Tabor and DeHart moved to amend the bill as follows:

1. Amend page 2, line 12, by striking out all of subsection (3) and inserting:

"(3) A LONG-TERM CARE INSURANCE POLICY THAT PROVIDES COVERAGE FOR HOME CARE SERVICES OR ASSISTED LIVING SERVICES SHALL DEFINE AND PROVIDE A DETAILED EXPLANATION IN PLAIN ENGLISH OF WHAT HOME CARE SERVICES OR ASSISTED LIVING SERVICES ARE COVERED. A LONG-TERM CARE INSURANCE POLICY THAT PROVIDES COVERAGE FOR ASSISTED LIVING FACILITY STAYS SHALL DEFINE IN PLAIN ENGLISH WHAT ASSISTED LIVING FACILITIES ARE COVERED."

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

Rep. Tabor 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. Byl 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. 4313, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3913 (MCL 500.3913), as added by 1992 PA 84.

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

Roll Call No. 427

Yeas—104

Allen	Garcia	Kuipers	Rison
Baird	Garza	Kukuk	Rivet
Basham	Geiger	LaForge	Rocca
Birkholz	Gielegem	LaSata	Sanborn
Bisbee	Gilbert	Law	Schauer
Bishop	Godchaux	Lemmons	Scott
Bogardus	Gosselin	Lockwood	Scranton
Bradstreet	Green	Mans	Shackleton
Brater	Hager	Martinez	Sheltrown
Brewer	Hale	Mead	Shulman
Brown, B.	Hanley	Middaugh	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
Dennis	Johnson, Ruth	Pumford	Vaughn
DeRossett	Julian	Quarles	Vear
DeVuyst	Kelly	Rackowski	Voorhees
DeWeese	Kilpatrick	Reeves	Wojno
Faunce	Koetje	Richardville	Woodward
Frank	Kowall	Richner	Woronchak

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4128, entitled

A bill to provide for standards for contracts involving certain residential and care services; and to provide for remedies.

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

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

Rep. Hardman moved to amend the bill as follows:

1. Amend page 5, following line 2, by inserting:

“Sec. 7. A housing-with-services establishment shall not bring, maintain, or defend an action to collect compensation for the performance of a contract determined by a court to be in willful violation of or noncompliance with this act.”.

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

Rep. Scranton 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. Byl 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. 4128, entitled

A bill to provide for standards for contracts involving certain residential and care services; and to provide for remedies.

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

Roll Call No. 428

Yeas—103

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

Nays—0

In The Chair: Patterson

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 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.

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

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

Rep. Dennis moved to amend the bill as follows:

1. Amend page 9, line 15, after "ADMINISTRATION" by inserting a comma and "AND REPRESENTATIVES OF NURSING HOME RESIDENTS AND THEIR FAMILY MEMBERS".

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

Rep. Dennis demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 429

Yeas—50

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

Nays—54

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

Rep. Jacobs moved to amend the bill as follows:

1. Amend page 10, following line 10, by inserting:

“(19) A NURSING HOME SHALL POST THE EXECUTIVE SUMMARY OF THE NURSING HOME’S SURVEY IN A CONSPICUOUS PLACE WITHIN THE NURSING HOME FOR PUBLIC REVIEW.”.

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

Rep. Jacobs demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 430

Yeas—69

Baird	Hager	Lockwood	Schauer
Basham	Hale	Mans	Scott
Bogardus	Hanley	Martinez	Shackleton
Brater	Hansen	Minore	Sheltrown
Brewer	Hardman	Neumann	Shulman
Brown, B.	Howell	O’Neil	Spade
Callahan	Jacobs	Pappageorge	Stallworth
Caul	Jamnick	Patterson	Stamas
Cherry	Jellema	Pestka	Switalski
Clark, I.	Johnson, Ruth	Price	Tabor
Clarke, H.	Julian	Prusi	Tesanovich
Daniels	Kelly	Raczkowski	Thomas
Dennis	Kilpatrick	Reeves	Van Woerkom
DeWeese	Kowall	Richardville	Vaughn
Faunce	Kuipers	Rison	Wojno
Frank	LaForge	Rivet	Woodward
Garza	Lemmons	Rocca	Woronchak
Gielegem			

Nays—35

Allen	DeVuyst	Johnson, Rick	Pumford
Birkholz	Geiger	Koetje	Richner
Bisbee	Gilbert	Kukuk	Sanborn
Bishop	Godchaux	LaSata	Scranton
Bradstreet	Gosselin	Law	Toy
Brown, C.	Green	Mead	Vander Roest
Byl	Hart	Middaugh	Vear
Cassis	Jansen	Mortimer	Voorhees
DeRossett	Jelinek	Perricone	

In The Chair: Patterson

Rep. Green moved to amend the bill as follows:

1. Amend page 2, line 24, after “YEARS.” by inserting “THE DEPARTMENT SHALL NOT USE THE REQUIREMENTS FOR LICENSED REGISTERED PROFESSIONAL NURSE SURVEYORS IMPOSED BY THE AMENDATORY ACT THAT ADDED THIS SENTENCE TO ADVERSELY AFFECT THE TERMS OR CONDITIONS OF EMPLOYMENT OF A LICENSED REGISTERED PROFESSIONAL NURSE SURVEYOR EMPLOYED BY OR UNDER CONTRACT TO THE DEPARTMENT ON OR BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SENTENCE.”.

2. Amend page 6, line 8, after “SERVICES” by striking out “AND” and inserting “OR”.

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

Rep. LaForge to amend the bill as follows:

1. Amend page 10, following line 10, following subsection (19), by inserting:

“Enacting section 1. This amendatory act shall not take effect unless House Bill No. 4159 of the 90th Legislature is enacted into law.”.

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

Rep. LaForge demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 431

Yeas—46

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

Nays—56

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

In The Chair: Patterson



Rep. Shackleton, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

The maker of the amendment has well described the merits of his separate legislation. If it does what the maker says it does, it sounds worthy of support. This amendment, though, tiebars an important bill before us with a newly introduced piece of legislation that needs to move through the committee process. I look forward to seeing the bill stand on it’s own merit, but do not wish to impede the progress of the bill before us today.”

Rep. Frank moved to amend the bill as follows:

1. Amend page 10, following line 10, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 5725 of the 90th Legislature is enacted into law.”

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 432

Yeas—45

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

Nays—57

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

In The Chair: Patterson

Reps. Shackleton, Caul, Hager and Howell, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

The maker of the amendment has well described the merits of his separate legislation. If it does what the maker says it does, it sounds worthy of support. This amendment, though, tiebars an important bill before us with a newly introduced piece of legislation that needs to move through the committee process. I look forward to seeing the bill stand on it’s own merit, but do not wish to impede the progress of the bill before us today.”

Rep. Gielegem moved to amend the bill as follows:

1. Amend page 1, line 5, after “consultation.” by inserting “A VISIT MADE PURSUANT TO A COMPLAINT INVESTIGATION SHALL BE UNANNOUNCED.”.

2. Amend page 1, line 5, after “a” by striking out the balance of the line through “(j)” on line 6 and inserting “COUNTY MEDICAL CARE FACILITY, A HOME FOR THE AGED, A NURSING HOME, AND A HOSPICE RESIDENCE”.

3. Amend page 1, line 7, after “visits” by striking out “shall be” and inserting “THAT ARE NOT MADE PURSUANT TO A COMPLAINT ARE”.

4. Amend page 1, line 8, after “unannounced” by striking out the balance of the line through “(j)” on line 1, page 2 and inserting a period and “IN ADDITION TO VISITS MADE PURSUANT TO A COMPLAINT INVESTIGATION, THE DEPARTMENT SHALL ANNUALLY MAKE AT LEAST 1 UNANNOUNCED VISIT TO EACH COUNTY MEDICAL CARE FACILITY AND HOSPICE RESIDENCE”.

5. Amend page 3, line 1, after “consultation” by striking out the balance of the line through “department” on line 4 and inserting “AND AT LEAST ONCE MAKE AN UNANNOUNCED VISIT TO INSPECT EACH NURSING HOME LICENSED UNDER THIS ARTICLE, REGARDLESS OF WHETHER THE NURSING HOME IS CERTIFIED UNDER TITLE XVIII OR TITLE XIX.”.

6. Amend page 6, line 7, after “(9)” by inserting “IN ADDITION TO THE INSPECTION CONDUCTED UNDER SUBSECTION (2),”.

7. Amend page 6, line 10, after “a” by striking out the balance of the line through “(j)” on line 11 and inserting “COUNTY MEDICAL CARE FACILITY, A HOME FOR THE AGED, A NURSING HOME, OR A HOSPICE RESIDENCE”.

8. Amend page 6, line 13, after “with” by inserting “INVESTIGATING OR”.

9. Amend page 6, line 15, after “an” by inserting “INVESTIGATION OR AN”.

10. Amend page 6, line 22, after “whether” by striking out “visits are” and inserting “A VISIT AND INSPECTION IS”.

11. Amend page 6, line 23, after “at” by striking out “all visits,” and inserting “EACH VISIT AND INSPECTION, WHETHER”.

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

Rep. Gielegem demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 433

Yeas—70

Baird	Gielegem	Lemmons	Rocca
Basham	Hager	Lockwood	Schauer
Bogardus	Hale	Mans	Scott
Brater	Hanley	Martinez	Shackleton
Brewer	Hansen	Minore	Sheltrown
Brown, B.	Hardman	Neumann	Shulman
Byl	Hart	O’Neil	Spade
Callahan	Howell	Patterson	Stallworth
Caul	Jacobs	Pestka	Stamas
Cherry	Jamnick	Price	Switalski
Clark, I.	Jellema	Prusi	Tesanovich
Clarke, H.	Johnson, Ruth	Quarles	Thomas
Daniels	Julian	Rackowski	Van Woerkom
Dennis	Kelly	Reeves	Vaughn
DeWeese	Kilpatrick	Richardville	Wojno
Faunce	Kowall	Rison	Woodward
Frank	Kuipers	Rivet	Woronchak
Garza	LaForge		

Nays—35

Allen	Garcia	Koetje	Richner
Birkholz	Geiger	Kukuk	Sanborn

Bisbee	Gilbert	LaSata	Scranton
Bishop	Godchaux	Law	Tabor
Bradstreet	Gosselin	Mead	Toy
Brown, C.	Green	Middaugh	Vander Roest
Cassis	Jansen	Mortimer	Vear
DeRossett	Jelinek	Pappageorge	Voorhees
DeVuyst	Johnson, Rick	Pumford	

In The Chair: Patterson

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

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

The Committee on Great Lakes and Tourism, by Rep. Shackleton, Chair, reported

House Bill No. 5690, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 32610 and 32611.

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 5690 To Report Out:

Yeas: Reps. Shackleton, Van Woerkom, Birkholz, Hager, Gilbert, Kowall, Woronchak, Neumann, Clark, Hale, Rivet, Sheltroun,
Nays: None.

The Committee on Great Lakes and Tourism, by Rep. Shackleton, Chair, reported

House Bill No. 5691, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32501, 32502, 32503, 32504, 32505, 32510, 32511, 32512, 32513, 32514, and 32515 (MCL 324.32501, 324.32502, 324.32503, 324.32504, 324.32505, 324.32510, 324.32511, 324.32512, 324.32513, 324.32514, and 324.32515), sections 32501, 32502, 32503, 32504, 32505, 32510, 32511, 32512, 32514, and 32515 as added by 1995 PA 59 and section 32513 as amended by 1999 PA 106, and by adding section 32510a and part 326.

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 5691 To Report Out:

Yeas: Reps. Shackleton, Van Woerkom, Birkholz, Hager, Gilbert, Kowall, Woronchak, Neumann, Clark, Hale, Rivet, Woodward,
Nays: Rep. Sheltroun.

The Committee on Great Lakes and Tourism, by Rep. Shackleton, Chair, reported

Senate Bill No. 1200, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 514.

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

Favorable Roll Call

SB 1200 To Report Out:

Yeas: Reps. Shackleton, Van Woerkom, Birkholz, Hager, Gilbert, Kowall, Woronchak, Neumann, Clark, Hale, Lockwood, Rivet, Sheltroun, Woodward,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Shackleton, Chair of the Committee on Great Lakes and Tourism, was received and read:

Meeting held on: Thursday, May 18, 2000, at 10:30 a.m.,

Present: Reps. Shackleton, Van Woerkom, Birkholz, Hager, Gilbert, Kowall, Middaugh, Neumann, Clark, Hale, Lockwood, Rivet, Sheltroun, Woodward,

Absent: Reps. Bisbee, Richardville, Woronchak,

Excused: Reps. Bisbee, Richardville, Woronchak.

Second Reading of Bills

House Bill No. 5691, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32501, 32502, 32503, 32504, 32505, 32510, 32511, 32512, 32513, 32514, and 32515 (MCL 324.32501, 324.32502, 324.32503, 324.32504, 324.32505, 324.32510, 324.32511, 324.32512, 324.32513, 324.32514, and 324.32515), sections 32501, 32502, 32503, 32504, 32505, 32510, 32511, 32512, 32514, and 32515 as added by 1995 PA 59 and section 32513 as amended by 1999 PA 106, and by adding section 32510a and part 326.

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

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

Rep. Scranton 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. Byl 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. 5691, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32501, 32502, 32503, 32504, 32505, 32510, 32511, 32512, 32513, 32514, and 32515 (MCL 324.32501, 324.32502, 324.32503, 324.32504, 324.32505, 324.32510, 324.32511, 324.32512, 324.32513, 324.32514, and 324.32515), sections 32501, 32502, 32503, 32504, 32505, 32510, 32511, 32512, 32514, and 32515 as added by 1995 PA 59 and section 32513 as amended by 1999 PA 106, and by adding section 32510a and part 326.

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

Roll Call No. 434**Yeas—97**

Allen	Garcia	Kukuk	Rison
Baird	Garza	LaSata	Rivet
Basham	Geiger	Law	Rocca
Birkholz	Gilbert	Lemmons	Sanborn
Bisbee	Godchaux	Lockwood	Schauer
Bishop	Gosselin	Mans	Scott
Bogardus	Green	Martinez	Scranton
Bradstreet	Hager	Mead	Shackleton
Brater	Hale	Middaugh	Shulman

Brewer	Hanley	Mortimer	Spade
Brown, B.	Hansen	Neumann	Stallworth
Brown, C.	Hardman	O'Neil	Stamas
Byl	Hart	Pappageorge	Tabor
Cassis	Howell	Patterson	Tesanovich
Caul	Jacobs	Perricone	Thomas
Cherry	Jamnick	Pestka	Toy
Clark, I.	Jansen	Price	Van Woerkom
Clarke, H.	Jelinek	Prusi	Vander Roest
Daniels	Johnson, Rick	Pumford	Vaughn
Dennis	Johnson, Ruth	Quarles	Vear
DeRossett	Julian	Raczkowski	Voorhees
DeVuyst	Kilpatrick	Reeves	Wojno
DeWeese	Koetje	Richardville	Woodward
Faunce	Kowall	Richner	Woronchak
Frank			

Nays—8

Callahan	Jellema	Kuipers	Sheltrown
Gielegem	Kelly	LaForge	Switalski

In The Chair: Patterson

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 5690, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 32610 and 32611.

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

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

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. Byl moved that the bill be placed on its immediate passage.

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

Rep. Garza moved that Rep. Clark be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5690, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 32610 and 32611.

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

Roll Call No. 435**Yeas—99**

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

Nays—3

Callahan	Kelly	LaForge
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In The Chair: Patterson

The House agreed to the title of the bill.

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

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

Second Reading of Bills

The House returned to the consideration of

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 considered earlier today, see today's journal, p. 1059.)

Reps. Caul and Neumann moved to amend the bill as follows:

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

"Sec. 20151. A licensee or certificate holder shall cooperate with the department in carrying out its responsibility under this article. The department ~~may~~ SHALL provide professional advice and consultation as to the quality of facility or agency aspects of health care and services provided by the applicant or licensee."

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

Rep. Green 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. Byl 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. 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.

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

Roll Call No. 436

Yeas—104

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

Nays—0

In The Chair: Patterson

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

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

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20151 and 20155 (MCL 333.20151 and 333.20155), section 20155 as amended by 1996 PA 267.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Allen, Basham, Birkholz, Brewer, Cameron Brown, Callahan, Daniels, DeRossett, DeVuyst, Garza, Gielegthem, Hager, Hale, Hardman, Howell, Jelinek, Kelly, Koetje, Kuipers, Lemmons, Mans, Mead, Middaugh, Minore, O'Neil, Pappageorge, Patterson, Pestka, Price, Prusi, Quarles, Richardville, Scott, Shackleton, Stallworth, Tesanovich, Vaughn, Woodward and Woronchak were named co-sponsors of the bill.

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

Rep. Neumann moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 4831**.

(For first notice see House Journal No. 45, p. 1032.)

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

Rep. Neumann demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

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

The motion prevailed.

Rep. Byl moved that when the House adjourns today it stand adjourned until Tuesday, May 23, at 12:00 Noon.

The motion prevailed.

Reps. Vaughn, Hansen, Daniels, Scott, Jamnick, Hale, Rison, Martinez, Stallworth, Price, LaForge, Scranton, Bogardus, Clark, Garza, Hardman, Minore, Dennis, Cherry, Switalski, Kelly, Tesanovich, Schauer, Quarles, Clarke, Kilpatrick, Thomas, Lemmons, Rivet, Reeves, Baird, Brater and Prusi offered the following resolution:

House Resolution No. 355.

A resolution remembering the birthday of Malcolm X.

Whereas, It is a genuine pleasure to remember Malcolm X on what would have been his 75th birthday. Malcolm Little was born in Omaha, Nebraska, on May 19, 1925, and reborn by exposure to the power of Islam. Malcolm lived much of his life here in Lansing. He attended elementary school in Mason. After his release from prison in 1952, Malcolm Little became Malcolm X, follower of Mr. Elijah Muhammad, leader of the organization known as the Black Muslims. He later left the Nation of Islam to form his own organization, The Organization of Afro-American Unity (OAAU). This led him to become a world leader in the cause of freedom, justice, and equality for all humans; and

Whereas, Malcolm X evolved into what few humans ever become, a spiritual humanist. One who believed the human family is worthy of salvation, we must be in the vanguard of that movement to save the human family and humanity. We are grateful for this opportunity to join with the family and many friends of Malcolm X as we honor an individual who truly understood the beauty of life in its challenges and triumphs; and

Whereas, Malcolm X grew up in a world quite different in many ways from the one we know today. In the span of his lifetime, tremendous cultural, sociological, and technological changes have transpired here in Michigan and elsewhere. That Malcolm X lived and tasted life throughout that period gave him the insight, experience, and wisdom few of us can fully appreciate; and

Whereas, Long ago, Charles Dickens made an observation on aging that often seems applicable to people like Malcolm X, who have contributed a great deal to life around them. He said "Father Time is not always a hard parent, and, though he tarries for none of his children, he often lays his hand lightly on those who have used him well." The spirit of Malcolm X still lives; now, therefore, be it

Resolved by the House of Representatives, That we remember Malcolm X on what would have been his 75th birthday; and be it further

Resolved, That a copy of this resolution be transmitted to Malcolm X's daughter, Ms. Attallah Shabazz, as a token of our esteem.

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.

Reports of Select Committees

House Bill No. 4400, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 2, 3, 4, 5, 8, 13, 15, 16, and 19 (MCL 125.2652, 125.2653, 125.2654, 125.2655, 125.2658, 125.2663, 125.2665, 125.2666, and 125.2669).

(For text of conference report, see House Journal No. 45, p. 1024.)

The Senate has adopted the report of the Committee of Conference.

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

House Bill No. 5443, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending the title and sections 3, 6, 7, and 8 (MCL 207.803, 207.806, 207.807, and 207.808) and by adding section 7a.

(For text of conference report, see House Journal No. 45, p. 1026.)

The Senate has adopted the report of the Committee of Conference.

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

House Bill No. 5444, entitled

A bill to provide for the establishment of obsolete property rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local government officials; and to provide penalties.

(For text of conference report, see House Journal No. 45, p. 1027.)

The Senate has adopted the report of the Committee of Conference.

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

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 16:

Senate Bill Nos. 1271 1272 1273

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Wednesday, May 17:

Senate Bill Nos. 1267 1268 1269 1270 1275 1277 1279 1280

Senate Joint Resolution T

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, May 18:

House Bill Nos. 5800 5801 5802 5803 5804 5805 5806 5807

The Clerk announced that the following Senate bills had been received on Thursday, May 18:

Senate Bill Nos. 944 1197 1224

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 5582, entitled

A bill to amend 1929 PA 313, entitled "An act to provide for the control and eradication of white pine blister rust; to provide for the destruction of trees, plants and bushes infected with white pine blister rust; to authorize the commissioner of agriculture to remove, appraise and pay for healthy host plants necessarily destroyed; to declare certain plants and bushes a public nuisance; to authorize the commissioner to set aside fruiting currant and gooseberry and white pine growing districts as control areas; to provide for co-operation between state departments; to authorize

the promulgation of rules and regulations; to provide funds for carrying out the purposes of this act; and to provide penalties for its violation," by amending section 2 (MCL 286.102).

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

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

House Bill No. 5592, entitled

A bill to amend 1913 PA 188, entitled "An act relating to the conduct of hotels, inns and public lodging houses," by repealing section 4 (MCL 427.4).

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

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

House Bill No. 5593, entitled

A bill to amend 1913 PA 188, entitled "An act relating to the conduct of hotels, inns and public lodging houses," by repealing section 5 (MCL 427.5).

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

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

House Bill No. 5595, entitled

A bill to repeal 1921 PA 350, entitled "An act to authorize and direct the state highway commissioner to lay out and establish a trunk line highway from a point on the boundary line between the states of Michigan and Indiana southwest to Mottville on the Elkhart road to Port Sanilac in Sanilac county, and from New Buffalo in Berrien county, through Buchanan, Niles, Cassopolis, Vandalia, Fabius, Three Rivers, Fishers' Lake, Mendon, Leonidas, Union City, Burlington, Tekonsha, Homer, Concord, Spring Arbor, to Jackson in Jackson county, passing through certain intermediate towns, villages and cities, to be known and designated as the Colgrove highway," (MCL 250.171).

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

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

House Bill No. 5596, entitled

A bill to repeal 1919 PA 36, entitled "An act to regulate the planting of ornamental, nut bearing or other food producing trees along the highways of the state of Michigan, or in public places, and for the maintenance, protection and care of such trees and to provide a penalty for injury thereof, or for stealing the products thereof," (MCL 247.231 to 247.235).

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

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

House Bill No. 5597, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by repealing sections 663, 664, 665, and 666 (MCL 257.663, 257.664, 257.665, and 257.666).

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 5598, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 709 (MCL 257.709), as amended by 1988 PA 470.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 5600, entitled

A bill to repeal 1921 PA 340, entitled "An act to provide for the laying out, establishing, construction, improvement and maintenance of a public wagon road from the city of Monroe in Monroe county to the boundary line between the

states of Ohio and Michigan, to designate the character and general location of such road, to define the powers and duties of the state highway commissioner with reference thereto and to provide for the payment of the cost thereof," (MCL 250.181).

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

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

House Bill No. 5601, entitled

A bill to repeal 1962 PA 57, entitled "An act to authorize a bridge over the public navigable waters of Missaukee lake in Missaukee county," (MCL 254.351 to 254.352).

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

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

House Bill No. 5602, entitled

A bill to repeal 1921 PA 324, entitled "An act to authorize and direct the state highway commissioner to lay out and establish a trunk line highway commencing at the section corner common to sections 15, 16, 21 and 22, town 14 north, range 7 west, Wheatland township, Mecosta county, thence running due north through the village of Barryton, Mecosta county, and the village of Marion, Osceola county, to the city of McBain in Missaukee county, thence due north on the township line between town 21 north, range 7 west, and 21 north, range 8 west, to the southwest corner to section 25, town 22 north, range 8 west," (MCL 250.151).

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

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

House Bill No. 5603, entitled

A bill to repeal 1935 PA 147, entitled "An act authorizing the acquisition, improvement, construction, operation and maintenance of certain public works by the state; providing for the creation of the state bridge commission; authorizing the issuance of revenue bonds of the state payable solely from earnings to pay the cost of such works; making such bonds exempt from taxation and making them eligible for certain investments; providing for the collection of fees, rents, tolls and other charges for the payment of such bonds and for the cost of maintenance, operation and repair of the works; declaring that no debt of the state shall be incurred in the exercise of any of the powers granted by this act; and providing for condemnation," (MCL 254.151 to 254.167) and to repeal parts of acts.

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

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

House Bill No. 5604, entitled

A bill to repeal 1947 PA 294, entitled "An act to enable the state bridge commission to sell certain real estate subject to certain limitations and to direct the disposition of the proceeds of said sale," (MCL 254.181).

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

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

House Bill No. 5620, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 662 (MCL 257.662).

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 5626, entitled

A bill to repeal 1921 PA 341, entitled "An act to authorize and direct the state highway commissioner to lay out and establish a trunk line highway from Paw Paw to Gobleville to Allegan," (MCL 250.161).

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

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

House Bill No. 5631, entitled

A bill to repeal 1959 PA 82, entitled "An act to authorize a bridge over the public navigable waters of Crooked lake in Emmet county," (MCL 254.111 to 254.112).

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

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

House Bill No. 5633, entitled

A bill to amend 1955 PA 162, entitled "An act to provide for the licensing and inspection of agricultural liming material and to regulate the sale thereof; and to prescribe penalties for the violations of the provisions of this act," by amending section 8 (MCL 290.538).

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

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

House Bill No. 4664, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 10.

The Senate has amended the bill as follows:

1. Amend page 1, line 1, after "SEC. 10." by inserting "(1)".
2. Amend page 1, following line 8, by inserting:

"(2) IF A TAXPAYER TENDERS AN AMOUNT TO A BUYER UNDER SECTION 10A OF THE PRICING AND ADVERTISING OF CONSUMER ITEMS ACT, 1976 PA 449, M.C.L. 445.360A, THE TAXPAYER SHALL REFUND THE TAX LEVIED UNDER THIS ACT ON THE DIFFERENCE BETWEEN THE PRICE STAMPED OR AFFIXED TO THE ITEM AND THE PRICE CHARGED."

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. 944, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1310 (MCL 380.1310), as added by 1999 PA 102.

The Senate has passed the bill.

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

Senate Bill No. 1197, entitled

A bill to amend 1981 PA 118, entitled "An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending sections 4 and 14 (MCL 445.1564 and 445.1574), section 14 as amended by 1998 PA 456.

The Senate has passed the bill.

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

Senate Bill No. 1224, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16181 (MCL 333.16181), as amended by 1993 PA 80.

The Senate has passed the bill.

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Senior Health, Security and Retirement from further consideration of **House Bill No. 4159**.

Rep. LaForge

Introduction of Bills

Reps. Dennis, Bogardus, Woodward, Lockwood, Callahan, Jacobs and Wojno introduced

House Bill No. 5808, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1531d.

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

Rep. Rick Johnson introduced

House Bill No. 5809, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 10, 10e, and 11 (MCL 247.660, 247.660e, and 247.661), sections 10 and 11 as amended by 1998 PA 308 and section 10e as amended by 1998 PA 87.

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

Reps. Bishop, Richardville, Rocca, Ehardt, Mortimer, Ruth Johnson, Garcia and Birkholz introduced

House Bill No. 5810, 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.

Reps. Richner, Richardville, Rocca, Ehardt, Mortimer, Ruth Johnson, Garcia and Birkholz introduced

House Bill No. 5811, entitled

A bill to permit the establishment and maintenance of the educational gift program; to provide for certain tax credits or deductions; to prescribe the requirements of and restrictions on the educational gift program; to prescribe the powers and duties of certain state departments and agencies; and to provide penalties and remedies.

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

Rep. Rick Johnson introduced

House Bill No. 5812, entitled

A bill to amend 1990 PA 271, entitled "Limousine transportation act," by amending sections 7 and 33 (MCL 257.1907 and 257.1933).

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

Rep. Shackleton introduced

House Bill No. 5813, entitled

A bill to amend 1954 PA 99, entitled "An act authorizing the international bridge authority of Michigan, created by Act No. 237 of the Public Acts of 1935, as amended, being sections 254.201 to 254.216, inclusive, of the Compiled Laws of 1948, to construct, maintain, repair and operate a bridge or tunnel project from the Upper Peninsula of Michigan to the province of Ontario, Canada, and providing for the acquisition and operation of the existing ferry system and buses in connection with such project; defining the powers and duties of the authority; granting to the authority power to acquire necessary real and personal property and to exercise the power of condemnation; providing for financing such project by the issuance of revenue bonds of the authority, payable solely from tolls and other revenues; providing that no debt of the state shall be incurred in the exercise of any such powers; providing for the collection of tolls and other revenues to pay such bonds and the interest thereon and the cost of maintenance, repair and operation of such project; exempting from taxes and assessments such project and such bonds and the income therefrom; authorizing the issuance of revenue refunding bonds; prescribing the rights and remedies of the holders of bonds issued under the provisions of this act; making an appropriation; and repealing certain acts and parts of acts," by amending the title and sections 1, 3, 4, 7, and 16 (MCL 254.221, 254.223, 254.224, 254.227, and 254.236), section 3 as amended by 1994 PA 44, and by adding section 3a; and to repeal acts and parts of acts.

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Constitutional Law and Ethics, by Rep. Bishop, Chair, reported

House Bill No. 5783, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 267.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5783 To Report Out:

Yeas: Reps. Bishop, Patterson, Bradstreet, Rocca, Vaughn,

Nays: None.

The Committee on Constitutional Law and Ethics, by Rep. Bishop, Chair, reported

House Bill No. 5784, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 268.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5784 To Report Out:

Yeas: Reps. Bishop, Patterson, Bradstreet, Rocca, Vaughn,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bishop, Chair of the Committee on Constitutional Law and Ethics, was received and read:

Meeting held on: Wednesday, May 17, 2000, at 4:42 p.m.,

Present: Reps. Bishop, Patterson, Bradstreet, Rocca, Vaughn,

Absent: Reps. Green, Brater, Garza, Lemmons,

Excused: Reps. Green, Brater, Garza, Lemmons.

The Committee on Economic Development, by Rep. Garcia, Chair, reported

House Bill No. 5677, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411r. 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 5677 To Report Out:

Yeas: Reps. Garcia, Bisbee, Richardville, Van Woerkom, Bob Brown, Lockwood, Mans, Vaughn,

Nays: None.

The Committee on Economic Development, by Rep. Garcia, Chair, reported

House Bill No. 5766, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending sections 2, 4, 10, and 12 (MCL 125.2152, 125.2154, 125.2160, and 125.2162), section 2 as amended by 1998 PA 92 and sections 4, 10, and 12 as amended by 1993 PA 333, and by adding section 12a.

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 5766 To Report Out:

Yeas: Reps. Garcia, Bisbee, Richardville, Van Woerkom, Bob Brown, Lockwood, Mans, Vaughn,

Nays: None.

The Committee on Economic Development, by Rep. Garcia, Chair, reported

House Bill No. 5767, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 2 (MCL 207.552), as amended by 1999 PA 140.

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 5767 To Report Out:

Yeas: Reps. Garcia, Bisbee, Richardville, Van Woerkom, Bob Brown, Lockwood, Mans, Vaughn,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 17, 2000, at 9:00 a.m.,

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

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

Senate Bill No. 965, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to provide for reports;

to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

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

Favorable Roll Call

SB 965 To Report Out:

Yeas: Reps. Geiger, Cameron Brown, Byl, Godchaux, Jansen, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Stamas, Toy, Price, Cherry, Clarke, Frank, Pestka, Prusi, Stallworth, Tesanovich,

Nays: None.

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

Senate Bill No. 967, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2001; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, 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

SB 967 To Report Out:

Yeas: Reps. Geiger, Cameron Brown, Byl, Caul, Godchaux, Jansen, Kukuk, LaSata, Mead, Mortimer, Pappageorge, Pumford, Stamas, Toy, Price, Frank, Pestka,

Nays: Reps. Cherry, Clarke, Prusi, Stallworth, Tesanovich.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Geiger, Chair of the Committee on Appropriations, was received and read:
Meeting held on: Thursday, May 18, 2000, at 9:00 a.m.,

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

The Committee on Family and Civil Law, by Rep. Richner, Chair, reported

House Bill No. 5255, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1312 (MCL 380.1312), as amended by 1995 PA 289.

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 5255 To Report Out:

Yeas: Reps. Richner, Hart, Koetje, Law, Sanborn, Voorhees, Baird, Minore,

Nays: Rep. Switalski.

The Committee on Family and Civil Law, by Rep. Richner, Chair, reported

House Bill No. 5256, entitled

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

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

1. Amend page 2, line 25, after "USING" by inserting "NECESSARY".

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

Favorable Roll Call

HB 5256 To Report Out:

Yeas: Reps. Richner, Hart, Koetje, Law, Sanborn, Voorhees, Baird, Minore, Switalski,

Nays: None.

The Committee on Family and Civil Law, by Rep. Richner, Chair, reported

House Bill No. 5624, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 675d and 742 (MCL 257.675d and 257.742), section 675d as amended by 1992 PA 230 and section 742 as amended by 1998 PA 68.

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 5624 To Report Out:

Yeas: Reps. Richner, Hart, Koetje, Sanborn, Voorhees, Baird, Minore, Switalski,

Nays: None.

The Committee on Family and Civil Law, by Rep. Richner, Chair, reported

House Bill No. 5672, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," (MCL 691.1401 to 691.1415) by adding section 7a.

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 5672 To Report Out:

Yeas: Reps. Richner, Hart, Koetje, Law, Sanborn, Voorhees,

Nays: Reps. Baird, Minore, Switalski.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Richner, Chair of the Committee on Family and Civil Law, was received and read:

Meeting held on: Thursday, May 18, 2000, at 9:00 a.m.,

Present: Reps. Richner, Shulman, Hart, Koetje, Law, Sanborn, Voorhees, Baird, Minore, Switalski,

Absent: Rep. Schermesser,

Excused: Rep. Schermesser.

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

House Bill No. 5693, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1305. 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 5693 To Report Out:

Yeas: Reps. Allen, Ruth Johnson, Bradstreet, DeWeese, Hager, Hart, Rick Johnson, Kuipers, Van Woerkom, Voorhees, Spade,

Nays: Reps. Bogardus, Daniels, Gielegem, Hansen, Scott.

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

Senate Bill No. 501, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1237. With the recommendation that the bill pass.

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

Favorable Roll Call

SB 501 To Report Out:

Yeas: Reps. Allen, Ruth Johnson, Bradstreet, Hager, Hart, Rick Johnson, Kuipers, Van Woerkom, Voorhees,

Nays: Reps. Bogardus, Spade.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 18, 2000, at 4:05 p.m.,

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

Absent: Rep. Clark,

Excused: Rep. Clark.

The Committee on Health Policy, by Rep. Law, Chair, reported

House Bill No. 5573, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 404 (MCL 550.1404), as amended by 1996 PA 516.

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 5573 To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Gosselin, Green, Ruth Johnson, Raczkowski, Rocca, Vear,

Nays: Reps. Schauer, Baird, Dennis, Jacobs, Neumann, Reeves, Woodward.

The Committee on Health Policy, by Rep. Law, Chair, reported

House Bill No. 5574, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20106, 20124, 20161, and 22205 (MCL 333.20106, 333.20124, 333.20161, and 333.22205), sections 20106 and 20161 as amended by 1996 PA 267 and section 22205 as amended by 1993 PA 88.

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 5574 To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Gosselin, Green, Ruth Johnson, Raczkowski, Rocca, Vear,
Nays: Reps. Schauer, Baird, Dennis, Jacobs, Neumann, Reeves, Woodward.

The Committee on Health Policy, by Rep. Law, Chair, reported

House Bill No. 5575, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 102, 224, 240, and 2213 (MCL 500.102, 500.224, 500.240, and 500.2213), section 224 as amended by 1998 PA 121, section 240 as amended by 1987 PA 261, and section 2213 as added by 1996 PA 517, and by adding chapter 35; and to repeal acts and parts of acts.

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 5575 To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Gosselin, Green, Ruth Johnson, Raczkowski, Rocca, Vear,
Nays: Reps. Schauer, Baird, Dennis, Jacobs, Neumann, Reeves, Woodward.

The Committee on Health Policy, by Rep. Law, Chair, reported

House Bill No. 5576, entitled

A bill to provide review of certain health care treatment adverse determinations; to provide for the review of review of health care coverage treatment adverse determinations by independent review organizations; to prescribe eligibility, powers, and duties of certain independent review organizations; to prescribe the powers and duties of certain health carriers; to prescribe the powers and duties of certain persons; to prescribe the powers and duties of certain state officials; to provide for the reporting of certain information; to provide fees; and to provide penalties for violations of this act.

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 5576 To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Gosselin, Green, Ruth Johnson, Raczkowski, Rocca, Vear,
Nays: Reps. Schauer, Baird, Dennis, Jacobs, Neumann, Reeves, Woodward.

The Committee on Health Policy, by Rep. Law, Chair, reported

House Bill No. 5660, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221, 16226, 20165, 20201, 21515, and 22210 (MCL 333.16221, 333.16226, 333.20165, 333.20201, 333.21515, and 333.22210), sections 16221 and 16226 as amended by 2000 PA 29, section 20165 as amended by 1998 PA 108, section 20201 as amended by 1998 PA 88, and section 22210 as amended by 1993 PA 88, and by adding sections 16279 and 20195.

The committee recommended that the bill be referred to the Committee on Family and Civil Law.

Favorable Roll Call

HB 5660 To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Gosselin, Green, Rocca, Vear, Schauer, Dennis, Jacobs, Woodward,
Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Family and Civil Law.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 18, 2000, at 10:30 a.m.,

Present: Reps. Law, DeWeese, DeRossett, Gosselin, Green, Ruth Johnson, Raczkowski, Rocca, Vear, Schauer, Baird, Dennis, Jacobs, Neumann, Reeves, Woodward,

Absent: Rep. Ehardt,

Excused: Rep. Ehardt.

The Committee on Energy and Technology, by Rep. Middaugh, Chair, reported

House Bill No. 5721, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending sections 101 and 304 (MCL 484.2101 and 484.2304), as amended by 1995 PA 216, and by adding section 214.

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 5721 To Report Out:

Yeas: Reps. Middaugh, Bradstreet, Birkholz, Bisbee, Cassis, Garcia, Gosselin, Howell, Kowall, Kuipers, Richardville, Shulman, Shulman,

Nays: Reps. Thomas, Daniels, Quarles, Schauer, Woodward.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Middaugh, Chair of the Committee on Energy and Technology, was received and read:

Meeting held on: Thursday, May 18, 2000, at 8:30 a.m.,

Present: Reps. Middaugh, Bradstreet, Birkholz, Bisbee, Cassis, Garcia, Gosselin, Howell, Kowall, Kuipers, Richardville, Shulman, Thomas, Bob Brown, Daniels, Hansen, Lemmons, Neumann, Quarles, Schauer, Woodward.

Rep. Jamnick moved that the House adjourn.

The motion prevailed, the time being 8:30 p.m.

Associate Speaker Pro Tempore Patterson declared the House adjourned until Tuesday, May 23, at 12:00 Noon.

GARY L. RANDALL

Clerk of the House of Representatives.

