

No. 13
JOURNAL OF THE HOUSE

House Chamber, Lansing, Thursday, February 20, 1997.

10:00 a.m.

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

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

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

e/d/s = entered during session

The Rev. Charles R. Jacobs, Pastor from the United Methodist Church, Novi, offered the following invocation:

“O Creator, God, Giver of Life and Sustainer of Hope, bestow upon us gathered here this morning in this place of honor and trust, a spirit of reason and goodwill. Grant that a concern for peace and goodwill will permeate the minds of these State Representatives in their endeavors throughout this day as they deliberate the issues of life for the people of our great state. Grant that they might heed the urging of a higher power so each of us might demonstrate that wisdom within our lives. Grant Your blessing upon us in this hour, O God, that we may surely perform all that has been entrusted to us to contribute to the good of others. Free us from the constraints of routine and the trivial so that we may experience the greater blessings beyond. We pray these things in the unity of a faith that is confident in the Lord of Peace and Hope. Amen.”

Rep. Gustafson moved that Rep. Sikkema be granted a temporary excuse from today’s session.
The motion prevailed.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4177, entitled

A bill to amend 1964 PA 154, entitled “Minimum wage law of 1964,” by amending sections 2, 4, 4a, 7, and 7a (MCL 408.382, 408.384, 408.384a, 408.387, and 408.387a), section 2 as amended by 1980 PA 97.

(The bill was received from the Senate on February 19 with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see p. 197 of House Journal No. 12.)

The question being on concurring in the adoption of the substitute (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 41

Yeas—89

| | | | |
|--------------|-------------|------------|-------------|
| Agee | Dobronski | Johnson | Price |
| Anthony | Emerson | Kelly | Profit |
| Baade | Fitzgerald | Kilpatrick | Prusi |
| Baird | Frank | LaForge | Quarles |
| Bankes | Freeman | Leland | Rhead |
| Birkholz | Gagliardi | LeTarte | Rison |
| Bobier | Geiger | Llewellyn | Rocca |
| Bodem | Gernaat | London | Schauer |
| Bogardus | Gilmer | Lowe | Schermesser |
| Brackenridge | Gire | Mans | Schroer |
| Brater | Godchaux | Mathieu | Scott |
| Brewer | Goschka | McBryde | Scranton |
| Brown | Gustafson | McManus | Stallworth |
| Byl | Hale | McNutt | Tesanovich |
| Callahan | Hammerstrom | Middaugh | Thomas |
| Cassis | Hanley | Middleton | Varga |
| Cherry | Harder | Murphy | Vaughn |
| Ciaramitaro | Hertel | Olshove | Voorhees |
| Cropsey | Hood | Owen | Wallace |
| Curtis | Jansen | Oxender | Wetters |
| DeHart | Jelinek | Palamara | Willard |
| DeVuyst | Jellema | Parks | Wojno |
| Dobb | | | |

Nays—15

| | | | |
|----------|--------|------------|---------|
| Crissman | Horton | Law | Richner |
| Dalman | Jaye | Nye | Walberg |
| Galloway | Kaza | Perricone | Whyman |
| Green | Kukuk | Raczkowski | |

In The Chair: Gire

The question being on agreeing to the title as amended by the Senate,
The title was agreed to.
The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Second Reading of Bills**House Bill No. 4238, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding sections 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, and 735; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Regulatory Affairs (for amendments see p. 169 of House Journal No. 10),

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4238, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2721) by adding sections 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, and 735; and to repeal acts and parts of acts.

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

Roll Call No. 42**Yeas—96**

| | | | |
|--------------|------------|-----------|-------------|
| Agee | Emerson | Jellema | Perricone |
| Anthony | Fitzgerald | Johnson | Price |
| Baade | Frank | Kelly | Profit |
| Bankes | Freeman | Kukuk | Prusi |
| Birkholz | Gagliardi | LaForge | Raczkowski |
| Bobier | Galloway | Law | Rhead |
| Bodem | Geiger | Leland | Richner |
| Bogardus | Gernaat | LeTarte | Rison |
| Brackenridge | Gilmer | Llewellyn | Rocca |
| Brater | Gire | London | Schauer |
| Brown | Godchaux | Lowe | Schermesser |
| Byl | Goschka | Mans | Scott |
| Callahan | Green | Martinez | Scranton |
| Cassis | Gustafson | Mathieu | Sikkema |
| Cherry | Hale | McBryde | Tesanovich |

| | | | |
|-------------|-------------|-----------|----------|
| Ciaramitaro | Hammerstrom | McManus | Thomas |
| Crissman | Hanley | McNutt | Varga |
| Cropsey | Harder | Middaugh | Vaughn |
| Curtis | Hertel | Middleton | Voorhees |
| Dalman | Hood | Nye | Walberg |
| DeHart | Horton | Olshove | Wetters |
| DeVuyst | Jansen | Owen | Whyman |
| Dobb | Jaye | Oxender | Willard |
| Dobronski | Jelinek | Palamara | Wojno |

Nays—8

| | | | |
|------------|--------|---------|------------|
| Baird | Murphy | Quarles | Stallworth |
| Kilpatrick | Parks | Schroer | Wallace |

In The Chair: Gire

The House agreed to the title of the bill.

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

The motion prevailed, two-thirds of the members serving voting therefor.

Reps. Birkholz, Bobier, Bodem, Brewer, Cassis, DeVuyst, Freeman, Gagliardi, Geiger, Godchaux, Goschka, Jansen, Johnson, Kelly, Kukuk, McBryde, McNutt, Middleton, Raczkowski, Rhead, Sikkema, Varga, Vaughn, Voorhees and Whyman were named co-sponsors of the bill.

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

“Mr. Speaker and members of the House:

This bill removes the state register which contains a list of all Certified Public Accountants (CPA) and CPA Corporations in good standing with the state. Without this register the citizens in this state will not have any document or option to verify a CPA’s license and/or validity.”

The Speaker Pro Tempore assumed the Chair.

Rep. Gagliardi questioned the presence of a quorum and moved that the roll be called and printed in the Journal.

The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

Roll Call No. 43**Yeas—97**

| | | | |
|---------|------------|------------|------------|
| Agee | Emerson | Kilpatrick | Profit |
| Anthony | Fitzgerald | LaForge | Prusi |
| Baade | Frank | Law | Quarles |
| Baird | Freeman | Leland | Raczkowski |
| Bankes | Gagliardi | LeTarte | Rhead |

| | | | |
|--------------|-------------|-----------|-------------|
| Birkholz | Galloway | Llewellyn | Richner |
| Bobier | Geiger | London | Rison |
| Bodem | Gernaat | Lowe | Rocca |
| Bogardus | Gire | Mans | Schauer |
| Brackenridge | Godchaux | Martinez | Schermesser |
| Brater | Goschka | Mathieu | Schroer |
| Brewer | Green | McBryde | Scott |
| Brown | Gustafson | McManus | Scranton |
| Byl | Hammerstrom | McNutt | Sikkema |
| Callahan | Hanley | Middaugh | Tesanovich |
| Cassis | Harder | Middleton | Thomas |
| Ciaramitaro | Hertel | Murphy | Varga |
| Crissman | Horton | Nye | Vaughn |
| Cropsey | Jansen | Owen | Voorhees |
| Curtis | Jaye | Oxender | Walberg |
| Dalman | Jelinek | Palamara | Wallace |
| DeHart | Jellema | Parks | Wetters |
| DeVuyst | Kaza | Perricone | Whyman |
| Dobb | Kelly | Price | Wojno |
| Dobronski | | | |

In The Chair: Murphy

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Concurrent Resolution No. 5.

A concurrent resolution to disapprove Executive Order 1996-12 on executive reorganization.

(For text of resolution, see p. 85 of House Journal No. 4.)

(The concurrent resolution was reported by the Committee on Education on February 19, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

Rep. Gagliardi demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the concurrent resolution,

Rep. London moved that consideration of the concurrent resolution be postponed until the next legislative session day.

The question being on the motion by Rep. London,

Rep. London demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. London,

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

Roll Call No. 44

Yeas—50

| | | | |
|--------------|-----------|-----------|------------|
| Bankes | Galloway | Johnson | Middleton |
| Birkholz | Geiger | Kaza | Nye |
| Bobier | Gernaat | Kukuk | Oxender |
| Bodem | Gilmer | Law | Perricone |
| Brackenridge | Godchaux | LeTarte | Raczkowski |
| Byl | Goschka | Llewellyn | Rhead |
| Cassis | Green | London | Richner |
| Crissman | Gustafson | Lowe | Rocca |

| | | | |
|------------|-------------|----------|----------|
| Cropsey | Hammerstrom | McBryde | Scranton |
| Dalman | Horton | McManus | Sikkema |
| DeVuyst | Jansen | McNutt | Voorhees |
| Dobb | Jelinek | Middaugh | Whyman |
| Fitzgerald | Jellema | | |

Nays—54

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

In The Chair: Murphy

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 45**Yeas—70**

| | | | |
|-------------|------------|-----------|-------------|
| Agee | Frank | Lowe | Rocca |
| Anthony | Freeman | Mans | Schauer |
| Baade | Gagliardi | Martinez | Schermesser |
| Baird | Gire | Mathieu | Schroer |
| Bobier | Godchaux | McNutt | Scott |
| Bogardus | Goschka | Middleton | Stallworth |
| Brater | Hale | Murphy | Tesanovich |
| Brewer | Hanley | Nye | Thomas |
| Brown | Harder | Olshove | Varga |
| Callahan | Hertel | Owen | Vaughn |
| Cherry | Hood | Palamara | Voorhees |
| Ciaramitaro | Jaye | Parks | Walberg |
| Crissman | Kaza | Price | Wallace |
| Cropsey | Kelly | Profit | Wetters |
| Curtis | Kilpatrick | Prusi | Whyman |
| DeHart | LaForge | Quarles | Willard |
| Dobronski | Leland | Rison | Wojno |
| Emerson | LeTarte | | |

Nays—36

| | | | |
|----------|------------|---------|----------|
| Bankes | Fitzgerald | Jansen | McManus |
| Birkholz | Galloway | Jelinek | Middaugh |

| | | | |
|--------------|-------------|-----------|------------|
| Bodem | Geiger | Jellema | Oxender |
| Brackenridge | Gernaat | Johnson | Perricone |
| Byl | Gilmer | Kukuk | Raczkowski |
| Cassis | Green | Law | Rhead |
| Dalman | Gustafson | Llewellyn | Richner |
| DeVuyst | Hammerstrom | London | Scranton |
| Dobb | Horton | McBryde | Sikkema |

In The Chair: Murphy

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

Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Tuesday, February 25, at 2:00 p.m.
 The motion prevailed.

Rep. Sikkema, pursuant to Rule 33, made the following statement:
 "Mr. Speaker and members of the House:
 I was absent from the Chamber when the vote was taken on Roll Call No. 41.
 Had I been present, I would have voted 'yes'."

Notices

Public Hearing

Subcommittee on Medicaid Managed Care of the Standing Committee on Health Policy

Place: 13th Floor, Detroit City-County Building
 2 Woodward Avenue
 Detroit MI 48226-3413

Time: 5:00 p.m.

Date: Thursday, February 27, 1997

Rep. Sharon Gire, Subcommittee Co-Chair
 Rep. Raymond Murphy, Subcommittee Co-Chair

Agenda: Medicaid Managed Care
 any and/or all business properly before this committee.

Introduction of Bills

Reps. Cherry, Scranton, Bogardus, DeHart, Agee, Prusi, Griffin and Raczkowski introduced
House Bill No. 4361, entitled
 A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5805 (MCL 600.5805),
 as amended by 1988 PA 115.
 The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Kukuk introduced
House Bill No. 4362, entitled
 A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 9 (MCL 208.9), as amended
 by 1996 PA 347.
 The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Crissman, Galloway, Callahan, Walberg, Green, Dobb, Middleton, DeVuyst, Lowe and Brackenridge introduced **House Bill No. 4363, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 503b.

The bill was read a first time by its title and referred to the Committee on Conservation, Environment and Recreation.

Reps. Walberg, McBryde, Brewer, Oxender, Gernaat, Horton, Tesanovich, DeHart, Bodem, Geiger, Cropsey, Goschka, Nye, Jellema, Voorhees, DeVuyst and Llewellyn introduced

House Bill No. 4364, entitled

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

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

Reps. Walberg, McBryde, Brewer, Oxender, Gernaat, Horton, Tesanovich, DeHart, Bodem, Geiger, Raczkowski, Green, Cropsey, Goschka, Nye, Jellema, Voorhees, DeVuyst and Llewellyn introduced

House Bill No. 4365, entitled

A bill to amend 1984 PA 118, entitled "The prisoner reimbursement to the county act," by amending sections 3 and 5 (MCL 801.83 and 801.85), section 3 as amended by 1994 PA 212.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Middaugh offered the following resolution:

House Resolution No. 14.

A resolution to memorialize the Congress of the United States to propose an amendment to Article V of the United States Constitution that will enable three-fourths of the states to amend the Constitution subject to congressional veto and to request the other states to memorialize Congress on this issue.

Whereas, All thirty-three amendments proposed to the United States Constitution since 1788 have been initiated by Congress; and

Whereas, More than 400 petitions from the several states requesting a constitutional convention to propose amendments have been filed with Congress but have never resulted in the calling of a convention or adoption of an amendment; and

Whereas, There should be a proper balance of national and state power in a federal system. The present mechanism for the states to initiate a constitutional convention has proven to be unworkable. The envisioned and desirable balance between national and state powers requires a means for the several states to be able to propose amendments to the United States Constitution; and

Whereas, An Intergovernmental Partnership Task Force has proposed, in its 1989 report to the Intergovernmental Affairs Committee of the Council of State Governments, an amendment to Article V of the United States Constitution to establish a thoughtful balancing of national and state interests in the constitutional amendment process; and

Whereas, The gist of the task force proposal is to enable the legislatures of three-fourths of the states to propose amendments to the United States Constitution subject to the veto of the Congress by a two-thirds vote of both houses within two years of the states' submission of the amendments; and

Whereas, This proposal embodies a prudent method for constitutional amendments to be initiated by a substantial majority of the several states and yet subject to veto by the Congress; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to propose an amendment to Article V of the Constitution of the United States that, in essence, provides that:

Whenever three-fourths of the Legislatures of the several states deem it necessary, they shall propose amendments to this Constitution. After two years from the date of receipt by the Clerk of the House of Representatives of a certified copy of the proposed amendments from the state which represents three-fourths or more of the several states, the proposed amendments shall be valid to all intents of both Houses of Congress within that two-year period. Each state shall have the power to rescind its action to propose the amendments only until the beginning of that two-year period.

; now, therefore, be it

Resolved by the House of Representatives, That we request the legislatures of the several states to apply to Congress for the proposal of this amendment to the Constitution of the United States; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, to each of the members of the Michigan congressional delegation, and to the legislatures of each of the several states.

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

Reps. Price, Wallace, Hale, Hanley, Prusi, Agee, Gire, Mathieu, Vaughn, DeHart, Kilpatrick, Scott, Bogardus, Curtis, Tesanovich, Anthony, Harder, Parks, Cherry, Mans, Leland, Ciaramitaro, Martinez, Hood, Freeman, Willard, Baird, Gagliardi, Kelly, Baade, Dobronski, Quarles, Thomas, Schauer, Rison, Wojno, Callahan and Palamara offered the following resolution:

House Resolution No. 15.

A resolution to urge the Governor and the Family Independence Agency to request a federal waiver from the United States Department of Agriculture to permit food stamp eligibility for citizens in certain circumstances.

Whereas, The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104-193, significantly changed the way our country deals with the poor. Among the numerous provisions of this federal legislation is a three-month limit for food stamp eligibility to unemployed adults with no minor children. The federal legislation permits a state to seek a waiver to continue food stamp eligibility to people in areas of high unemployment and in areas that do not have “. . . a sufficient number of jobs to provide employment for the individuals”; and

Whereas, The federal legislation recognizes that these areas present limited opportunity for either jobs or volunteer services. Twenty-eight states have already applied for waivers to help people faced with no opportunity to find work, acceptance in a job training program, or supervised community service to perform work. Many of our own Michigan citizens face similar barriers to complying with the law. In Michigan, there are 49 counties that either meet the 10% unemployment criteria, the labor surplus criteria, or both; and

Whereas, The new standards will affect approximately 49,000 men and women in Michigan. According to the United States Department of Agriculture, 40 percent of those losing food stamps after three months are women, and one-third of this number are over the age of 40. Unless the Governor requests the food stamp waiver, these cuts become effective March 1, 1997. For people with few marketable skills or those living in an area with few jobs, losing food stamps, which cannot exceed \$120 per month, is a very serious situation. For some people in some locations in our state, these are unobtainable goals, with no jobs, no training, and no community service programs to be had, or available in inadequate numbers. The law permits a continuation of food stamps if a person finds a job working at least 20 hours each week, participates in a job training program, or volunteers in community service for at least 25 hours monthly; and

Whereas, Estimates of lost federal revenue to Michigan range as high as \$70.4 million. Our state is already ranked among the lowest of the states in the return of federal funds. In 1994, Michigan was forty-first of the states in returned federal money; now, therefore, be it

Resolved by the House of Representatives, That we urge the Governor and the Family Independence Agency to request a federal waiver from the United States Department of Agriculture to permit food stamp eligibility for people in certain situations; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor and the Family Independence Agency.

The resolution was referred to the Committee on Appropriations.

Rep. Middaugh offered the following concurrent resolution:

House Concurrent Resolution No. 12.

A concurrent resolution to memorialize the Congress of the United States to propose an amendment to Article V of the United States Constitution that will enable three-fourths of the states to amend the Constitution subject to congressional veto and to request the other states to memorialize Congress on this issue.

Whereas, All thirty-three amendments proposed to the United States Constitution since 1788 have been initiated by Congress; and

Whereas, More than 400 petitions from the several states requesting a constitutional convention to propose amendments have been filed with Congress but have never resulted in the calling of a convention or adoption of an amendment; and

Whereas, There should be a proper balance of national and state power in a federal system. The present mechanism for the states to initiate a constitutional convention has proven to be unworkable. The envisioned and desirable balance between national and state powers requires a means for the several states to be able to propose amendments to the United States Constitution; and

Whereas, An Intergovernmental Partnership Task Force has proposed, in its 1989 report to the Intergovernmental Affairs Committee of the Council of State Governments, an amendment to Article V of the United States Constitution to establish a thoughtful balancing of national and state interests in the constitutional amendment process; and

Whereas, The gist of the task force proposal is to enable the legislatures of three-fourths of the states to propose amendments to the United States Constitution subject to the veto of the Congress by a two-thirds vote of both houses within two years of the states' submission of the amendments; and

Whereas, This proposal embodies a prudent method for constitutional amendments to be initiated by a substantial majority of the several states and yet subject to veto by the Congress; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to propose an amendment to Article V of the Constitution of the United States that, in essence, provides that:

Whenever three-fourths of the Legislatures of the several states deem it necessary, they shall propose amendments to this Constitution. After two years from the date of receipt by the Clerk of the House of Representatives of a certified copy of the proposed amendments from the state which represents three-fourths or more of the several states, the proposed amendments shall be valid to all intents of both Houses of Congress within that two-year period. Each state shall have the power to rescind its action to propose the amendments only until the beginning of that two-year period.

; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we request the legislatures of the several states to apply to Congress for the proposal of this amendment to the Constitution of the United States; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, to each of the members of the Michigan congressional delegation, and to the legislatures of each of the several states.

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

Reps. Price, Wallace, Hale, Hanley, Agee, Prusi, LaForge, Gire, Mathieu, Vaughn, DeHart, Scott, Kilpatrick, Bogardus, Curtis, Anthony, Tesanovich, Harder, Schroer, Parks, Cherry, Mans, Leland, Ciaramitaro, Martinez, Hood, Freeman, Willard, Baird, Gagliardi, Kelly, Baade, Dobronski, Quarles, Thomas, Schauer, Rison, Wojno, Callahan and Palamara offered the following concurrent resolution:

House Concurrent Resolution No. 13.

A concurrent resolution to urge the Governor and the Family Independence Agency to request a federal waiver from the United States Department of Agriculture to permit food stamp eligibility for citizens in certain circumstances.

Whereas, The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104-193, significantly changed the way our country deals with the poor. Among the numerous provisions of this federal legislation is a three-month limit for food stamp eligibility to unemployed adults with no minor children. The federal legislation permits a state to seek a waiver to continue food stamp eligibility to people in areas of high unemployment and in areas that do not have “. . . a sufficient number of jobs to provide employment for the individuals”; and

Whereas, The federal legislation recognizes that these areas present limited opportunity for either jobs or volunteer services. Twenty-eight states have already applied for waivers to help people faced with no opportunity to find work, acceptance in a job training program, or supervised community service to perform work. Many of our own Michigan citizens face similar barriers to complying with the law. In Michigan, there are 49 counties that either meet the 10% unemployment criteria, the labor surplus criteria, or both; and

Whereas, The new standards will affect approximately 49,000 men and women in Michigan. According to the United States Department of Agriculture, 40 percent of those losing food stamps after three months are women, and one-third of this number are over the age of 40. Unless the Governor requests the food stamp waiver, these cuts become effective March 1, 1997. For people with few marketable skills or those living in an area with few jobs, losing food stamps, which cannot exceed \$120 per month, is a very serious situation. For some people in some locations in our state, these are unobtainable goals, with no jobs, no training, and no community service programs to be had, or available in inadequate numbers. The law permits a continuation of food stamps if a person finds a job working at least 20 hours each week, participates in a job training program, or volunteers in community service for at least 25 hours monthly; and

Whereas, Estimates of lost federal revenue to Michigan range as high as \$70.4 million. Our state is already ranked among the lowest of the states in the return of federal funds. In 1994, Michigan was forty-first of the states in returned federal money; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Governor and the Family Independence Agency to request a federal waiver from the United States Department of Agriculture to permit food stamp eligibility for people in certain situations; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor and the Family Independence Agency.

The concurrent resolution was referred to the Committee on Appropriations.

Reps. London, Galloway, Kukuk, Crissman, Hammerstrom, Gilmer, Brackenridge, Jansen, Oxender, LeTarte, Jellema, Middleton, Gustafson, Sikkema, Richner, Johnson, Godchaux, Dobb, Bodem, Kaza, Rocca, Raczkowski, Curtis, Callahan, Walberg, Fitzgerald, Tesanovich, Leland, Thomas, Rhead, Dalman, Geiger, Cassis, Birkholz, Byl, McBryde, Lowe, Gagliardi, Jaye, Olshove, Baade, Gernaat, Middaugh, McManus, Harder, Bankes, McNutt, Voorhees, Perricone, Llewellyn, Schauer, Schermesser, Wojno, Horton, Goschka, Kelly, DeVuyst, Bobier and Nye offered the following concurrent resolution:

House Concurrent Resolution No. 14.

A concurrent resolution memorializing the United States Congress to return to the states the revenue collected under the gasoline tax increase of 1993.

Whereas, The maintenance of a high quality road network is vital to the economic health of our state. As the home of the city that put America on wheels, we in Michigan appreciate this relationship instinctively. Roads of less than excellent quality impede commerce, discourage job formation, and diminish our quality of life. Road maintenance is simultaneously one of the least glamorous of tasks and one of the most important responsibilities that the state carries out; and

Whereas, We in Michigan levy a tax on the purchase of gasoline in order to repair and improve our system of roads and highways. As a tax on those who use the highways, it is one of our fairest means of raising revenue. Just as the states levy a tax on gasoline purchases, so too does the federal government. One consequence of the federal government's taxation of gasoline is the effective limit it places on states that need additional revenue for road repair. As maintenance costs rise and as cars become more fuel efficient, the ability of gasoline tax revenue to fund road work is diminished. In addition, increases in federal gasoline taxes effectively block states from raising state taxes on fuel due to the need to avoid too steep of an increase that might stifle economic growth; and

Whereas, If the federal government used its revenue from the federal gasoline tax to help states maintain their roads, this dual taxation might not be harmful in practice because the tax money would still repair our roads regardless of who collected the funds. Unfortunately, the 1993 federal gasoline tax increase of five cents per gallon has been devoted to deficit reduction. While deficit reduction is a valid and admirable goal, seizing revenue from a source which should be ear-marked for road maintenance effectively deprives the states of an adequate means to repair and expand their roads. Just as it would not be fair to tax those who do not use our roads in order to repair them, it is not fair to deprive states of the ability to utilize gasoline taxes for road maintenance. Congress must turn over to the states the revenues gained from the five cents per gallon federal tax on gasoline sales that is currently dedicated to deficit reduction; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the United States Congress to return to the states the revenue collected under the gasoline tax increase of 1993; and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 20, 1997, at 8:30 a.m.,

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

Absent: Rep. Willard,

Excused: Rep. Willard.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 20, 1997, at 8:30 a.m.,

Present: Reps. Freeman, Mans, Callahan, Galloway, Jaye, Nye, Perricone,

Absent: Reps. Agee, Baird,

Excused: Reps. Agee, Baird.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. DeHart, Chair of the Committee on Public Retirement, was received and read:

Meeting held on: Thursday, February 20, 1997, at 8:30 a.m.,

Present: Reps. DeHart, Brewer, Dobronski, Mans, Dobb, Jelinek, LeTarte,

Absent: Rep. Rhead,

Excused: Rep. Rhead.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Varga, Chair of the Committee on Regulatory Affairs, was received and read:

Meeting held on: Thursday, February 20, 1997, at 8:30 a.m.,

Present: Reps. Varga, Wojno, Anthony, Leland, Olshove, Profit, Quarles, Scott, Vaughn, Fitzgerald, Jaye, Richner, Rocca, Scranton, Voorhees.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 19, 1997, at 3:14 p.m.,

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

Rep. Godchaux moved that the House adjourn.

The motion prevailed, the time being 12:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, February 25, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.