

No. 49
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House of Representatives
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House Chamber, Lansing, Thursday, May 25, 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—present	Garcia—present	Kukuk—present	Rivet—present
Basham—present	Garza—present	LaForge—present	Rocca—present
Birkholz—present	Geiger—present	LaSata—present	Sanborn—present
Bisbee—present	Gieleghem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—present
Bogardus—present	Godchaux—present	Lockwood—present	Scott—present
Bovin—present	Gosselin—present	Mans—excused	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—excused
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—excused	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—excused
Dennis—present	Johnson, Ruth—present	Quarles—e/d/s	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—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Rev. Vivian Clarrington, Assistant Pastor of Saunders Memorial African Methodist Episcopal Church in Detroit, offered the following invocation:

“O Thou in whose presence my soul takes delight, on Whom in affliction I call my comfort by day, my song in the night, my hope, my salvation, my all and all.

We stand in Thy presence with great reverence and adoration. Let us thank Thee, Lord, for the beauty of the earth and the glory of the day—for all the good things of life, for this nation and this great state of Michigan.

Father, I lift up both the House of Representatives and the Senate, asking that by Your power our legislative body would make laws that are just.

Give them wisdom to make decisions that would strengthen and prosper our nation.

Lord, on behalf of this august body of government leaders, we invoke the Divine Guidance in their deliberations, that they do justly, love mercy, and walk humbly to the end that we the people will have a more perfect and happy existence. This we ask in the name of our Lord and Savior, Amen.”

Rep. Scott moved that Reps. Mans and Stallworth be excused from today’s session.
The motion prevailed.

The Speaker Pro Tempore assumed the Chair.

Second Reading of Bills

House Bill No. 5709, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 61503b and 61503c (MCL 324.61503b and 324.61503c), section 61503b as added by 1999 PA 246 and section 61503c as added by 1999 PA 247.

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

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

Rep. Brater moved to amend the bill as follows:

1. Amend page 1, line 7, after “items” by striking out the balance of the line through line 9 and inserting a colon.

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 535

Yeas—43

Bogardus	Dennis	Kilpatrick	Schauer
Bovin	Frank	LaForge	Scott
Bradstreet	Garza	Lockwood	Scranton
Brater	Gielegem	Martinez	Sheltrown
Brewer	Hale	Mead	Spade
Brown, B.	Hanley	Minore	Switalski
Byl	Hansen	Neumann	Tesanovich
Cherry	Jacobs	Pestka	Thomas
Clark, I.	Jamnick	Price	Wojno
Clarke, H.	Jellema	Reeves	Woodward
Daniels	Kelly	Rison	

Nays—58

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

In The Chair: Birkholz

Rep. DeHart, under Rule 32(b), made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 535 because of a possible conflict of interest.”

Rep. Baird, under Rule 32(b), made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 535 because of a possible conflict of interest.”

Rep. Brater moved to amend the bill as follows:

1. Amend page 1, line 5, after “costs.” by striking out “If” and inserting “SUBJECT TO SUBSECTION (2), IF”.
2. Amend page 1, line 7, after “following” by striking out the balance of the line through “other” on line 9.
3. Amend page 2, following line 17, by inserting:

“(2) AN ADDENDUM TO A GAS LEASE MAY PROVIDE FOR THE DEDUCTION OF POSTPRODUCTION COSTS IN ADDITION TO THE ITEMS LISTED IN SUBSECTION (1) IF THE ADDENDUM EXPLICITLY AND SPECIFICALLY PROVIDES FOR THE DEDUCTION OF THOSE ITEMS.” and renumbering the remaining subsections.

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 536**Yeas—42**

Bogardus	Dennis	Kilpatrick	Rivet
Bovin	Frank	LaForge	Schauer
Bradstreet	Garza	Lockwood	Scott
Brater	Gielegem	Martinez	Sheltrown
Brewer	Hale	Minore	Spade
Brown, B.	Hanley	Neumann	Switalski

Byl	Hansen	Pestka	Tesanovich
Cherry	Jacobs	Price	Thomas
Clark, I.	Jamnack	Reeves	Wojno
Clarke, H.	Jellema	Rison	Woodward
Daniels	Kelly		

Nays—55

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

In The Chair: Birkholz

Rep. DeHart, under Rule 32(b), made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 536 because of a possible conflict of interest.”

Rep. Baird, under Rule 32(b), made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 536 because of a possible conflict of interest.”

Rep. Brater moved to amend the bill as follows:

1. Amend page 6, following line 5, by inserting:

“(6) NOT LESS THAN EVERY 3 YEARS, THE DEPARTMENT OF NATURAL RESOURCES SHALL HOLD PUBLIC HEARINGS IN VARIOUS REGIONS WITHIN THE STATE AND SHALL CONDUCT REVIEWS OF GAS LEASES ENTERED INTO BY LANDOWNERS IN THE STATE. THE DEPARTMENT OF NATURAL RESOURCES SHALL IDENTIFY ANY PROBLEMS ENCOUNTERED BY LANDOWNERS IN LEASING THEIR LAND DUE TO PROVISIONS IN LEASE AGREEMENTS. FOLLOWING THE PUBLIC HEARINGS AND THE REVIEWS, THE DEPARTMENT OF NATURAL RESOURCES SHALL SUBMIT A REPORT TO THE LEGISLATURE DESCRIBING THE TESTIMONY RECEIVED AND THE PROBLEMS THAT WERE DISCOVERED.”.

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 537**Yeas—42**

Bogardus	Daniels	LaForge	Schermesser
Bovin	Dennis	Lockwood	Scott

Bradstreet	Frank	Martinez	Sheltrown
Brater	Garza	Minore	Spade
Brewer	Gielegem	Neumann	Switalski
Brown, B.	Hale	Pestka	Tesanovich
Byl	Hanley	Price	Thomas
Callahan	Hansen	Rison	Van Woerkom
Cherry	Jacobs	Rivet	Wojno
Clark, I.	Jamnick	Schauer	Woodward
Clarke, H.	Kilpatrick		

Nays—57

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

In The Chair: Birkholz

Rep. DeHart, under Rule 32(b), made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 537 because of a possible conflict of interest.”

Rep. Baird, under Rule 32(b), made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 537 because of a possible conflict of interest.”

Rep. DeVuyst 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. Rackowski 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. 5709, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 61503b and 61503c (MCL 324.61503b and 324.61503c), section 61503b as added by 1999 PA 246 and section 61503c as added by 1999 PA 247.

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

Roll Call No. 538**Yeas—100**

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

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.
 Rep. Rackowski moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

Rep. DeHart, under Rule 32(b), made the following statement:
 “Mr. Speaker and members of the House:
 I did not vote on Roll Call No. 538 because of a possible conflict of interest.”

Rep. Baird, under Rule 32(b), made the following statement:
 “Mr. Speaker and members of the House:
 I did not vote on Roll Call No. 538 because of a possible conflict of interest.”

Second Reading of Bills**House Bill No. 5710, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 40117 and 40118 (MCL 324.40117 and 324.40118), as added by 1995 PA 57.

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

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

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

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

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

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

Rep. Quarles entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5710, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40117 and 40118 (MCL 324.40117 and 324.40118), as added by 1995 PA 57.

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

Roll Call No. 539

Yeas—103

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

Nays—0

The House agreed to the title of the bill.

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

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

Reps. Basham, Birkholz, Howell, Jelinek, Kuipers, Kukuk, Lemmons, Minore and Rivet were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5689, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20162 and 21799b (MCL 333.20162 and 333.21799b).

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.

Rep. Richardville moved to amend the bill as follows:

1. Amend page 3, following line 23, by inserting:

"(7) THE DEPARTMENT SHALL NOT APPOINT A TEMPORARY ADMINISTRATIVE ADVISOR, TEMPORARY CLINICAL ADVISOR, OR TEMPORARY MANAGER AS DESCRIBED IN SUBSECTION (5)(A)(v) OR (vi) UNTIL AFTER THE DEPARTMENT HAS EXPLORED ALL OPTIONS DESCRIBED IN SUBSECTION (5)(A)(i) TO (iv).

(8) THE DEPARTMENT SHALL REPORT ANNUALLY TO THE HOUSE AND SENATE STANDING COMMITTEES ON SENIOR ISSUES ON THE NUMBER OF TIMES THE DEPARTMENT APPOINTED A TEMPORARY ADMINISTRATIVE ADVISOR, TEMPORARY CLINICAL ADVISOR, OR TEMPORARY MANAGER AS DESCRIBED IN SUBSECTION (5)(A)(v) OR (vi). THE REPORT SHALL INCLUDE WHETHER THE HEALTH FACILITY OR AGENCY CLOSED OR REMAINED OPEN. THE DEPARTMENT MAY INCLUDE THIS REPORT WITH OTHER REPORTS MADE TO FULFILL LEGISLATIVE REPORTING REQUIREMENTS."

2. Amend page 6, line 3, after "SHALL" by striking out the balance of the subsection and inserting "NOT APPOINT A TEMPORARY ADMINISTRATIVE ADVISOR, TEMPORARY CLINICAL ADVISOR, OR TEMPORARY MANAGER AS DESCRIBED IN SUBSECTION (1)(E) OR (F) UNTIL AFTER THE DEPARTMENT HAS EXPLORED ALL OPTIONS DESCRIBED IN SUBSECTION (1)(A) TO (D)."

3. Amend page 6, line 13, after "IN" by striking out the balance of the sentence and inserting "SUBSECTION (1)(E) OR (F)."

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

Rep. DeHart moved to amend the bill as follows:

1. Amend page 3, following line 23, by inserting:

"Sec. 21751. (1) When the department has concluded a proceeding under sections 71 to 106 of the administrative procedures act of 1969, ~~as amended, being sections 24.271 to 24.306 of the Michigan Compiled Laws~~ MCL 24.271 TO 24.306, or ~~when~~ IF the department has suspended or revoked the license of a nursing home, the department, a patient in the ~~facility~~ NURSING HOME, or a patient's representative may file an emergency petition with the circuit court to place the nursing home under the control of a receiver if necessary to protect the health or safety of patients in the nursing home. The court may grant the petition upon a finding that the health or safety of the patients in the nursing home would be seriously threatened if a condition existing at the time the petition was filed is permitted to continue.

(2) ~~The~~ IF A PETITION IS FILED UNDER SUBSECTION (1), THE court shall appoint as receiver the director of the ~~department of social services~~ FAMILY INDEPENDENCE AGENCY, the director of the department of ~~public health~~ CONSUMER AND INDUSTRY SERVICES, or another state agency or person designated by the director of ~~public health~~ THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES. The receiver appointed by the court shall use the income and assets of the nursing home AND, EXCEPT AS OTHERWISE PROVIDED BY LAW, THE PERSONAL INCOME AND ASSETS OF EACH OWNER OF THE NURSING HOME to maintain and operate the NURSING home and to attempt to correct the conditions ~~which~~ THAT constitute a threat to the patients IN THE NURSING HOME. ~~A~~ THE RECEIVER SHALL NOT MAKE A major structural alteration ~~shall not be made~~ to the nursing home, unless the alteration is necessary to bring the nursing home into compliance with licensing requirements.

(3) To assist in the implementation of the mandate of the court, the receiver APPOINTED UNDER SUBSECTION (2) may request and receive reasonable consultation from the available personnel of the department.

(4) The COURT SHALL TERMINATE A receivership ~~shall be terminated~~ ORDERED UNDER THIS SECTION when the receiver and the court certify that the conditions ~~which~~ THAT prompted the appointment OF THE

RECEIVER have been corrected, when the NURSING HOME'S license is restored, when a new license is issued, or, in the case of a discontinuance of operation OF THE NURSING HOME, when the patients are safely placed in other facilities, whichever occurs first.

(5) Upon the termination of the receivership, the receiver shall render a complete accounting to the court and shall dispose of surplus funds as the court directs.

Sec. 21786. (1) In the case of an emergency closing of a nursing home, or ~~when it is determined by~~ IF the department DETERMINES that a nursing home is suddenly no longer able to provide adequate patient care, the department shall do both of the following:

(a) Assure that the ~~department of social services~~ FAMILY INDEPENDENCE AGENCY has been notified to make arrangements for the orderly and safe discharge and transfer of the NURSING HOME'S patients to another facility.

(b) Place a representative of the department in ~~a facility~~ THE NURSING HOME on a daily basis to do each of the following:

(i) Monitor the discharge AND TRANSFER of patients to other facilities or locations.

(ii) Ensure that the rights of patients are protected.

(iii) Discuss the discharge and relocation with each patient and next of kin or legal guardian, person, or agency responsible for the patient's placement, maintenance, and care in the ~~facility~~ NURSING HOME. The DEPARTMENT REPRESENTATIVE SHALL PRODUCE A WRITTEN SUMMARY OF THE content of ~~the~~ EACH explanation and discussion ~~shall be summarized in writing~~ and shall ~~be made~~ MAKE THE WRITTEN SUMMARY a part of the patient's clinical record.

(2) IF THE DEPARTMENT DETERMINES THAT A NURSING HOME IS NO LONGER ABLE TO PROVIDE ADEQUATE PATIENT CARE AND ORDERS THE NURSING HOME TO DISCONTINUE OPERATION, OR IF THE DEPARTMENT REVOKES A NURSING HOME'S LICENSE AND AS A RESULT THE NURSING HOME DISCONTINUES OPERATION, THE DEPARTMENT SHALL FILE A PETITION WITH THE CIRCUIT COURT UNDER THIS SUBSECTION. THE DEPARTMENT SHALL PETITION THE COURT FOR AN ORDER FREEZING THE ASSETS AND INCOME OF THE NURSING HOME AND THE PERSONAL ASSETS AND INCOME OF EACH OWNER OF THE NURSING HOME. THE DEPARTMENT SHALL FURTHER PETITION THE COURT FOR AN ORDER ALLOWING THE DEPARTMENT TO USE THOSE ASSETS AND INCOME TO PAY THE COST OF DISCHARGING AND TRANSFERRING THE NURSING HOME'S PATIENTS AS DESCRIBED IN THIS SECTION AND OTHER COSTS INCURRED BY THE DEPARTMENT UNDER THIS SECTION.".

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

Rep. DeHart demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 540

Yeas—49

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

Nays—54

Allen	Garcia	Kowall	Richner
Birkholz	Geiger	Kukuk	Rocca

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

In The Chair: Birkholz

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

House Bill No. 5736, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21787.
The bill was read a second time.

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

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

Rep. Rison moved that Rep. Clark be excused temporarily from today's session.
The motion prevailed.

Rep. Schermesser moved that Rep. Scott 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. 5736, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21787.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 541

Yeas—100

Allen	Faunce	Koetje	Richner
Baird	Frank	Kowall	Rison
Basham	Garcia	Kuipers	Rivet
Birkholz	Garza	Kukuk	Rocca
Bisbee	Geiger	LaForge	Sanborn

Bishop	Gielegem	LaSata	Schauer
Bogardus	Gilbert	Law	Schermesser
Bovin	Godchaux	Lemmons	Scranton
Bradstreet	Gosselin	Lockwood	Shackleton
Brater	Green	Martinez	Sheltrown
Brewer	Hager	Mead	Shulman
Brown, B.	Hale	Middaugh	Spade
Brown, C.	Hanley	Minore	Stamas
Byl	Hansen	Mortimer	Switalski
Callahan	Hart	Neumann	Tabor
Cassis	Howell	O'Neil	Tesanovich
Caul	Jacobs	Pappageorge	Thomas
Cherry	Jamnick	Patterson	Toy
Clarke, H.	Jansen	Perricone	Van Woerkom
DeHart	Jelinek	Pestka	Vander Roest
Dennis	Jellema	Price	Vear
DeRossett	Johnson, Rick	Pumford	Voorhees
DeVuyst	Johnson, Ruth	Rackowski	Wojno
DeWeese	Julian	Reeves	Woodward
Ehardt	Kilpatrick	Richardville	Woronchak

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

Rep. Rackowski 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. 5689, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20162 and 21799b (MCL 333.20162 and 333.21799b).

(The bill was considered earlier today, see today's journal, p. 1242.)

Rep. Frank moved to amend the bill as follows:

1. Amend page 3, following line 23, by inserting:

"Sec. 21751. (1) ~~When~~ IF the department has concluded a proceeding under sections 71 to 106 of the administrative procedures act of 1969, ~~as amended, being sections 24.271 to 24.306 of the Michigan Compiled Laws MCL 24.271 TO 24.306, or, when~~ SUBJECT TO SECTION 21786(2), IF the department has suspended or revoked the license of a nursing home, the department, a patient in the ~~facility~~ NURSING HOME, or a patient's representative may file an emergency petition with the circuit court to place the nursing home under the control of a receiver if necessary to protect the health or safety of patients in the nursing home. The court may grant the petition upon a finding that the health or safety of the patients in the nursing home would be seriously threatened if a condition existing at the time the petition was filed is permitted to continue.

(2) ~~The~~ IF A PETITION IS FILED UNDER SUBSECTION (1), THE court shall appoint as receiver the director of the ~~department of social services~~ FAMILY INDEPENDENCE AGENCY, the director of the department of ~~public health~~ CONSUMER AND INDUSTRY SERVICES, or another state agency or person designated by the director of

~~public health~~ THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES. The receiver appointed by the court shall use the income and assets of the nursing home to maintain and operate the NURSING home and to attempt to correct the conditions ~~which~~ THAT constitute a threat to the patients IN THE NURSING HOME. ~~A~~ THE RECEIVER SHALL NOT MAKE A major structural alteration ~~shall not be made~~ to the nursing home, unless the alteration is necessary to bring the nursing home into compliance with licensing requirements.

(3) To assist in the implementation of the mandate of the court, the receiver APPOINTED UNDER SUBSECTION (2) may request and receive reasonable consultation from the available personnel of the department.

(4) The COURT SHALL TERMINATE A receivership ~~shall be terminated~~ ORDERED UNDER THIS SECTION when the receiver and the court certify that the conditions ~~which~~ THAT prompted the appointment OF THE RECEIVER have been corrected, when the NURSING HOME'S license is restored, when a new license is issued, or, in the case of a discontinuance of operation OF THE NURSING HOME, when the patients are safely placed in other facilities, whichever occurs first.

(5) Upon the termination of the receivership, the receiver shall render a complete accounting to the court and shall dispose of surplus funds as the court directs.

Sec. 21786. (1) In the case of an emergency closing of a nursing home, or ~~when it is determined by~~ IF the department OF CONSUMER AND INDUSTRY SERVICES DETERMINES that a nursing home is suddenly no longer able to provide adequate patient care, the department shall do both of the following:

(a) Assure that the ~~department of social services~~ FAMILY INDEPENDENCE AGENCY has been notified to make arrangements for the orderly and safe discharge and transfer of the NURSING HOME'S patients to another facility.

(b) Place a representative of the department in ~~a facility~~ THE NURSING HOME on a daily basis to do each of the following:

(i) Monitor the discharge AND TRANSFER of patients to other facilities or locations.

(ii) Ensure that the rights of patients are protected.

(iii) Discuss the discharge and relocation with each patient and next of kin or legal guardian, person, or agency responsible for the patient's placement, maintenance, and care in the ~~facility~~ NURSING HOME. The DEPARTMENT REPRESENTATIVE SHALL PRODUCE A WRITTEN SUMMARY OF THE content of ~~the~~ EACH explanation and discussion ~~shall be summarized in writing~~ and shall ~~be made~~ MAKE THE WRITTEN SUMMARY a part of the patient's clinical record.

(2) IF THE DEPARTMENT SUSPENDS OR REVOKES A NURSING HOME'S LICENSE MORE THAN TWICE DURING A 5-YEAR PERIOD AND AS A RESULT THE NURSING HOME DISCONTINUES OPERATION, THE DEPARTMENT SHALL FILE A PETITION WITH THE CIRCUIT COURT UNDER THIS SUBSECTION. THE DEPARTMENT SHALL PETITION THE COURT FOR AN ORDER FREEZING THE ASSETS AND INCOME OF THE NURSING HOME. THE DEPARTMENT SHALL FURTHER PETITION THE COURT FOR AN ORDER ALLOWING THE DEPARTMENT TO USE THOSE ASSETS AND INCOME TO PAY THE COST OF DISCHARGING AND TRANSFERRING THE NURSING HOME'S PATIENTS AS DESCRIBED IN THIS SECTION AND OTHER COSTS INCURRED BY THE DEPARTMENT UNDER THIS SECTION.”.

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. 542

Yeas—53

Baird	Faunce	Kowall	Schauer
Basham	Frank	LaForge	Schermesser
Bogardus	Garza	Lockwood	Scott
Bovin	Gielegthem	Martinez	Shackleton
Brater	Hager	Minore	Sheltrown
Brewer	Hale	Neumann	Spade
Brown, B.	Hanley	O'Neil	Switalski
Callahan	Hansen	Pestka	Tesanovich
Cherry	Hardman	Price	Thomas

Clark, I.	Jacobs	Reeves	Van Woerkom
Clarke, H.	Jamnick	Rison	Wojno
Daniels	Kelly	Rivet	Woodward
DeHart	Kilpatrick	Rocca	Woronchak
Dennis			

Nays—51

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

In The Chair: Birkholz

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

1. Amend page 3, following line 23, by inserting:

“SEC. 21332. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3), A HOME FOR THE AGED SHALL OFFER THAT EACH OF ITS RESIDENTS BE VACCINATED FOR INFLUENZA ANNUALLY BETWEEN NOVEMBER 15 AND DECEMBER 15. A HOME FOR THE AGED SHALL OFFER THAT A RESIDENT ADMITTED AFTER DECEMBER 15, BUT BEFORE APRIL 1 OF THE FOLLOWING YEAR, BE VACCINATED FOR INFLUENZA AT THE TIME OF ADMISSION TO THE HOME FOR THE AGED.

(2) A HOME FOR THE AGED SHALL ENTER EACH VACCINATION UNDER SUBSECTION (1) AND EACH WAIVER UNDER SUBSECTION (3) IN THE VACCINATED RESIDENT’S PERMANENT RECORD.

(3) A HOME FOR THE AGED SHALL NOT VACCINATE A RESIDENT IF THE RESIDENT OR A MEMBER OF THE RESIDENT’S FAMILY PRESENTS TO THE ADMINISTRATOR OF THE HOME FOR THE AGED A WRITTEN STATEMENT THAT VACCINATION IS CONTRARY TO THE RESIDENT’S RELIGIOUS OR OTHER BELIEFS OR IS MEDICALLY INAPPROPRIATE.

SEC. 21716. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3), A NURSING HOME SHALL OFFER THAT EACH OF ITS RESIDENTS BE ANNUALLY VACCINATED FOR INFLUENZA BETWEEN NOVEMBER 15 AND DECEMBER 15. A NURSING HOME SHALL OFFER THAT A RESIDENT ADMITTED AFTER DECEMBER 15, BUT BEFORE APRIL 1 OF THE FOLLOWING YEAR, BE VACCINATED FOR INFLUENZA AT THE TIME OF ADMISSION.

(2) A NURSING HOME SHALL ENTER EACH VACCINATION UNDER SUBSECTION (1) AND EACH WAIVER UNDER SUBSECTION (3) IN THE VACCINATED RESIDENT’S PERMANENT MEDICAL RECORD.

(3) A NURSING HOME SHALL NOT VACCINATE A RESIDENT UNDER THIS SECTION IF THE RESIDENT OR A MEMBER OF THE RESIDENT’S FAMILY PRESENTS TO THE NURSING HOME ADMINISTRATOR A WRITTEN STATEMENT THAT INFLUENZA VACCINATION IS CONTRARY TO THE RESIDENT’S RELIGIOUS OR OTHER BELIEFS OR IS MEDICALLY INAPPROPRIATE.”.

The question being on the adoption of the amendment offered by Reps. DeHart and Caul,

Rep. DeHart demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. DeHart and Caul,

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

Roll Call No. 543**Yeas—102**

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

Nays—0

In The Chair: Birkholz

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

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

Rep. Vander Roest moved that Rep. Perricone 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. 5689, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20162 and 21799b (MCL 333.20162 and 333.21799b).

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

Roll Call No. 544**Yeas—100**

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

Nays—0

In The Chair: Birkholz

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

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

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20162 and 21799b (MCL 333.20162 and 333.21799b) and by adding sections 21332 and 21716.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills**House Bill No. 5760, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20178.

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.

Rep. Spade moved to amend the bill as follows:

1. Amend page 1, line 6, after "PERSONS" by striking out the balance of the line and inserting "WITH".
2. Amend page 1, line 10, after "RESIDENTS" by striking out the balance of the line through "HAVING" on line 1, page 2 and inserting "WITH".

3. Amend page 2, line 5, after “RESIDENTS” by striking out “DIAGNOSED AS HAVING” and inserting “WITH”.
4. Amend page 2, line 8, after “RESIDENTS” by striking out the balance of the line through “HAVING” on line 9 and inserting “WITH”.
5. Amend page 2, line 14, after “RESIDENTS” by striking out the balance of the line through “HAVING” on line 15 and inserting “WITH”.
6. Amend page 2, line 17, after “RESIDENTS” by striking out “DIAGNOSED AS HAVING” and inserting “WITH”.
7. Amend page 2, line 20, after “RESIDENTS” by striking out “DIAGNOSED AS HAVING” and inserting “WITH”.

The motion prevailed and the amendments were 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. Middaugh 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. 5760, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 20178. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 545

Yeas—102

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

Nays—0

The House agreed to the title of the bill.
 Rep. Middaugh 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. 5761, entitled

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," (MCL 400.701 to 400.737) by adding section 26b.

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.

Rep. Vander Roest moved to amend the bill as follows:

1. Amend page 1, line 3, after "HOME" by inserting a comma and "AN ADULT FOSTER CARE SMALL GROUP HOME, OR AN ADULT FOSTER CARE CONGREGATE FACILITY".

2. Amend page 1, line 8, after the second "THE" by striking out the balance of the line and inserting "HOME OR FACILITY".

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

Rep. Spade moved to amend the bill as follows:

1. Amend page 1, line 5, after "PERSONS" by striking out "WHO ARE DIAGNOSED AS HAVING" and inserting "WITH".

2. Amend page 1, line 9, after "RESIDENTS" by striking out "WHO ARE DIAGNOSED AS HAVING" and inserting "WITH".

3. Amend page 2, line 2, after "RESIDENTS" by striking out "DIAGNOSED AS HAVING" and inserting "WITH".

4. Amend page 2, line 5, after "RESIDENTS" by striking out "DIAGNOSED AS HAVING" and inserting "WITH".

5. Amend page 2, line 11, after "RESIDENTS" by striking out "DIAGNOSED AS HAVING" and inserting "WITH".

6. Amend page 2, line 14, by striking out "DIAGNOSED AS HAVING" and inserting "WITH".

7. Amend page 2, line 16, after "RESIDENTS" by striking out "DIAGNOSED AS HAVING" and inserting "WITH".

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

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

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

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

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

Rep. Shulman moved that Rep. Hart 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. 5761, entitled

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," (MCL 400.701 to 400.737) by adding section 26b.

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

Roll Call No. 546

Yeas—104

Allen
Baird

Ehardt
Faunce

Koetje
Kowall

Richner
Rison

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

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 5759, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21771 (MCL 333.21771).

The bill was read a second time.

Rep. Gielegghem moved to amend the bill as follows:

1. Amend page 2, line 19, after "A" by striking out "NURSE'S AIDE" and inserting "NURSING HOME EMPLOYEE".

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

Rep. Gielegghem demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 547

Yeas—60

Baird	Faunce	Lockwood	Schauer
Basham	Frank	Martinez	Schermesser
Birkholz	Garza	Middaugh	Scott

Bogardus	Gielegem	Minore	Scranton
Bovin	Hager	Neumann	Shackleton
Brater	Hale	O'Neil	Sheltrown
Brewer	Hanley	Pestka	Spade
Brown, B.	Hansen	Price	Switalski
Byl	Hardman	Quarles	Tesanovich
Callahan	Jacobs	Raczkowski	Thomas
Cherry	Jamnick	Reeves	Toy
Clark, I.	Julian	Richardville	Van Woerkom
Daniels	Kelly	Rison	Wojno
DeHart	LaForge	Rivet	Woodward
Dennis	Lemmons	Rocca	Woronchak

Nays—43

Allen	Garcia	Johnson, Ruth	Perricone
Bisbee	Geiger	Koetje	Pumford
Bishop	Gilbert	Kowall	Richner
Bradstreet	Godchaux	Kuipers	Sanborn
Brown, C.	Gosselin	Kukuk	Shulman
Cassis	Green	LaSata	Stamas
Caul	Hart	Law	Tabor
DeRossett	Jansen	Mead	Vander Roest
DeVuyst	Jelinek	Mortimer	Vear
DeWeese	Jellema	Pappageorge	Voorhees
Ehardt	Johnson, Rick	Patterson	

In The Chair: Birkholz

Rep. Gielegem moved to amend the bill as follows:

1. Amend page 1, line 6, after "(B)" by striking out the balance of the subsection and inserting "MISAPPROPRIATE THE PERSONAL PROPERTY OF A PATIENT."

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

Rep. Gielegem demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 548**Yeas—48**

Baird	Dennis	Kowall	Rivet
Basham	Faunce	LaForge	Rocca
Bovin	Frank	Lockwood	Schauer
Brater	Garza	Martinez	Schermesser
Brewer	Gielegem	Minore	Scott
Brown, B.	Hager	Neumann	Shackleton
Callahan	Hale	O'Neil	Sheltrown
Caul	Hansen	Pestka	Spade
Clark, I.	Hardman	Quarles	Switalski
Clarke, H.	Jacobs	Raczkowski	Wojno
Daniels	Jamnick	Reeves	Woodward
DeHart	Kelly	Rison	Woronchak

Nays—49

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

In The Chair: Birkholz

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

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

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

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

—————

Rep. Vander Roest moved that Rep. Vear 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. 5759, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21771 (MCL 333.21771).

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

Roll Call No. 549**Yeas—103**

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

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

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.
Rep. Raczkowski moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 5770, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21799a (MCL 333.21799a).
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.
Rep. DeHart moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed, a majority of the members voting therefor.
Rep. Raczkowski moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Rep. Vander Roest moved that Reps. Gosselin and Green 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. 5770, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21799a (MCL 333.21799a).
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 550

Yeas—102

Allen	Ehardt	Kowall	Rison
Baird	Faunce	Kuipers	Rivet
Basham	Frank	Kukuk	Rocca
Birkholz	Garcia	LaSata	Sanborn
Bisbee	Garza	Law	Schauer

Bishop	Geiger	Lemmons	Schermesser
Bogardus	Gielegem	Lockwood	Scott
Bovin	Gilbert	Martinez	Scranton
Bradstreet	Godchaux	Mead	Shackleton
Brater	Hager	Middaugh	Sheltrown
Brewer	Hale	Minore	Shulman
Brown, B.	Hansen	Mortimer	Spade
Brown, C.	Hardman	Neumann	Stamas
Byl	Hart	O'Neil	Switalski
Callahan	Howell	Pappageorge	Tabor
Cassis	Jacobs	Patterson	Tesanovich
Caul	Jamnick	Perricone	Thomas
Cherry	Jansen	Pestka	Toy
Clark, I.	Jelinek	Price	Van Woerkom
Clarke, H.	Jellema	Pumford	Vander Roest
Daniels	Johnson, Rick	Quarles	Vear
DeHart	Johnson, Ruth	Raczkowski	Voorhees
Dennis	Julian	Reeves	Wojno
DeRossett	Kelly	Richardville	Woodward
DeVuyst	Kilpatrick	Richner	Woronchak
DeWeese	Koetje		

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 5805, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21769.

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.

Rep. Lockwood moved to amend the bill as follows:

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

"(B) ESTABLISH A SATISFACTION SURVEY TO BE DISTRIBUTED TO ALL NURSING HOME RESIDENTS DESIGNED TO ELICIT FEEDBACK FROM NURSING HOME RESIDENTS REGARDING STAFF PERFORMANCE AND NURSING HOME CONDITIONS." and relettering the remaining subdivisions.

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5805, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21769.

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

Roll Call No. 551**Yeas—105**

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

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 5802, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 5, 1229, 1277, and 1473 (MCL 380.5, 380.1229, 380.1277, and 380.1473), section 5 as amended by 1999 PA 23, section 1229 as added by 1995 PA 289, section 1277 as amended by 1997 PA 179, and section 1473 as added by 1996 PA 159, and by adding sections 1238, 1280b, and 1282a and part 20B.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Education,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Bogardus moved to amend the bill as follows:

1. Amend page 4, line 5, by striking out all of sections 1231, 1236, and 1236A.

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

Rep. Bogardus demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Bogardus,
The amendment was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 552**Yeas—68**

Baird	Faunce	Kowall	Rivet
Basham	Frank	LaForge	Rocca
Bogardus	Garza	Law	Sanborn
Bovin	Hager	Lemmons	Schauer
Brater	Hale	Lockwood	Schermesser
Brewer	Hanley	Martinez	Scott
Brown, B.	Hansen	Minore	Shackleton
Callahan	Hardman	Neumann	Sheltrown
Caul	Howell	O'Neil	Spade
Cherry	Jacobs	Patterson	Stamas
Clark, I.	Jamnack	Pestka	Switalski
Clarke, H.	Jelinek	Price	Tesanovich
Daniels	Jellema	Pumford	Thomas
DeHart	Julian	Quarles	Van Woerkom
Dennis	Kelly	Reeves	Wojno
DeRossett	Kilpatrick	Richardville	Woodward
Ehardt	Koetje	Rison	Woronchak

Nays—35

Allen	Garcia	Johnson, Ruth	Raczkowski
Birkholz	Geiger	Kuipers	Scranton
Bisbee	Gilbert	Kukuk	Shulman
Bishop	Godchaux	LaSata	Tabor
Bradstreet	Gosselin	Mead	Toy
Brown, C.	Green	Middaugh	Vander Roest
Cassis	Hart	Mortimer	Vear
DeVuyst	Jansen	Pappageorge	Voorhees
DeWeese	Johnson, Rick	Perricone	

In The Chair: Birkholz

Rep. Richner, under Rule 32(b), made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 552 because of a possible conflict of interest.”

Rep. Scranton moved that Rep. Godchaux be excused temporarily from today's session.

The motion prevailed.

Rep. Clarke moved to amend the bill as follows:

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

“(F) THE RIGHT TO ENSURE THE FOLLOWING:

(i) EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (ii), AFTER DECEMBER 31, 2002, A DISTRICT OR INTERMEDIATE SCHOOL DISTRICT SHALL NOT USE MERCURY OR LEAD COMPOUNDS OR SUBSTANCES THAT CONTAIN MERCURY OR LEAD OR HAVE A MERCURY OR LEAD CONTENT, OR EQUIPMENT, SUPPLIES, OR PRODUCTS THAT CONTAIN MERCURY OR LEAD OR HAVE A MERCURY OR LEAD CONTENT.

(ii) AFTER DECEMBER 31, 2002, IF NO REASONABLY ACCEPTABLE MERCURY-FREE OR LEAD-FREE ALTERNATIVE EXISTS FOR A COMPOUND OR SUBSTANCE OR FOR EQUIPMENT, SUPPLIES, OR PRODUCTS USED BY THE DISTRICT OR INTERMEDIATE SCHOOL DISTRICT, THEN THE DISTRICT OR INTERMEDIATE SCHOOL DISTRICT MAY USE THE COMPOUND OR SUBSTANCE OR EQUIPMENT, SUPPLY, OR PRODUCT THAT CONTAINS THE LOWEST MERCURY OR LEAD CONTENT AVAILABLE ON THE MARKET.”.

The question being on the adoption of the amendment offered by Rep. Clarke,
Rep. Clarke demanded the yeas and nays.
The demand was supported.

The question being on the adoption of the amendment offered by Rep. Clarke,
The amendment was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 553

Yeas—103

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

Nays—0

In The Chair: Birkholz

Rep. Allen moved to amend the bill as follows:

1. Amend page 28, line 26, after “DISTRICTS” by striking out the balance of the subdivision and inserting a period.
2. Amend page 29, line 9, after “OPPORTUNITIES” by striking out the balance of the subdivision and inserting a period.

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

Rep. DeWeese moved to amend the bill as follows:

1. Amend page 29, following line 24, by inserting:
“(5) NONPUBLIC SCHOOL STUDENTS AND HOME-SCHOOLED CHILDREN MAY PARTICIPATE IN COURSE OFFERINGS OF THE MICHIGAN VIRTUAL HIGH SCHOOL TO THE SAME EXTENT THEY ARE

ALLOWED TO PARTICIPATE IN SCHOOL DISTRICT COURSE OFFERINGS UNDER THIS ACT AND THE STATE SCHOOL AID ACT OF 1979, 1979 PA 94, MCL 388.1601 TO 388.1772” and renumbering the remaining subsection.

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

Rep. Cassis moved to amend the bill as follows:

1. Amend page 14, line 16, by striking out all of section 1280B, and inserting:

“SEC. 1280B. THE BOARD OF A SCHOOL DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL USE CONTINUING YEARLY MEASURES OF ASSESSMENT, BOTH FORMAL AND INFORMAL, TO EVALUATE PUPILS’ PROGRESS. THESE MEASURES MAY INCLUDE THE MICHIGAN LITERACY PROGRESS PROFILE TO ASSESS LITERACY AND STANDARDIZED TESTS WITH PROVEN VALIDITY AND RELIABILITY FOR THE AGE OR GRADE LEVEL MEASURED.”.

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

Rep. Geiger 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. Middaugh 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. 5802, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 5, 1229, 1277, and 1473 (MCL 380.5, 380.1229, 380.1277, and 380.1473), section 5 as amended by 1999 PA 23, section 1229 as added by 1995 PA 289, section 1277 as amended by 1997 PA 179, and section 1473 as added by 1996 PA 159, and by adding sections 1238, 1280b, and 1282a and part 20B.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 4727, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20165 and 20175 (MCL 333.20165 and 333.20175), section 20165 as amended by 1998 PA 108 and section 20175 as amended by 1993 PA 79, and by adding section 20173.

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. Brewer moved to amend the bill as follows:

1. Amend page 1, line 3, after “AGED” by inserting “AND, FOR PURPOSES OF THIS SECTION ONLY, AN ADULT FOSTER CARE FACILITY LICENSED UNDER THE ADULT FOSTER CARE ACT, 1979 PA 218, MCL 400.701 TO 400.737, AND A MENTAL HEALTH FACILITY LICENSED UNDER THE MENTAL HEALTH CODE, 1974 PA 258, MCL 330.1001 TO 330.2106,”.

2. Amend page 2, line 14, after “AGED” by inserting “AND, FOR PURPOSES OF THIS SECTION ONLY, AN ADULT FOSTER CARE FACILITY LICENSED UNDER THE ADULT FOSTER CARE ACT, 1979 PA 218, MCL 400.701 TO 400.737, AND A MENTAL HEALTH FACILITY LICENSED UNDER THE MENTAL HEALTH CODE, 1974 PA 258, MCL 330.1001 TO 330.2106,”.

3. Amend page 2, line 21, after “AGENCY” by inserting “AND, FOR PURPOSES OF THIS SECTION ONLY, AN ADULT FOSTER CARE FACILITY LICENSED UNDER THE ADULT FOSTER CARE ACT, 1979 PA 218, MCL 400.701 TO 400.737, AND A MENTAL HEALTH FACILITY LICENSED UNDER THE MENTAL HEALTH CODE, 1974 PA 258, MCL 330.1001 TO 330.2106,”.

19. Amend page 6, line 13, after the first "AGENCY" by inserting "AND, FOR PURPOSES OF THIS SECTION ONLY, AN ADULT FOSTER CARE FACILITY LICENSED UNDER THE ADULT FOSTER CARE ACT, 1979 PA 218, MCL 400.701 TO 400.737, AND A MENTAL HEALTH FACILITY LICENSED UNDER THE MENTAL HEALTH CODE, 1974 PA 258, MCL 330.1001 TO 330.2106;".

20. Amend page 6, line 13, after the second "AGENCY" by inserting "AND, FOR PURPOSES OF THIS SECTION ONLY, AN ADULT FOSTER CARE FACILITY LICENSED UNDER THE ADULT FOSTER CARE ACT, 1979 PA 218, MCL 400.701 TO 400.737, AND A MENTAL HEALTH FACILITY LICENSED UNDER THE MENTAL HEALTH CODE, 1974 PA 258, MCL 330.1001 TO 330.2106;".

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

Rep. Brewer demanded the yeas and nays.

The demand was supported.

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

Rep. Lockwood moved that Rep. O'Neil be excused temporarily from today's session.

The motion prevailed.

Point of Order

Rep. Law requested a ruling from the Chair regarding the germaneness of the amendments offered by Rep. Brewer.

The Chair ruled that the amendments are not germane pursuant to House Rule 64. The amendments introduce a new proposition which is not germane to the subject matter of the bill as it was originally introduced and as it is currently before the House.

Rep. Kilpatrick appealed the decision of the Chair.

The question being, "Shall the judgment of the Chair stand as the judgment of the House?"

The judgment of the Chair stood as the judgment of the House, a majority of the members present and voting, voting therefor, by yeas and nays, as follows:

Roll Call No. 554

Yeas—57

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

Nays—45

Baird	Frank	LaForge	Rivet
Basham	Garza	Lemmons	Schauer

Bogardus	Gielegem	Lockwood	Schermesser
Bovin	Hale	Martinez	Scott
Brater	Hanley	Minore	Sheltrown
Brewer	Hansen	Neumann	Spade
Brown, B.	Hardman	Pestka	Switalski
Callahan	Jacobs	Price	Tesanovich
Clark, I.	Jamnick	Quarles	Thomas
Daniels	Kelly	Reeves	Wojno
DeHart	Kilpatrick	Rison	Woodward
Dennis			

In The Chair: Birkholz

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

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

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

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

Rep. Vander Roest moved that Rep. Rocca 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. 4727, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20165 and 20175 (MCL 333.20165 and 333.20175), section 20165 as amended by 1998 PA 108 and section 20175 as amended by 1993 PA 79, and by adding section 20173.

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

Roll Call No. 555

Yeas—103

Allen	Ehardt	Kilpatrick	Richner
Baird	Faunce	Koetje	Rison
Basham	Frank	Kowall	Rivet
Birkholz	Garcia	Kuipers	Sanborn
Bisbee	Garza	Kukuk	Schauer
Bishop	Gielegem	LaForge	Schermesser
Bogardus	Gilbert	LaSata	Scott
Bovin	Godchaux	Law	Scranton
Bradstreet	Gosselin	Lemmons	Shackleton
Brater	Green	Lockwood	Sheltrown
Brewer	Hager	Martinez	Shulman
Brown, B.	Hale	Mead	Spade
Brown, C.	Hanley	Middaugh	Stamas
Byl	Hansen	Minore	Switalski
Callahan	Hardman	Mortimer	Tabor
Cassis	Hart	Neumann	Tesanovich
Caul	Howell	Pappageorge	Thomas
Cherry	Jacobs	Patterson	Toy

Clark, I.	Jamnick	Perricone	Van Woerkom
Clarke, H.	Jansen	Pestka	Vander Roest
Daniels	Jelinek	Price	Vear
DeHart	Jellema	Pumford	Voorhees
Dennis	Johnson, Rick	Quarles	Wojno
DeRossett	Johnson, Ruth	Raczkowski	Woodward
DeVuyst	Julian	Reeves	Woronchak
DeWeese	Kelly	Richardville	

Nays—0

In The Chair: Birkholz

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

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

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20173.

The motion prevailed.

The House agreed to the title as amended.

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

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

The Speaker Pro Tempore called Associate Speaker Pro Tempore Scranton to the Chair.

Second Reading of Bills

House Bill No. 5548, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17015 (MCL 333.17015), as added by 1993 PA 133.

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

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

Rep. Hardman moved to amend the bill as follows:

1. Amend page 7, line 26, after "gestation" inserting a comma and "using curriculum materials from the Michigan model for comprehensive school health education for grade 6, phase IV, lesson 22 in use on January 1, 1992.".

2. Amend page 8, line 6, after "development." by inserting "THE DEPARTMENT SHALL INCLUDE IN THE INTERNET WEBSITE DEVELOPED AND MAINTAINED UNDER SUBSECTION (11)(G) THE DEPICTIONS, ILLUSTRATIONS, AND PHOTOGRAPHS DESCRIBED IN THIS SUBDIVISION IN A PRINTABLE FORM.".

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

Rep. Hardman demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 556

Yeas—33

Baird	Dennis	Jamnick	Quarles
Bogardus	Garza	Kilpatrick	Rison

Brater	Gielegem	LaForge	Scott
Brewer	Hale	Lemmons	Scranton
Cherry	Hanley	Lockwood	Switalski
Clark, I.	Hansen	Martinez	Tesanovich
Clarke, H.	Hardman	Minore	Thomas
Daniels	Jacobs	Price	Woodward
DeHart			

Nays—69

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

In The Chair: Scranton

The Speaker Pro Tempore resumed the Chair.

Rep. Dennis moved to amend the bill as follows:

1. Amend page 3, line 1, by striking out all of subdivision (G).

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. 557**Yeas—38**

Baird	Garza	LaForge	Schauer
Bogardus	Gielegem	Lemmons	Schermesser
Brater	Godchaux	Lockwood	Scranton
Brewer	Hale	Martinez	Switalski
Cherry	Hanley	Minore	Tesanovich
Clark, I.	Hansen	Price	Thomas
Clarke, H.	Hardman	Quarles	

Daniels
DeHart
Dennis

Jacobs
Jammick
Kilpatrick

Reeves
Rison

Toy
Woodward

Nays—67

Allen
Basham
Birkholz
Bisbee
Bishop
Bovin
Bradstreet
Brown, B.
Brown, C.
Byl
Callahan
Cassis
Caul
DeRossett
DeVuyst
DeWeese
Ehardt

Faunce
Frank
Garcia
Geiger
Gilbert
Gosselin
Green
Hager
Hart
Howell
Jansen
Jelinek
Jellema
Johnson, Rick
Johnson, Ruth
Julian
Kelly

Koetje
Kowall
Kuipers
Kukuk
LaSata
Law
Mead
Middaugh
Mortimer
Neumann
O'Neil
Pappageorge
Patterson
Perricone
Pestka
Pumford
Raczkowski

Richardville
Richner
Rivet
Rocca
Sanborn
Shackleton
Sheltrown
Shulman
Spade
Stamas
Tabor
Van Woerkom
Vander Roest
Vear
Voorhees
Woronchak

In The Chair: Birkholz

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

House Bill No. 4792, entitled

A bill to amend 1996 PA 195, entitled "Police officer's and fire fighter's survivor tuition act," by amending the title and sections 1, 2, and 3 (MCL 390.1241, 390.1242, and 390.1243).

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Education (for amendment, see House Journal No. 8, p. 106),

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

Rep. Cherry moved to amend the bill as follows:

1. Amend page 5, line 24, by striking out all of subdivision (e) and relettering the remaining subdivisions.

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

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

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

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

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

Rep. Pappageorge moved that Rep. Geiger 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. 4792, entitled

A bill to amend 1996 PA 195, entitled "Police officer's and fire fighter's survivor tuition act," by amending the title and sections 1, 2, and 3 (MCL 390.1241, 390.1242, and 390.1243).

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

Roll Call No. 558**Yeas—103**

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

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Reps. Birkholz, Bisbee, Bogardus, Brater, Brewer, Callahan, Caul, Clark, Clarke, Dennis, DeRossett, DeWeese, Ehardt, Faunce, Garcia, Garza, Gilbert, Hager, Hansen, Hardman, Jamnick, Jansen, Ruth Johnson, Kelly, Kowall, Kuipers, LaForge, LaSata, Martinez, Mead, Minore, Mortimer, Neumann, Pappageorge, Pestka, Raczkowski, Reeves, Richner, Rocca, Sanborn, Schermesser, Scott, Shackleton, Sheltrown, Shulman, Spade, Tabor, Tesanovich, Van Woerkom, Vander Roest, Wojno and Woodward were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Jacobs moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 4740**.

(For first notice see House Journal No. 48, p. 1234.)

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

Rep. Jacobs demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

Rep. Jacobs moved that the Committee on Education be discharged from further consideration of **House Bill No. 5198**.

(For first notice see House Journal No. 48, p. 1233.)

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

Rep. Jacobs demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

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

The motion prevailed.

Rep. Raczkowski moved that when the House adjourns today it stand adjourned until Tuesday, May 30, at 10:00 a.m.

The motion prevailed.

Announcement by the Clerk of Printing and Enrollment

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

Enrolled House Bill No. 4205 at 9:54 a.m.

Enrolled House Bill No. 4664 at 9:56 a.m.

Enrolled House Bill No. 5316 at 9:58 a.m.

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

House Bill Nos. 5834 5835 5836 5837 5838 5839 5840 5841 5842

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. 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.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5813 To Report Out:

Yeas: Reps. Shackleton, Van Woerkom, Birkholz, Bisbee, Hager, Gilbert, Kowall, Middaugh, Richardville, Woronchak, Neumann, Clark, Hale, Lockwood, Rivet, 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 25, 2000, at 10:30 a.m.,

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

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

House Bill No. 5832, entitled

A bill to amend 1961 PA 112, entitled "An act to authorize and provide for the issuance and sale of bonds and notes of the state; to provide funds for making loans to school districts for payment of principal and interest on certain school bonds; to provide for use of moneys repaid to the state by school districts; and to make an appropriation," by amending the title and sections 1 and 2 (MCL 388.981 and 388.982), the title and section 2 as amended by 1991 PA 64, and by adding sections 1a and 1b.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5832 To Report Out:

Yeas: Reps. Allen, Bradstreet, DeWeese, Hager, Rick Johnson, Kuipers, Van Woerkom, Voorhees, Bogardus,

Nays: None.

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

House Bill No. 5833, entitled

A bill to amend 1961 PA 108, entitled "An act to provide for loans by the state of Michigan to school districts for the payment of principal and interest upon school bonds; to prescribe the terms and conditions of the loans and the conditions upon which levies for bond principal and interest shall be included in computing the amount to be so loaned by the state; to prescribe the powers and duties of the superintendent of public instruction and the state treasurer in relation to such loans; to provide for the repayment of such loans; to provide incentives for repayment of such loans; to provide for other matters in respect to such loans; and to make an appropriation," by amending the title and sections 1, 2, 3, 4, 4a, 5, 6, 7, 8, 9, 9b, 10, 10a, 11, and 12 (MCL 388.951, 388.952, 388.953, 388.954, 388.954a, 388.955, 388.956, 388.957, 388.958, 388.959, 388.959b, 388.960, 388.960a, 388.961, and 388.962), the title and sections 6 and 9 as amended and section 9b as added by 1991 PA 65, sections 2, 4, and 11 as amended by 1992 PA 228, section 3 as amended by 1985 PA 25, section 4a as amended by 1991 PA 22, section 5 as amended by 1983 PA 124, and section 10 as amended and section 10a as added by 1989 PA 6, and by adding sections 1a, 9c, 10b, 10c, and 11a; and to repeal acts and parts of acts.

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

1. Amend page 14, line 8, after "ISSUE," by inserting "THE ESTIMATED AVERAGE ANNUAL MILLAGE RATE TO BE LEVIED OVER THE TERM OF THE PROPOSED BOND ISSUE IF THE BOND ISSUE IS APPROVED COMPARED TO THAT RATE IF THE BOND ISSUE IS NOT APPROVED,".

2. Amend page 34, line 18, after "VALUE" by inserting "PER MEMBERSHIP PUPIL".

3. Amend page 36, line 11, after "USED" by inserting "TOWARD FULLY FUNDING PROJECT GRANTS FOR THAT FISCAL YEAR THAT HAVE PRORATED PURSUANT TO SUBSECTION (3) OR".

4. Amend page 37, line 13, by striking out all of subsection (8) and renumbering the remaining subsection.

5. Amend page 37, line 23, by striking out all of subdivision (C).

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

Favorable Roll Call

HB 5833 To Report Out:

Yeas: Reps. Allen, Ruth Johnson, Bradstreet, DeWeese, Hager, Rick Johnson, Kuipers, Van Woerkom, Voorhees, Clark, Spade,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 25, 2000, at 12:01 a.m.,

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

Absent: Rep. Daniels,

Excused: Rep. Daniels.

The Committee on Local Government and Urban Policy, by Rep. Birkholz, Chair, reported

House Bill No. 5296, entitled

A bill to amend 1954 PA 188, entitled "An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds," by amending section 4a (MCL 41.724a), as amended by 1986 PA 180.

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

1. Amend page 2, line 13, after "hearing," by striking out "EACH PUBLISHED NOTICE SHALL" and inserting "IF A PUBLISHED NOTICE INCLUDES A LIST OF THE PROPERTY IDENTIFICATION NUMBERS FOR EACH PARCEL OF PROPERTY TO BE ASSESSED, THAT PUBLISHED NOTICE SHALL ALSO".

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

Favorable Roll Call

HB 5296 To Report Out:

Yeas: Reps. Birkholz, Hager, Bishop, DeWeese, Julian, Lockwood, Jamnick, Minore,

Nays: Rep. Vander Roest.

The Committee on Local Government and Urban Policy, by Rep. Birkholz, Chair, reported

House Bill No. 5303, entitled

A bill to establish the Michigan affordable housing fund in the department of treasury; to provide for the administration of the fund; to provide for the deposit of certain money in that fund; to provide for the distribution of the money in that fund and to limit the use of the money in that fund; and to prescribe the powers and duties of certain state officials.

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

1. Amend page 4, line 8, after "section" by striking out "7" and inserting "6".

2. Amend page 4, line 15, after "section" by striking out "8" and inserting "7".

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

Favorable Roll Call

HB 5303 To Report Out:

Yeas: Reps. Birkholz, Hager, DeWeese, Julian, Vander Roest, Lockwood, Jamnick, Minore,

Nays: None.

The Committee on Local Government and Urban Policy, by Rep. Birkholz, Chair, reported

House Bill No. 5304, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by amending the title, as amended by 1984 PA 215, and by adding chapter 3A.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5304 To Report Out:

Yeas: Reps. Birkholz, Hager, DeWeese, Julian, Vander Roest, Lockwood, Jamnick, Minore,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Birkholz, Chair of the Committee on Local Government and Urban Policy, was received and read:

Meeting held on: Thursday, May 25, 2000, at 9:00 a.m.,

Present: Reps. Birkholz, Hager, Bishop, DeWeese, Julian, Vander Roest, Lockwood, Jamnick, Minore,

Absent: Reps. Tabor, Reeves,

Excused: Reps. Tabor, Reeves.

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

Senate Bill No. 1209, 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 following amendments be adopted and that the bill then pass.

1. Amend page 13, line 13, by striking out "45" and inserting "25".
2. Amend page 13, line 15, by striking out "45-CALENDAR-DAY" and inserting "25-CALENDAR- DAY".
3. Amend page 13, line 17, after "procedure" by inserting "AND FOR A PERIOD OF TIME THAT SHALL NOT EXCEED 5 DAYS IF THE INSURER OR HEALTH MAINTENANCE ORGANIZATION HAS NOT RECEIVED REQUESTED INFORMATION FROM A HEALTH CARE FACILITY OR HEALTH PROFESSIONAL".
4. Amend page 32, line 24, after "PRACTICE" by striking out "MEDICINE".
5. Amend page 33, line 5, after "MEDICAL" by inserting "OR OTHER APPROPRIATE".
6. Amend page 33, line 19, after "PRACTICE" by striking out "MEDICINE".

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

Favorable Roll Call

SB 1209 To Report Out:

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

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

Senate Bill No. 1211, 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 bill pass.

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

Favorable Roll Call

SB 1211 To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Ehardt, Gosselin, Green, Ruth Johnson, Raczkowski, Rocca, Vear,
Nays: None.

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

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.

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

1. Amend page 2, line 3, after "(2)" by inserting "UNTIL OCTOBER 1, 2004,".

2. Amend page 2, line 27, after "license." by inserting "PURSUANT TO SECTION 16315 (b), THE DEPARTMENT SHALL FORM A COMMISSION CONSISTING OF REPRESENTATIVES FROM THE BOARD OF NURSING, THE MICHIGAN NURSES ASSOCIATION, AND THE GENERAL PUBLIC TO RESEARCH AND MAKE RECOMMENDATION ON THE CURRENT AND FUTURE NEEDS OF A PROFESSIONAL NURSING WORKFORCE IN MICHIGAN. A REPORT ON THE COMMISSION'S FINDINGS SHALL BE REPORTED TO THE LEGISLATURE NO LATER THAN OCTOBER 1, 2003.".

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

Favorable Roll Call

SB 1224 To Report Out:

Yeas: Reps. Law, DeWeese, Ehardt, Gosselin, Ruth Johnson, Raczkowski, Rocca, Vear, Schauer, Dennis, Jacobs, Neumann, Reeves, Woodward,

Nays: None.

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 25, 2000, at 10:30 a.m.,

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

The Committee on Conservation and Outdoor Recreation, by Rep. DeVuyst, Chair, reported

House Bill No. 5509, entitled

A bill to amend 1966 PA 225, entitled "Carnival-amusement safety act of 1966," by amending section 2 (MCL 408.652), as amended by 1998 PA 507, and by adding sections 18, 19, and 20.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5509 To Report Out:

Yeas: Reps. DeVuyst, DeRossett, Green, Kowall, Middaugh, Sanborn, Basham, Brater, Sheltroun,

Nays: None.

The Committee on Conservation and Outdoor Recreation, by Rep. DeVuyst, Chair, reported

House Bill No. 5839, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5527 (MCL 324.5527).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5839 To Report Out:

Yeas: Reps. DeVuyst, Tabor, DeRossett, Green, Kowall, Middaugh, Sanborn, Sheltroun,

Nays: None.

The Committee on Conservation and Outdoor Recreation, by Rep. DeVuyst, Chair, reported

Senate Bill No. 1201, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112a (MCL 324.3112a), as amended by 1998 PA 3.

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 1201 To Report Out:

Yeas: Reps. DeVuyst, Tabor, DeRossett, Green, Kowall, Middaugh, Sanborn, Basham, Brater, Sheltroun,
Nays: None.

The Committee on Conservation and Outdoor Recreation, by Rep. DeVuyst, Chair, reported

Senate Bill No. 1216, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 3112c.

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 1216 To Report Out:

Yeas: Reps. DeVuyst, Tabor, DeRossett, Green, Kowall, Middaugh, Sanborn, Basham, Brater, Sheltroun,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 25, 2000, at 8:00 a.m.,

Present: Reps. DeVuyst, Tabor, DeRossett, Allen, Green, Kowall, Middaugh, Sanborn, Callahan, Basham, Brater, Gielegem, Sheltroun,

Absent: Reps. Patterson, Mans,

Excused: Reps. Patterson, Mans.

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

House Bill No. 5063, 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," by amending section 7 (MCL 691.1407), as amended by 1996 PA 143.

With the recommendation that the substitute (H-7) 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 5063 To Report Out:

Yeas: Reps. Richner, Shulman, Koetje, Sanborn, Voorhees, Baird, Minore, Switalski, Schermesser,
Nays: None.

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

House Bill No. 5543, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 710.21 to 712A.32) by adding section 19e to chapter XIA.

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 5543 To Report Out:

Yeas: Reps. Richner, Shulman, Hart, Koetje, Sanborn, Voorhees, Baird, Minore, Switalski, Schermesser,
Nays: None.

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

House Bill No. 5803, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20175 (MCL 333.20175), as amended by 1993 PA 79.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5803 To Report Out:

Yeas: Reps. Richner, Shulman, Koetje, Sanborn, Voorhees, Baird, Minore, Switalski, Schermesser,
Nays: None.

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

Senate Bill No. 1052, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19b of chapter XIII (MCL 712A.19b), as amended by 2000 PA 46, and by adding chapter XII.

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

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

An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; TO PROVIDE FOR CERTAIN IMMUNITY FROM LIABILITY; and to provide remedies and penalties."

2. Amend page 8, line 8, after "ACTION" by inserting "WITH THE COURT".
3. Amend page 8, line 9, after "FOLLOWING" by striking out "JURISDICTIONS" and inserting "COUNTIES".
4. Amend page 8, line 10, after the third "THE" by striking out "JURISDICTION" and inserting "COUNTY".
5. Amend page 8, line 14, after the first "THE" by striking out "JURISDICTION" and inserting "COUNTY".
6. Amend page 8, line 16, after "THE" by striking out "JURISDICTION" and inserting "COUNTY".

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

Favorable Roll Call

SB 1052 To Report Out:

Yeas: Reps. Richner, Shulman, Hart, Koetje, Sanborn, Voorhees, Baird, Minore, Switalski, Schermesser,
Nays: None.

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

Senate Bill No. 1053, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 135 (MCL 750.135).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1053 To Report Out:

Yeas: Reps. Richner, Shulman, Hart, Koetje, Sanborn, Voorhees, Baird, Minore, Switalski, Schermesser,
Nays: None.

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

Senate Bill No. 1187, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8 (MCL 722.628), as amended by 2000 PA 45.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1187 To Report Out:

Yeas: Reps. Richner, Shulman, Hart, Koetje, Sanborn, Voorhees, Baird, Minore, Switalski, Schermesser,
Nays: None.

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 25, 2000, at 9:00 a.m.,

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

Absent: Rep. Law,

Excused: Rep. Law.

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

Senate Bill No. 1044, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 8, 11, 11f, 11g, 19, 20, 20j, 21b, 24, 26a, 31a, 31c, 31d, 32, 36, 36a, 39, 40, 41, 51a, 53a, 54, 56, 57, 61a, 62, 63, 67, 68, 74, 81, 91c, 94, 99, 101, 102, 104a, 105, 105b, 105c, 107, 147, 151, 152, and 163 (MCL 388.1603, 388.1606, 388.1608, 388.1611, 388.1611f, 388.1611g, 388.1619, 388.1620, 388.1620j, 388.1621b, 388.1624, 388.1626a, 388.1631a, 388.1631c, 388.1631d, 388.1632, 388.1636, 388.1636a, 388.1639, 388.1640, 388.1641, 388.1651a, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1663, 388.1667, 388.1668, 388.1674, 388.1681, 388.1691c, 388.1694, 388.1699, 388.1701, 388.1702, 388.1704a, 388.1705, 388.1705b, 388.1705c, 388.1707, 388.1747, 388.1751, 388.1752, and 388.1763), sections 6, 11, 11f, 11g, 20, 24, 26a, 31a, 31c, 36, 36a, 41, 51a, 53a, 54, 56, 57, 61a, 62, 63, 67, 68, 74, 81, 94, 99, 101, 104a, 105, 107, and 147 as amended and sections 20j, 31d, 32, and 105c as added by 1999 PA 119, sections 3 and 151 as amended by 1997 PA 93, sections 8 and 39 as amended by 1997 PA 142, sections 19, 21b, 102, and 163 as amended by 1996 PA 300, section 40 as amended by 1991 PA 118, section 91c as added by 1995 PA 130, section 105b as added by 1997 PA 24, and section 152 as amended by 1993 PA 175, and by adding sections 20l, 22a, 22b, 22c, 51c, 94a, 101b, and 108; and to repeal acts and parts of acts.

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 1044 To Report Out:

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

Nays: None.

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 25, 2000, at 10:15 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, Tesanovich,

Absent: Reps. Prusi, Stallworth,

Excused: Reps. Prusi, Stallworth.

Messages from the Senate**House Bill No. 5274, entitled**

A bill to make appropriations for the department of career development and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

House Bill No. 5275, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

House Bill No. 5277, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

House Bill No. 5278, entitled

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2001; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2001; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

House Bill No. 5281, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

House Bill No. 5284, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2001; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Constitutional Law and Ethics from further consideration of **House Bill No. 4184**.

Rep. Scott

Introduction of Bills

Reps. Pappageorge, DeVuyst, Tabor, DeRossett, Woodward, Quarles, Price, Bishop, Kowall, Shulman, Jacobs, Brater, Basham, Raczkowski, Cassis, Sanborn, Mans and Patterson introduced

House Bill No. 5843, entitled

A bill to amend 1965 PA 261, entitled "An act to authorize the creation and to prescribe the powers and duties of county and regional parks and recreation commissions; and to prescribe the powers and duties of county boards of supervisors with respect thereto," by amending the title and section 1 (MCL 46.351), section 1 as amended by 1990 PA 84.

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

Rep. Patterson introduced

House Bill No. 5844, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21723.

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

Reps. Pappageorge, Kukuk, Jellema, Stamas, Caul, Jelinek, Geiger, Stallworth, Pumford, Mead, Cameron Brown, Pestka, Kelly, Tesanovich, Clarke, Godchaux and Jansen introduced

House Bill No. 5845, entitled

A bill to amend 1965 PA 198, entitled "Motor vehicle accident claims act," by amending the title and sections 3 and 3a (MCL 257.1103 and 257.1103a).

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

Rep. Shulman introduced

House Bill No. 5846, entitled

A bill to amend 1968 PA 2, entitled "Uniform budgeting and accounting act," by amending sections 1, 2a, 2b, 2c, 2d, 4, 7, 8, 14, 15, 16, 17, 18, 19, and 20 (MCL 141.421, 141.422a, 141.422b, 141.422c, 141.422d, 141.424, 141.427,

141.428, 141.434, 141.435, 141.436, 141.437, 141.438, 141.439, and 141.440), sections 1 and 7 as amended by 1982 PA 451, sections 2b and 4 as amended by 1996 PA 439, section 2d as amended by 1999 PA 142, section 8 as amended by 1996 PA 400, section 15 as amended by 1981 PA 77, and sections 16 and 17 as amended by 1995 PA 41.

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

Reps. Garcia, Scranton and Richardville introduced

House Bill No. 5847, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 16, 16a, 17, 18, 21, 22, 23, 24, 25, 27, 28, 28a, 28b, 28c, 29, 30, 30a, 30b, 30c, 30d, 30e, 30f, 30g, 30h, 31, 38, and 43 (MCL 125.2301, 125.2302, 125.2303, 125.2304, 125.2305, 125.2306, 125.2307, 125.2311, 125.2312, 125.2313, 125.2314, 125.2316, 125.2316a, 125.2317, 125.2318, 125.2321, 125.2322, 125.2323, 125.2324, 125.2325, 125.2327, 125.2328, 125.2328a, 125.2328b, 125.2328c, 125.2329, 125.2330, 125.2330a, 125.2330b, 125.2330c, 125.2330d, 125.2330e, 125.2330f, 125.2330g, 125.2330h, 125.2331, 125.2338, and 125.2343), section 28 as amended by 1993 PA 241 and sections 28a, 28b, 28c, and 43 as added and section 38 as amended by 1988 PA 337; and to repeal acts and parts of acts.

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

Rep. Hanley introduced

House Joint Resolution S, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 26 of article IV, to provide for concurrence of not less than 2/3 of the members of each house to pass legislation on or after election day.

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

Rep. Jellema moved that the House adjourn.

The motion prevailed, the time being 6:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, May 30, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives.