

No. 47

JOURNAL OF THE HOUSE

House Chamber, Lansing, Tuesday, May 27, 1997.

2:00 p.m.

The House was called to order by the Speaker.

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—present	Frank—present	Kelly—e/d/s	Profit—present
Anthony—present	Freeman—present	Kilpatrick—excused	Prusi—present
Baade—excused	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—excused	Rison—present
Bodem—present	Gire—excused	Llewellyn—present	Rocca—present
Bogardus—present	Godchaux—present	London—present	Schauer—present
Brackenridge—present	Goschka—present	Lowe—present	Schermesser—excused
Brater—present	Green—present	Mans—present	Schroer—present
Brewer—present	Griffin—present	Martinez—present	Scott—present
Brown—present	Gubow—present	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—excused
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

Rep. Beverly Hammerstrom, from the 55th District, offered the following invocation:

“Heavenly Father, We thank You today for bringing us all back safely from the holiday weekend enjoyed with family and loved ones. Look down upon this assembly as we gather this afternoon to deliberate the issues which will greatly impact the lives of the citizens of our great state and grant us the understanding and wisdom to do what is right for them. In Thy holy name, we pray. Amen.”

Rep. Dobronski moved that Reps. Kilpatrick, Gire, Baade and Schermesser be excused from today’s session. The motion prevailed.

Rep. Hammerstrom moved that Reps. LeTarte and Walberg be excused from today’s session. The motion prevailed.

Third Reading of Bills

House Bill No. 4051, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 698 (MCL 257.698), as amended by 1994 PA 101.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Anthony moved to amend the bill as follows:

1. Amend page 5, line 16, after “WITH” by striking out the balance of the line through “AND” on line 17.

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

The question being on the passage of the bill,

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

Roll Call No. 382

Yeas—99

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

DeVuyst
DobbJellema
JohnsonPerricone
Price

Wojno

Nays—0

In The Chair: Hertel

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

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

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 698 (MCL 257.698), as amended by 1997 PA 8.

The motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 4573, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

Rep. Gagliardi moved to amend the bill as follows:

1. Amend page 5, following line 20, by inserting:

"Enacting section 1. This amendatory act takes effect September 1, 1997."

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

The question being on the passage of the bill,

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

Roll Call No. 383**Yeas—100**

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

DeVuyst
Dobb

Jelinek
Jellema

Parks
Perricone

Willard
Wojno

Nays—1

Gustafson

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4395, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 502, 503, 504a, 512, 513, and 514a (MCL 380.502, 380.503, 380.504a, 380.512, 380.513, and 380.514a), as amended by 1995 PA 289, and by adding sections 503b and 513b.

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. Kelly entered the House Chambers.

Rep. Dalman moved to amend the bill as follows:

1. Amend page 29, following line 8, by inserting:

"SEC. 1204C. AT LEAST ANNUALLY, THE BOARD OF EACH SCHOOL DISTRICT SHALL FILE AN OVERSIGHT REPORT WITH THE STATE BOARD FOR EACH SCHOOL OPERATED BY THE SCHOOL DISTRICT. EACH OVERSIGHT REPORT SHALL BE ACCOMPANIED BY A WRITTEN CERTIFICATION OF ITS ACCURACY SIGNED BY THE PRESIDENT OF THE SCHOOL BOARD AND THE SUPERINTENDENT OF THE SCHOOL DISTRICT. AN OVERSIGHT REPORT SHALL CONTAIN AT LEAST ALL OF THE FOLLOWING INFORMATION:

(A) NUMBER OF STAFF ASSIGNED TO OVERSIGHT ACTIVITIES, ON A FULL-TIME EQUATED BASIS.

(B) QUALIFICATIONS, INCLUDING ANY PROFESSIONAL CERTIFICATION, OF STAFF ASSIGNED TO OVERSIGHT ACTIVITIES.

(C) OVERSIGHT ACTIVITIES CONDUCTED AT THE SITE OF EACH SCHOOL.

(D) ANY NONCOMPLIANCE WITH STATUTE OR RULES FOUND IN THE COURSE OF THE OVERSIGHT AND ANY AREAS OF PERFORMANCE FOUND TO BE IN NEED OF IMPROVEMENT.

(E) A DESCRIPTION OF THE SPECIFIC EVIDENCE THAT LED TO EACH FINDING DESCRIBED IN SUBDIVISION (D).

(F) SPECIFIC PLANS FOR REMEDIATION OF EACH NONCOMPLIANCE DESCRIBED IN SUBDIVISION (D).

(G) SPECIFIC SUGGESTIONS AND PLANS FOR IMPROVEMENT OF PERFORMANCE.

(H) ASSURANCE THAT THE SCHOOL BOARD HAS MADE APPROPRIATE INQUIRY AND HAS DETERMINED THAT THE SCHOOL AND SCHOOL DISTRICT ARE IN COMPLIANCE WITH CONSTITUTIONAL PROVISIONS CONCERNING RELIGIOUS AFFILIATIONS.

(I) ASSURANCE THAT THE SCHOOL BOARD HAS MADE APPROPRIATE INQUIRY AND HAS DETERMINED THAT THE SCHOOL AND SCHOOL DISTRICT ARE IN COMPLIANCE WITH ALL APPLICABLE LAW, INCLUDING, BUT NOT LIMITED TO, THOSE PROVISIONS OF LAW SPECIFIED IN SECTION 513(8).

(J) ASSURANCE THAT THE SCHOOL BOARD HAS EXAMINED MICHIGAN EDUCATIONAL ASSESSMENT PROGRAM SCORES AND OTHER STANDARDIZED TEST SCORES AND OTHER RELEVANT DATA TO DETERMINE THAT THE SCHOOL IS FULFILLING THE ACADEMIC GOALS OF THE SCHOOL DISTRICT.

(K) ASSURANCE THAT THE SCHOOL BOARD HAS EXAMINED THE QUALIFICATIONS OF THE SCHOOL'S INSTRUCTIONAL STAFF AND HAS DETERMINED THAT THOSE QUALIFICATIONS ARE IN COMPLIANCE WITH ALL APPLICABLE LAW.”.

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

Rep. Dalman demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 384

Yeas—41

Birkholz	Goschka	Kaza	Nye
Bobier	Green	Kukuk	Perricone
Byl	Gustafson	Llewellyn	Rackowski
Cassis	Hammerstrom	London	Rhead
Cropsey	Horton	Lowe	Richner
Dalman	Jansen	McBryde	Rocca
DeVuyst	Jaye	McManus	Scranton
Fitzgerald	Jelinek	McNutt	Sikkema
Geiger	Jellema	Middaugh	Voorhees
Gernaat	Johnson	Middleton	Whyman
Gilmer			

Nays—58

Agee	Curtis	Kelly	Quarles
Alley	DeHart	LaForge	Rison
Anthony	Dobb	Leland	Schauer
Baird	Dobronski	Mans	Schroer
Bankes	Emerson	Martinez	Scott
Bodem	Frank	Mathieu	Stallworth
Bogardus	Freeman	Murphy	Tesanovich
Brackenridge	Gagliardi	Olshove	Thomas
Brater	Galloway	Owen	Varga
Brewer	Gubow	Oxender	Vaughn
Brown	Hale	Parks	Wallace
Callahan	Hanley	Price	Wetters
Cherry	Harder	Profit	Willard
Ciaramitaro	Hertel	Prusi	Wojno
Crissman	Hood		

In The Chair: Hertel

Rep. Middleton moved to amend the bill as follows:

1. Amend page 6, line 17, after “contract.” by striking out the balance of the subsection.
2. Amend page 19, line 20, after “contract.” by striking out the balance of the subsection.
3. Amend page 29, following line 8, by inserting:

“SEC. 1206. (1) THE BOARD OF EACH SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT, AND THE BOARD OF DIRECTORS OF EACH PUBLIC SCHOOL ACADEMY, SHALL ADOPT AND IMPLEMENT

A PUBLIC INPUT POLICY AND PROCEDURES FOR RECEIVING INPUT FROM PARENTS AND THE GENERAL PUBLIC. THE POLICY AND PROCEDURES SHALL ENCOURAGE PARENTS AND THE GENERAL PUBLIC TO ADDRESS CONCERNS TO THE SCHOOL BOARD, INTERMEDIATE SCHOOL BOARD, OR BOARD OF DIRECTORS TO ATTEMPT RESOLUTION AT THAT LEVEL BEFORE SEEKING REDRESS FROM THE DEPARTMENT, STATE BOARD, OR OTHER AUTHORITY. THE POLICY AND PROCEDURES ALSO SHALL ENCOURAGE PARENTS OR OTHER PERSONS WHO ARE NOT SATISFIED WITH THE RESPONSE AT THE SCHOOL BOARD, INTERMEDIATE SCHOOL BOARD, OR BOARD OF DIRECTORS LEVEL TO TAKE THEIR CONCERNS TO AN APPROPRIATE AUTHORITY AT ANOTHER LEVEL.

(2) THE STATE BOARD SHALL DEVELOP A MODEL PUBLIC INPUT POLICY AND MODEL PROCEDURES FOR USE UNDER SUBSECTION (1). ALSO, THE STATE BOARD SHALL ADOPT AND IMPLEMENT ITS OWN PUBLIC INPUT POLICY AND PROCEDURES CONSISTENT WITH THE GOALS OF SUBSECTION (1).”.

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

Rep. Middleton demanded the yeas and nays.

The demand was supported.

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

Rep. Willard moved that amendment No. 3 be considered separately.

The motion prevailed.

The question being on the adoption of amendment Nos. 1 and 2 offered by Rep. Middleton,

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

Roll Call No. 385

Yeas—48

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

Nays—51

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

In The Chair: Hertel

The question being on the adoption of amendment No. 3 offered by Rep. Middleton,
The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 386**Yeas—48**

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

Nays—50

Agee	Dobronski	Mans	Schauer
Alley	Emerson	Martinez	Schroer
Anthony	Frank	Mathieu	Scott
Baird	Freeman	Murphy	Stallworth
Bogardus	Gagliardi	Olshove	Tesanovich
Brater	Gubow	Owen	Thomas
Brewer	Hale	Palamara	Varga
Brown	Hanley	Parks	Vaughn
Callahan	Harder	Price	Voorhees
Cherry	Hertel	Prusi	Wallace
Ciaramitaro	Kelly	Quarles	Wetters
Curtis	LaForge	Rison	Wojno
DeHart	Leland		

In The Chair: Hertel

Rep. Agee moved to amend the bill as follows:

1. Amend page 29, following line 18, by inserting:

“Enacting section 1. Part 6a and section 518 of the revised school code, 1976 PA 451, MCL 380.501 to 380.507 and 380.518, are repealed.”.

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

Rep. Agee demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 387**Yeas—52**

Agee	Dobronski	Leland	Quarles
Alley	Emerson	Mans	Rison

Anthony	Frank	Martinez	Schauer
Baird	Freeman	Mathieu	Scott
Bogardus	Gagliardi	Murphy	Stallworth
Brewer	Gubow	Olshove	Tesanovich
Brown	Hale	Owen	Thomas
Callahan	Hanley	Oxender	Varga
Cherry	Harder	Palamara	Vaughn
Ciaramitaro	Hertel	Parks	Wallace
Crissman	Hood	Price	Wetters
Curtis	Kelly	Profit	Willard
DeHart	LaForge	Prusi	Wojno

Nays—49

Bankes	Galloway	Jelinek	Middleton
Birkholz	Geiger	Jellema	Nye
Bobier	Gernaat	Johnson	Perricone
Bodem	Gilmer	Kaza	Rackowski
Brackenridge	Godchaux	Kukuk	Rhead
Brater	Goschka	Llewellyn	Richner
Byl	Green	London	Rocca
Cassis	Gustafson	Lowe	Schroer
Cropsey	Hammerstrom	McBryde	Scranton
Dalman	Horton	McManus	Sikkema
DeVuyst	Jansen	McNutt	Voorhees
Dobb	Jaye	Middaugh	Whyman
Fitzgerald			

In The Chair: Hertel

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 3, line 18, by striking out all of subdivision (d) and inserting:

“(d) The governing board of a state public university. However, the combined total number of contracts ~~for public school academies~~ issued by all state public universities FOR PUBLIC SCHOOL ACADEMIES OTHER THAN PUBLIC SCHOOL ACADEMIES LOCATED IN A SCHOOL DISTRICT THAT, AS OF THE TIME THE CONTRACT IS ISSUED, HAS A GRADUATION/COMPLETION RATE OF LESS THAN 66.7% AS DETERMINED BY THE DEPARTMENT shall not exceed 85 through 1996, and, after the initial evaluation under section 501a, shall not exceed 100 through 1997, 125 through 1998, or 150 thereafter. Further, the total number of contracts issued by any 1 state public university FOR PUBLIC SCHOOL ACADEMIES OTHER THAN PUBLIC SCHOOL ACADEMIES LOCATED IN A SCHOOL DISTRICT THAT, AS OF THE TIME THE CONTRACT IS ISSUED, HAS A GRADUATION/COMPLETION RATE OF LESS THAN 66.7% AS DETERMINED BY THE DEPARTMENT shall not exceed 50 through 1996, and thereafter shall not exceed 50% of the maximum combined total number that may be issued under this subdivision.”.

2. Amend page 17, line 1, by striking out all of subdivision (d) and inserting:

“(d) The governing board of a state public university. However, the combined total number of contracts ~~for public school academies~~ issued by all state public universities FOR PUBLIC SCHOOL ACADEMIES OTHER THAN PUBLIC SCHOOL ACADEMIES LOCATED IN A SCHOOL DISTRICT THAT, AS OF THE TIME THE CONTRACT IS ISSUED, HAS A GRADUATION/COMPLETION RATE OF LESS THAN 66.7% AS DETERMINED BY THE DEPARTMENT shall not exceed 85 through 1996, and, after the initial evaluation under section 511a, 100 through 1997, 125 through 1998, or 150 thereafter. Further, the total number of contracts issued by any 1 state public university FOR PUBLIC SCHOOL ACADEMIES OTHER THAN PUBLIC SCHOOL ACADEMIES LOCATED IN A SCHOOL DISTRICT THAT, AS OF THE TIME THE CONTRACT IS ISSUED, HAS A GRADUATION/COMPLETION RATE OF LESS THAN 66.7% AS DETERMINED BY THE DEPARTMENT shall not exceed 50 through 1996, and thereafter shall not exceed 50% of the maximum combined total number that may be issued under this subdivision.”.

The question being on the adoption of the amendments offered by Rep. Cropsey,
Rep. Cropsey demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 388**Yeas—46**

Birkholz	Gernaat	Johnson	Middleton
Bobier	Gilmer	Kaza	Nye
Bodem	Godchaux	Kukuk	Perricone
Brackenridge	Goschka	Law	Rackowski
Byl	Green	Llewellyn	Rhead
Cassis	Gustafson	London	Richner
Cropsey	Hammerstrom	Lowe	Rocca
Dalman	Horton	McBryde	Scranton
DeVuyst	Jansen	McManus	Sikkema
Fitzgerald	Jaye	McNutt	Voorhees
Galloway	Jelinek	Middaugh	Whyman
Geiger	Jellema		

Nays—54

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

In The Chair: Hertel

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 29, following line 18, by inserting:

“Enacting section 1. Section 518 of the revised school code, 1976 PA 451, MCL 380.518, is repealed.”.

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

Rep. Cropsey demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 389**Yeas—48**

Bankes	Galloway	Jelinek	Middaugh
Birkholz	Geiger	Jellema	Middleton

Bobier	Gernaat	Johnson	Nye
Bodem	Gilmer	Kaza	Perricone
Brackenridge	Godchaux	Kukuk	Raczkowski
Byl	Goschka	Law	Rhead
Cassis	Green	Llewellyn	Richner
Cropsey	Gustafson	London	Rocca
Dalman	Hammerstrom	Lowe	Scranton
DeVuyst	Horton	McBryde	Sikkema
Dobb	Jansen	McManus	Voorhees
Fitzgerald	Jaye	McNutt	Whyman

Nays—48

Agee	Dobronski	Mans	Rison
Alley	Frank	Martinez	Schauer
Anthony	Freeman	Mathieu	Scott
Baird	Gagliardi	Murphy	Stallworth
Bogardus	Gubow	Olshove	Tesanovich
Brater	Hale	Oxender	Thomas
Brewer	Hanley	Palamara	Varga
Brown	Harder	Parks	Vaughn
Callahan	Hertel	Price	Wallace
Cherry	Hood	Profit	Wetters
Curtis	Kelly	Prusi	Willard
DeHart	LaForge	Quarles	Wojno

In The Chair: Hertel

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 3, line 18, by striking out all of subdivision (d) and inserting:

“(d) The governing board of a state public university. However, the combined total number of contracts ~~for public school academies~~ issued by all state public universities FOR PUBLIC SCHOOL ACADEMIES OTHER THAN PUBLIC SCHOOL ACADEMIES LOCATED IN A SCHOOL DISTRICT THAT, AS OF THE TIME THE CONTRACT IS ISSUED, HAS A GRADUATION/COMPLETION RATE OF LESS THAN 33.3% AS DETERMINED BY THE DEPARTMENT shall not exceed 85 through 1996, and, after the initial evaluation under section 501a, shall not exceed 100 through 1997, 125 through 1998, or 150 thereafter. Further, the total number of contracts issued by any 1 state public university FOR PUBLIC SCHOOL ACADEMIES OTHER THAN PUBLIC SCHOOL ACADEMIES LOCATED IN A SCHOOL DISTRICT THAT, AS OF THE TIME THE CONTRACT IS ISSUED, HAS A GRADUATION/COMPLETION RATE OF LESS THAN 33.3% AS DETERMINED BY THE DEPARTMENT shall not exceed 50 through 1996, and thereafter shall not exceed 50% of the maximum combined total number that may be issued under this subdivision.”

2. Amend page 17, line 1, by striking out all of subdivision (d) and inserting:

“(d) The governing board of a state public university. However, the combined total number of contracts ~~for public school academies~~ issued by all state public universities FOR PUBLIC SCHOOL ACADEMIES OTHER THAN PUBLIC SCHOOL ACADEMIES LOCATED IN A SCHOOL DISTRICT THAT, AS OF THE TIME THE CONTRACT IS ISSUED, HAS A GRADUATION/COMPLETION RATE OF LESS THAN 33.3% AS DETERMINED BY THE DEPARTMENT shall not exceed 85 through 1996, and, after the initial evaluation under section 511a, 100 through 1997, 125 through 1998, or 150 thereafter. Further, the total number of contracts issued by any 1 state public university FOR PUBLIC SCHOOL ACADEMIES OTHER THAN PUBLIC SCHOOL ACADEMIES LOCATED IN A SCHOOL DISTRICT THAT, AS OF THE TIME THE CONTRACT IS ISSUED, HAS A GRADUATION/COMPLETION RATE OF LESS THAN 33.3% AS DETERMINED BY THE DEPARTMENT shall not exceed 50 through 1996, and thereafter shall not exceed 50% of the maximum combined total number that may be issued under this subdivision.”

The question being on the adoption of the amendments offered by Rep. Cropsey,
Rep. Cropsey demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 390**Yeas—46**

Birkholz	Gernaat	Johnson	Nye
Bobier	Gilmer	Kaza	Oxender
Bodem	Godchaux	Kukuk	Perricone
Brackenridge	Goschka	Law	Rackowski
Byl	Green	Llewellyn	Rhead
Crissman	Gustafson	London	Richner
Cropsey	Hammerstrom	Lowe	Rocca
Dalman	Horton	McBryde	Scranton
DeVuyst	Jansen	McManus	Sikkema
Fitzgerald	Jaye	McNutt	Voorhees
Galloway	Jelinek	Middaugh	Whyman
Geiger	Jellema		

Nays—53

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

In The Chair: Hertel

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

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

House Bill No. 4542, entitled

A bill to require certain institutions of higher education to establish and implement a campus sexual assault information policy; to encourage those institutions of higher education to adopt certain procedures; and for related purposes.

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

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

Rep. Baird 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. 4542, entitled

A bill to require certain institutions of higher education to establish and implement a campus sexual assault information policy; to encourage those institutions of higher education to adopt certain procedures; and for related purposes.

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

Roll Call No. 391

Yeas—101

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

Nays—0

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4543, entitled

A bill to amend 1975 PA 222, entitled "Higher education loan authority act," by amending sections 2 and 4a (MCL 390.1152 and 390.1154a), section 2 as amended by 1987 PA 206 and section 4 as added by 1989 PA 96.

The bill was read a second time.

Rep. Baird 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. 4543, entitled

A bill to amend 1975 PA 222, entitled "Higher education loan authority act," by amending sections 2 and 4a (MCL 390.1152 and 390.1154a), section 2 as amended by 1987 PA 206 and section 4 as added by 1989 PA 96.

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

Roll Call No. 392

Yeas—99

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

Nays—2

Profit

Wetters

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I supported House Bill 4542 which would require public and private colleges and universities to establish written campus sexual assault policies. That is a good idea and long overdue. But the rest of the bills in this package (HB 4543 - 4553) punish students who attend schools that don't comply with HB 4542. Why punish the students for the actions or inaction of the colleges and universities they attend? I think barring students from financial aide programs because the institution they attended snubbed their nose at the legislature in wrong. Unfortunately, most of the people in the house of representatives think its right and are willing to victimize innocent students to make their point. Go figure!”

Second Reading of Bills

House Bill No. 4544, entitled

A bill to amend 1964 PA 208, entitled “An act to grant scholarships to students enrolled in postsecondary education institutions; and to provide for the administration of the scholarship program,” by amending section 7 (MCL 390.977), as amended by 1980 PA 500.

The bill was read a second time.

Rep. Cherry 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. 4544, entitled

A bill to amend 1964 PA 208, entitled “An act to grant scholarships to students enrolled in postsecondary education institutions; and to provide for the administration of the scholarship program,” by amending section 7 (MCL 390.977), as amended by 1980 PA 500.

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

Roll Call No. 393

Yeas—99

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

Nays—2

Profit

Wetters

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I supported House Bill 4542 which would require public and private colleges and universities to establish written campus sexual assault policies. That is a good idea and long overdue. But the rest of the bills in this package (HB 4543 - 4553) punish students who attend schools that don't comply with HB 4542. Why punish the students for the actions or inaction of the colleges and universities they attend? I think barring students from financial aide programs because the institution they attended snubbed their nose at the legislature in wrong. Unfortunately, most of the people in the house of representatives think its right and are willing to victimize innocent students to make their point. Go figure!”

Second Reading of Bills**House Bill No. 4545, entitled**

A bill to amend 1986 PA 288, entitled “An act to establish a Michigan work-study program for qualified resident students attending eligible postsecondary schools and employed by qualified employers; and to prescribe the powers and duties of certain state agencies,” by amending section 3 (MCL 390.1373).

The bill was read a second time.

Rep. McBryde 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. 4545, entitled**

A bill to amend 1986 PA 288, entitled “An act to establish a Michigan work-study program for qualified resident students attending eligible postsecondary schools and employed by qualified employers; and to prescribe the powers and duties of certain state agencies,” by amending section 3 (MCL 390.1373).

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

Roll Call No. 394**Yeas—94**

Agee
Alley
Anthony
Baird

Emerson
Fitzgerald
Frank
Freeman

Kaza
Kelly
Kukuk
LaForge

Perricone
Price
Prusi
Quarles

Birkholz	Gagliardi	Law	Raczkowski
Bobier	Galloway	Leland	Rhead
Bodem	Geiger	Llewellyn	Richner
Bogardus	Gernaat	London	Rison
Brackenridge	Gilmer	Lowe	Rocca
Brater	Godchaux	Mans	Schauer
Brown	Goschka	Martinez	Schroer
Byl	Green	Mathieu	Scott
Callahan	Griffin	McBryde	Scranton
Cassis	Gubow	McManus	Sikkema
Cherry	Gustafson	McNutt	Tesanovich
Ciaramitaro	Hale	Middaugh	Thomas
Crissman	Hammerstrom	Middleton	Varga
Cropsey	Hanley	Murphy	Vaughn
Curtis	Harder	Olshove	Voorhees
Dalman	Horton	Owen	Wallace
DeHart	Jansen	Oxender	Whyman
DeVuyst	Jaye	Palamara	Willard
Dobb	Jelinek	Parks	Wojno
Dobronski	Johnson		

Nays—2

Profit

Wetters

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I supported House Bill 4542 which would require public and private colleges and universities to establish written campus sexual assault policies. That is a good idea and long overdue. But the rest of the bills in this package (HB 4543 - 4553) punish students who attend schools that don't comply with HB 4542. Why punish the students for the actions or inaction of the colleges and universities they attend? I think barring students from financial aide programs because the institution they attended snubbed their nose at the legislature is wrong. Unfortunately, most of the people in the house of representatives think its right and are willing to victimize innocent students to make their point. Go figure!”

Second Reading of Bills

House Bill No. 4546, entitled

A bill to amend 1960 PA 77, entitled “An act to create the Michigan higher education assistance authority and to prescribe its powers and duties; to authorize persons, corporations, and associations to make gifts to the authority; to prescribe the powers and duties of certain state officials; to authorize, ratify, and confirm certain guarantees of students' loans and authorize reguarantees; to authorize, ratify, and confirm certain guarantees of loans made to parents of students; to validate certain prior appropriations; and to authorize the transfer of certain appropriations to be transferred to and administered by the authority,” by amending section 7 (MCL 390.957), as amended by 1990 PA 117.

The bill was read a second time.

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

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

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. 4546, entitled

A bill to amend 1960 PA 77, entitled "An act to create the Michigan higher education assistance authority and to prescribe its powers and duties; to authorize persons, corporations, and associations to make gifts to the authority; to prescribe the powers and duties of certain state officials; to authorize, ratify, and confirm certain guarantees of students' loans and authorize reguarantees; to authorize, ratify, and confirm certain guarantees of loans made to parents of students; to validate certain prior appropriations; and to authorize the transfer of certain appropriations to be transferred to and administered by the authority," by amending section 7 (MCL 390.957), as amended by 1990 PA 117.

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

Roll Call No. 395

Yeas—99

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

Nays—2

Profit

Wetters

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I supported House Bill 4542 which would require public and private colleges and universities to establish written campus sexual assault policies. That is a good idea and long overdue. But the rest of the bills in this package (HB 4543 - 4553) punish students who attend schools that don't comply with HB 4542. Why punish the students for the actions or inaction of the colleges and universities they attend? I think barring students from financial aide programs because the institution they attended snubbed their nose at the legislature in wrong. Unfortunately, most of the people in the house of representatives think its right and are willing to victimize innocent students to make their point. Go figure!”

Second Reading of Bills

House Bill No. 4547, entitled

A bill to amend 1978 PA 105, entitled “An act to provide grants to students enrolled in independent nonprofit institutions of higher learning; and to provide for the promulgation of rules,” by amending section 2 (MCL 390.1272), as amended by 1980 PA 502.

The bill was read a second time.

Rep. LaForge 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. 4547, entitled

A bill to amend 1978 PA 105, entitled “An act to provide grants to students enrolled in independent nonprofit institutions of higher learning; and to provide for the promulgation of rules,” by amending section 2 (MCL 390.1272), as amended by 1980 PA 502.

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

Roll Call No. 396

Yeas—98

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

Dobb
DobronskiJelinek
Jellema

Palamara

Wojno

Nays—2

Profit

Wetters

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I supported House Bill 4542 which would require public and private colleges and universities to establish written campus sexual assault policies. That is a good idea and long overdue. But the rest of the bills in this package (HB 4543 - 4553) punish students who attend schools that don't comply with HB 4542. Why punish the students for the actions or inaction of the colleges and universities they attend? I think barring students from financial aide programs because the institution they attended snubbed their nose at the legislature in wrong. Unfortunately, most of the people in the house of representatives think its right and are willing to victimize innocent students to make their point. Go figure!”

Second Reading of Bills**House Bill No. 4548, entitled**

A bill to amend 1986 PA 273, entitled “An act to establish a Michigan educational opportunity grant program for resident qualified students enrolled in eligible public postsecondary schools; and to prescribe the powers and duties of certain state agencies,” by amending section 3 (MCL 390.1403).

The bill was read a second time.

Rep. Hanley 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. 4548, entitled**

A bill to amend 1986 PA 273, entitled “An act to establish a Michigan educational opportunity grant program for resident qualified students enrolled in eligible public postsecondary schools; and to prescribe the powers and duties of certain state agencies,” by amending section 3 (MCL 390.1403).

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

Roll Call No. 397**Yeas—98**Agee
Alley
AnthonyEmerson
Fitzgerald
FrankJellema
Johnson
KazaPalamara
Parks
Perricone

Baird	Freeman	Kelly	Price
Bankes	Gagliardi	Kukuk	Prusi
Birkholz	Galloway	LaForge	Quarles
Bobier	Geiger	Law	Raczkowski
Bogardus	Gernaat	Leland	Rhead
Brackenridge	Gilmer	Llewellyn	Richner
Brater	Godchaux	London	Rocca
Brewer	Goschka	Lowe	Schauer
Brown	Green	Mans	Schroer
Byl	Griffin	Martinez	Scott
Callahan	Gubow	Mathieu	Scranton
Cassis	Gustafson	McBryde	Sikkema
Cherry	Hale	McManus	Tesanovich
Ciaramitaro	Hammerstrom	McNutt	Thomas
Crissman	Hanley	Middaugh	Varga
Cropsey	Harder	Middleton	Vaughn
Curtis	Hertel	Murphy	Voorhees
Dalman	Hood	Nye	Wallace
DeHart	Horton	Olshove	Whyman
DeVuyst	Jansen	Owen	Willard
Dobb	Jaye	Oxender	Wojno
Dobronski	Jelinek		

Nays—2

Profit

Wetters

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I supported House Bill 4542 which would require public and private colleges and universities to establish written campus sexual assault policies. That is a good idea and long overdue. But the rest of the bills in this package (HB 4543 - 4553) punish students who attend schools that don't comply with HB 4542. Why punish the students for the actions or inaction of the colleges and universities they attend? I think barring students from financial aide programs because the institution they attended snubbed their nose at the legislature is wrong. Unfortunately, most of the people in the house of representatives think its right and are willing to victimize innocent students to make their point. Go figure!”

Second Reading of Bills

House Bill No. 4549, entitled

A bill to amend 1986 PA 303, entitled “An act to establish a Michigan work-study program for qualified resident students attending eligible graduate and professional graduate schools and employed by qualified employers; to prescribe the powers and duties of certain state agencies; and to provide for an appropriation,” by amending section 3 (MCL 390.1323).

The bill was read a second time.

Rep. Schroer 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. 4549, entitled

A bill to amend 1986 PA 303, entitled "An act to establish a Michigan work-study program for qualified resident students attending eligible graduate and professional graduate schools and employed by qualified employers; to prescribe the powers and duties of certain state agencies; and to provide for an appropriation," by amending section 3 (MCL 390.1323).

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

Roll Call No. 398

Yeas—99

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

Nays—2

Profit

Wetters

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I supported House Bill 4542 which would require public and private colleges and universities to establish written campus sexual assault policies. That is a good idea and long overdue. But the rest of the bills in this package (HB 4543 - 4553) punish students who attend schools that don't comply with HB 4542. Why punish the students for the actions or inaction of the colleges and universities they attend? I think barring students from financial aide programs because the institution they attended snubbed their nose at the legislature in wrong. Unfortunately, most of the people in the house of representatives think its right and are willing to victimize innocent students to make their point. Go figure!”

Second Reading of Bills

House Bill No. 4550, entitled

A bill to amend 1974 PA 75, entitled “An act to provide for payment to approved independent nonprofit institutions of higher education, located within the state, for all earned degrees conferred upon Michigan residents; and to provide for appropriations,” by amending section 2 (MCL 390.1022), as amended by 1984 PA 9.

The bill was read a second time.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4550, entitled

A bill to amend 1974 PA 75, entitled “An act to provide for payment to approved independent nonprofit institutions of higher education, located within the state, for all earned degrees conferred upon Michigan residents; and to provide for appropriations,” by amending section 2 (MCL 390.1022), as amended by 1984 PA 9.

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

Roll Call No. 399

Yeas—100

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

Nays—2

Profit

Wetters

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I supported House Bill 4542 which would require public and private colleges and universities to establish written campus sexual assault policies. That is a good idea and long overdue. But the rest of the bills in this package (HB 4543 - 4553) punish students who attend schools that don't comply with HB 4542. Why punish the students for the actions or inaction of the colleges and universities they attend? I think barring students from financial aide programs because the institution they attended snubbed their nose at the legislature in wrong. Unfortunately, most of the people in the house of representatives think its right and are willing to victimize innocent students to make their point. Go figure!”

Second Reading of Bills**House Bill No. 4551, entitled**

A bill to amend 1986 PA 102, entitled “An act to establish a grant program for certain part-time, independent students in this state; and to prescribe the powers and duties of certain state agencies and institutions of higher education,” by amending section 3 (MCL 390.1283).

The bill was read a second time.

Rep. Murphy 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. 4551, entitled**

A bill to amend 1986 PA 102, entitled “An act to establish a grant program for certain part-time, independent students in this state; and to prescribe the powers and duties of certain state agencies and institutions of higher education,” by amending section 3 (MCL 390.1283).

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

Roll Call No. 400**Yeas—99**

Agee
Alley
Anthony
Baird

Emerson
Fitzgerald
Frank
Freeman

Jellema
Johnson
Kaza
Kelly

Parks
Perricone
Price
Prusi

Bankes	Gagliardi	Kukuk	Quarles
Birkholz	Galloway	LaForge	Raczkowski
Bobier	Geiger	Law	Rhead
Bodem	Gernaat	Leland	Richner
Bogardus	Gilmer	Llewellyn	Rison
Brackenridge	Godchaux	London	Rocca
Brater	Goschka	Lowe	Schauer
Brewer	Green	Mans	Schroer
Brown	Griffin	Martinez	Scott
Byl	Gubow	Mathieu	Scranton
Callahan	Gustafson	McBryde	Sikkema
Cassis	Hale	McManus	Stallworth
Cherry	Hammerstrom	McNutt	Tesanovich
Crissman	Hanley	Middaugh	Thomas
Cropsey	Harder	Middleton	Varga
Curtis	Hertel	Murphy	Vaughn
Dalman	Hood	Nye	Wallace
DeHart	Horton	Olshove	Whyman
DeVuyst	Jansen	Owen	Willard
Dobb	Jaye	Oxender	Wojno
Dobronski	Jelinek	Palamara	

Nays—3

Profit

Voorhees

Wetters

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I supported House Bill 4542 which would require public and private colleges and universities to establish written campus sexual assault policies. That is a good idea and long overdue. But the rest of the bills in this package (HB 4543 - 4553) punish students who attend schools that don't comply with HB 4542. Why punish the students for the actions or inaction of the colleges and universities they attend? I think barring students from financial aide programs because the institution they attended snubbed their nose at the legislature in wrong. Unfortunately, most of the people in the house of representatives think its right and are willing to victimize innocent students to make their point. Go figure!”

Second Reading of Bills

House Bill No. 4552, entitled

A bill to amend 1966 PA 313, entitled “An act to award tuition grants to resident students enrolled in independent nonprofit institutions of higher learning; and to make an appropriation therefor,” by amending section 1 (MCL 390.991), as amended by 1980 PA 503.

The bill was read a second time.

Rep. Brewer 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. 4552, entitled

A bill to amend 1966 PA 313, entitled "An act to award tuition grants to resident students enrolled in independent nonprofit institutions of higher learning; and to make an appropriation therefor," by amending section 1 (MCL 390.991), as amended by 1980 PA 503.

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

Roll Call No. 401

Yeas—98

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

Nays—2

Profit

Wetters

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I supported House Bill 4542 which would require public and private colleges and universities to establish written campus sexual assault policies. That is a good idea and long overdue. But the rest of the bills in this package (HB 4543 - 4553) punish students who attend schools that don't comply with HB 4542. Why punish the students for the actions or inaction of the colleges and universities they attend? I think barring students from financial aide programs because the institution they attended snubbed their nose at the legislature in wrong. Unfortunately, most of the people in the house of representatives think its right and are willing to victimize innocent students to make their point. Go figure!”

Second Reading of Bills

House Bill No. 4553, entitled

A bill to amend 1976 PA 228, entitled “The legislative merit award program act,” by amending section 4 (MCL 390.1304), as amended by 1980 PA 386.

The bill was read a second time.

Rep. Johnson 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. 4553, entitled

A bill to amend 1976 PA 228, entitled “The legislative merit award program act,” by amending section 4 (MCL 390.1304), as amended by 1980 PA 386.

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

Roll Call No. 402

Yeas—100

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

Nays—2

Profit

Wetters

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I supported House Bill 4542 which would require public and private colleges and universities to establish written campus sexual assault policies. That is a good idea and long overdue. But the rest of the bills in this package (HB 4543 - 4553) punish students who attend schools that don't comply with HB 4542. Why punish the students for the actions or inaction of the colleges and universities they attend? I think barring students from financial aide programs because the institution they attended snubbed their nose at the legislature is wrong. Unfortunately, most of the people in the house of representatives think its right and are willing to victimize innocent students to make their point. Go figure!”

Second Reading of Bills**House Bill No. 4768, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9948), by adding section 2964.

The bill was read a second time.

Rep. Brater 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.

The Speaker called the Speaker Pro Tempore to the Chair.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4768, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9948), by adding section 2964.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 4774, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1234 (MCL 380.1234).
The bill was read a second time.

Rep. Bodem 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. 4774, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1234 (MCL 380.1234).

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

Roll Call No. 403

Yeas—99

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

Nays—0

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4382, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8905a (MCL 324.8905a), as added by 1995 PA 111; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Anthony moved to amend the bill as follows:

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

~~"Sec. 8904. (1) A person who violates this part is guilty of a misdemeanor and shall be fined not less than \$100.00 or more than \$500.00, and the costs of prosecution, or imprisonment for not more than 90 days, or both. Additionally, the court shall impose, under the supervision of the court, community service in the form of litter gathering labor, including, but not limited to, litter connected with the particular violation.~~

(1) ~~(2)~~ Except as provided in subsection ~~(4)~~ (3) involving litter from a leased vehicle or leased vessel, in a proceeding for a violation of this part involving litter from a motor vehicle or vessel, proof that the particular vehicle or vessel described in the citation, complaint, or warrant was used in the violation, together with proof that the defendant named in the citation, complaint, or warrant was the registered owner of the vehicle or vessel at the time of the violation, constitutes an evidentiary presumption that the registered owner of the vehicle or vessel was the driver of the vehicle or vessel at the time of the violation.

(2) ~~(3)~~ The driver of a vehicle or vessel is presumed to be responsible for litter that is thrown, dumped, deposited, placed, or left from the vehicle or vessel on public or private property or water.

(3) ~~(4)~~ In a proceeding for a violation of this part involving litter from a leased motor vehicle or leased vessel, proof that the particular vehicle or vessel described in the citation, complaint, or warrant was used in the violation, together with proof that the defendant named in the citation, complaint, or warrant was the lessee of the vehicle or vessel at the time of the violation, constitutes an evidentiary presumption that the lessee of the vehicle or vessel was the driver of the vehicle or vessel at the time of the violation.

(4) ~~(5)~~ This section shall not apply if a sanction for the conduct is prescribed in section 8905a. ~~and the condition in section 8905a(5) is satisfied."~~

2. Amend page 2, following line 14, by inserting:

"Sec. 8905b. (1) In addition to any other penalty or sanction provided in this part for a criminal or civil action brought under this part, the court may require the defendant to pay either or both of the following:

(a) The cost of removing all litter which is the subject of the violation and the cost of damages to any land, water, wildlife, vegetation, or other natural resource or to any facility damaged by the violation of this part. Money collected under this subdivision shall be distributed to the governmental entity bringing the enforcement action.

(b) The reasonable expense of impoundment under section 8905c. Money collected under this subdivision shall be distributed to the governmental entity that impounded the vehicle involved in the violation of this part.

(2) IN ADDITION TO ANY OTHER PENALTY OR SANCTION PROVIDED FOR IN THIS PART, THE COURT SHALL IMPOSE, UNDER THE SUPERVISION OF THE COURT, COMMUNITY SERVICE IN THE FORM OF LITTER GATHERING LABOR, INCLUDING, BUT NOT LIMITED TO, LITTER CONNECTED WITH THE PARTICULAR VIOLATION."

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

Rep. Anthony 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. 4382, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8905a (MCL 324.8905a), as added by 1995 PA 111; 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. 404

Yeas—95

Agee
Alley
Anthony

Dobb
Dobronski
Emerson

Jellema
Johnson
Kelly

Price
Prusi
Quarles

Baird	Fitzgerald	Kukuk	Raczkowski
Bankes	Frank	LaForge	Rhead
Birkholz	Freeman	Law	Richner
Bobier	Gagliardi	Leland	Rison
Bodem	Galloway	London	Rocca
Bogardus	Geiger	Lowe	Schauer
Brackenridge	Gernaat	Mans	Schroer
Brater	Gilmer	Martinez	Scott
Brewer	Godchaux	Mathieu	Scranton
Brown	Goschka	McBryde	Sikkema
Byl	Green	McManus	Stallworth
Callahan	Griffin	McNutt	Tesanovich
Cassis	Gubow	Middaugh	Thomas
Cherry	Gustafson	Middleton	Varga
Ciaramitaro	Hammerstrom	Murphy	Vaughn
Crissman	Hanley	Nye	Voorhees
Cropsey	Harder	Olshove	Wallace
Curtis	Hood	Owen	Wetters
Dalman	Horton	Oxender	Willard
DeHart	Jaye	Parks	Wojno
DeVuyst	Jelinek	Perricone	

Nays—3

Jansen

Kaza

Whyman

In The Chair: Murphy

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

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

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 8904, 8905a, and 8905b (MCL 324.8904, 324.8905a, and 324.8905b), section 8904 as amended and sections 8905a and 8905b as added by 1995 PA 111; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

“Mr. Speaker and members of the House:

This legislation repeals the sunset provision of a state law that allows government units to forfeit the automobile of an individual even if that person was not responsible for littering.

We should not repeal the sunset of this controversial state law.”

The House returned to the consideration of

House Bill No. 4768, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9948), by adding section 2964.

(The bill was considered earlier today, see today’s Journal, p. 1019.)

The question being on the passage of the bill,

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

Roll Call No. 405**Yeas—95**

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

Nays—1

Llewellyn

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 4391, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 686, 688, 699, 707, and 710c (MCL 257.686, 257.688, 257.699, 257.707, and 257.710c), sections 686 and 688 as amended by 1990 PA 98 and section 710c as amended by 1991 PA 129, and by adding sections 33c and 603a.

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

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

Rep. Law moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

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. 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. 4391, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 686, 688, 699, 707, and 710c (MCL 257.686, 257.688, 257.699, 257.707, and 257.710c), sections 686 and 688 as amended by 1990 PA 98 and section 710c as amended by 1991 PA 129, and by adding sections 33c and 603a.

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

Roll Call No. 406

Yeas—102

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

Nays—0

In The Chair: Murphy

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

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

A bill to authorize a political subdivision to enact an ordinance allowing certain electrically powered vehicles to be operated on a highway within the political subdivision's boundaries; to require certain equipment for electrically powered vehicles; to provide for restrictions and limitations; to provide for exceptions; and to define terms.

The motion prevailed.

The House agreed to the title as amended.

Rep. Gagliardi 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. 4149, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7405, 16106, 17708, 17751, and 17763 (MCL 333.7405, 333.16106, 333.17708, 333.17751, and 333.17763), section 7405 as amended by 1988 PA 30, section 17708 as amended by 1994 PA 384, and section 17763 as amended by 1993 PA 79.

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

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

Rep. Nye moved to amend the bill as follows:

1. Amend page 7, line 16, after the first "MEDICINE" by inserting "OR".

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

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

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

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

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

—

Rep. Kelly moved that Rep. Scott be excused from the balance of today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4149, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7405, 16106, 17708, 17751, and 17763 (MCL 333.7405, 333.16106, 333.17708, 333.17751, and 333.17763), section 7405 as amended by 1988 PA 30, section 17708 as amended by 1994 PA 384, and section 17763 as amended by 1993 PA 79.

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

Roll Call No. 407

Yeas—96

Alley	Frank	Johnson	Parks
Anthony	Freeman	Kaza	Perricone
Baird	Gagliardi	Kelly	Price
Bankes	Galloway	Kukuk	Profit
Birkholz	Geiger	LaForge	Prusi
Bobier	Gernaat	Law	Quarles
Bodem	Gilmer	Leland	Rackowski
Bogardus	Godchaux	Llewellyn	Rhead
Brackenridge	Goschka	London	Richner
Brater	Green	Lowe	Rocca
Brown	Griffin	Mans	Schauer
Byl	Gubow	Martinez	Schroer
Callahan	Gustafson	Mathieu	Sikkema
Cassis	Hale	McBryde	Stallworth
Cherry	Hammerstrom	McManus	Tesanovich
Ciaramitaro	Hanley	McNutt	Thomas
Crissman	Harder	Middaugh	Varga
Cropsey	Hertel	Middleton	Vaughn
Curtis	Hood	Murphy	Voorhees
DeHart	Horton	Nye	Wallace

DeVuyst	Jansen	Olshove	Wetters
Dobb	Jaye	Owen	Whyman
Dobronski	Jelinek	Oxender	Willard
Fitzgerald	Jellema	Palamara	Wojno

Nays—0

In The Chair: Murphy

The House agreed to the title of the bill.

Reps. Agee, Anthony, Baird, Bankes, Birkholz, Bobier, Bodem, Bogardus, Brewer, Byl, Cassis, Cherry, Curtis, Dalman, DeHart, DeVuyst, Dobb, Dobronski, Fitzgerald, Gagliardi, Geiger, Gernaat, Gilmer, Goschka, Green, Gubow, Hale, Hammerstrom, Harder, Horton, Jansen, Jelinek, Jellema, Johnson, Kaza, Kukuk, LaForge, Law, Llewellyn, London, Lowe, Martinez, Mathieu, McBryde, McNutt, Middaugh, Middleton, Murphy, Olshove, Oxender, Palamara, Perricone, Profit, Prusi, Raczkowski, Richner, Scranton, Tesanovich, Varga, Vaughn, Voorhees, Wallace and Wojno were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 4522, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82113 (MCL 324.82113), as added by 1995 PA 58.

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, Environment and Recreation,

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

Rep. Bobier 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. 4522, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82113 (MCL 324.82113), as added by 1995 PA 58.

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

Roll Call No. 408**Yeas—98**

Agee	Fitzgerald	Johnson	Price
Alley	Frank	Kaza	Profit
Anthony	Freeman	Kelly	Prusi
Baird	Gagliardi	Kukuk	Quarles
Bankes	Galloway	Law	Raczkowski
Birkholz	Geiger	Leland	Rhead
Bobier	Gernaat	Llewellyn	Richner
Bodem	Gilmer	London	Rison
Bogardus	Godchaux	Lowe	Rocca
Brackenridge	Goschka	Mans	Schauer
Brater	Green	Mathieu	Schroer
Brewer	Griffin	McBryde	Scranton
Brown	Gubow	McManus	Sikkema
Byl	Gustafson	McNutt	Stallworth

Callahan	Hale	Middaugh	Tesanovich
Cassis	Hammerstrom	Middleton	Thomas
Cherry	Hanley	Murphy	Varga
Ciaramitaro	Harder	Nye	Vaughn
Crissman	Hertel	Olshove	Voorhees
Curtis	Hood	Owen	Wallace
Dalman	Horton	Oxender	Wetters
DeHart	Jansen	Palamara	Whyman
DeVuyst	Jaye	Parks	Willard
Dobb	Jelinek	Perricone	Wojno
Dobronski	Jellema		

Nays—1

LaForge

In The Chair: Murphy

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

Second Reading of Bills

House Bill No. 4440, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 273 (MCL 206.273), as added by 1988 PA 516.

The bill was read a second time.

Rep. Whyman moved to amend the bill as follows:

1. Amend page 2, line 23, by striking out all of subsection (4) and renumbering the remaining subsection.

The motion prevailed and the amendment 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. 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. 4440, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 273 (MCL 206.273), as added by 1988 PA 516.

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

Roll Call No. 409

Yeas—100

Agee	Dobronski	Jellema	Perricone
Alley	Fitzgerald	Johnson	Price
Anthony	Frank	Kaza	Profit
Baird	Freeman	Kelly	Prusi
Bankes	Gagliardi	Kukuk	Quarles

Birkholz	Galloway	LaForge	Raczkowski
Bobier	Geiger	Law	Rhead
Bodem	Gernaat	Leland	Richner
Bogardus	Gilmer	Llewellyn	Rison
Brackenridge	Godchaux	London	Rocca
Brater	Goschka	Lowe	Schauer
Brewer	Green	Mans	Schroer
Brown	Griffin	Mathieu	Scranton
Byl	Gubow	McBryde	Sikkema
Callahan	Gustafson	McManus	Stallworth
Cassis	Hale	McNutt	Tesanovich
Cherry	Hammerstrom	Middaugh	Thomas
Ciaramitaro	Hanley	Middleton	Varga
Crissman	Harder	Murphy	Vaughn
Cropsey	Hertel	Nye	Voorhees
Curtis	Hood	Olshove	Wallace
Dalman	Horton	Owen	Wetters
DeHart	Jansen	Oxender	Whyman
DeVuyst	Jaye	Palamara	Willard
Dobb	Jelinek	Parks	Wojno

Nays—0

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

Reps. Birkholz, Bobier, Bodem, Brackenridge, Brater, Brown, Cassis, Crissman, Dalman, DeVuyst, Dobb, Dobronski, Freeman, Gagliardi, Gernaat, Gilmer, Green, Gustafson, Hammerstrom, Horton, Jellema, Kaza, Kukuk, Law, Llewellyn, London, Mans, McBryde, Middaugh, Middleton, Murphy, Nye, Palamara, Perricone, Profit, Prusi, Quarles, Raczkowski, Rhead, Rocca, Schroer, Vaughn, Voorhees, Wallace, Whyman and Wojno were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4773, entitled

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

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

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

Rep. Profit 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. 4773, entitled

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

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

Roll Call No. 410**Yeas—93**

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

Nays—1

LaForge

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

Reps. Birkholz, Bobier, Callahan, Crissman, DeHart, DeVuyst, Gagliardi, Goschka, Green, Gustafson, Hale, Hammerstrom, Hanley, Horton, Jellema, Kelly, Kukuk, Law, London, Mans, Mathieu, McBryde, Middaugh, Middleton, Murphy, Owen, Prusi, Richner, Rocca, Vaughn, Voorhees and Willard were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 4766, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 33 (MCL 257.33), as amended by 1995 PA 140.

The bill was read a second time.

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

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

Rep. Dobb moved that Rep. Dalman 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. 4766, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 33 (MCL 257.33), as amended by 1995 PA 140.

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

Roll Call No. 411

Yeas—100

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

Nays—0

In The Chair: Murphy

The House agreed to the title of the bill.

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

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Callahan, Freeman, Raczkowski, Brewer, Voorhees, McBryde, Goschka, Anthony, DeHart, Brown, Jaye, Hale, Richner, Hanley, Agee, Profit, Fitzgerald, Dobronski, Brater, Parks, Prusi, Cherry, LaForge, Murphy, Gubow, Bankes, McNutt, Dobb, Harder, Varga, Tesanovich, Baird, Green, Crissman, Scranton, Stallworth, Hammerstrom, Vaughn, Scott, Jellema, Wetters, Galloway, Horton, Brackenridge, Bodem, Dalman, Cropsey, Kelly and Olshove offered the following resolution:

House Resolution No. 64.

A resolution to recognize the 57th Anniversary of the formation of the Parachute Test Platoon and its “Jump into History” date of August 16, 1940.

Whereas, The Parachute Test Platoon was authorized by the War Department on June 25, 1940 to experiment with the potential use of airborne troops; and

Whereas, The Parachute Test Platoon, composed of 48 volunteers, began training in July 1940; and

Whereas, The Parachute Test Platoon performed the first official Army parachute jump on August 16, 1940; and

Whereas, The success of the Parachute Test Platoon led to the formation of a large and successful airborne contingent serving in World War II to the present; and

Whereas, The 82nd Airborne Division was the first Airborne Division organized out of the success of the Parachute Test Platoon and the early airborne training program, and has continued in active service since its creation; and

Whereas, The 82nd Airborne Division Association exists to continue and foster that special esprit de corps among fellow paratroopers—and to perpetuate the memory of those 82nd Airborne Division troopers who fought and died for our nation, and to further the common bond among all members of the airborne community; and

Whereas, The 82nd Airborne Division Association, in its 52nd year and at its 50th Annual Convention, wishes to perpetuate the memory of the Parachute Test Platoon’s “Jump into History” date of August 16, 1940; now, therefore, be it

Resolved by the House of Representatives, That we salute the 57th Anniversary of the Parachute Test Platoon’s “Jump into History” on August 16th, while honoring the 82nd Airborne Division Association in its 52nd year and at its 50th Annual Convention; and be it further

Resolved, That a copy of this resolution be transmitted to the members of the 82nd Airborne Division Association as evidence of our highest admiration.

Pending the reference of the resolution to a committee,

Rep. Gagliardi moved that Rule 77 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

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

Reps. Thomas, Hertel, Fitzgerald, Dobronski, Brater, Parks, Prusi, Hale, LaForge, Middaugh, DeHart, Callahan, Kaza, Murphy, Geiger, Gubow, Bankes, McNutt, Rhead, Dobb, Harder, Anthony, Tesanovich, Cherry, Jaye, Hanley, Baird, Green, Crissman, Goschka, McBryde, Scranton, Stallworth, Richner, Raczkowski, Hammerstrom, Scott, Jellema, Rocca, Wetters, Voorhees, Galloway, Horton, Brackenridge, Bodem, Dalman, Cropsey, Martinez, Oxender, Kelly, Willard, Gilmer, Olshove, Freeman, Ciaramitaro, Wojno, Varga and Hood offered the following resolution:

House Resolution No. 65.

A resolution offered as a memorial for Father William Cunningham.

Whereas, It is with deepest sympathy that the Michigan House of Representatives mourns the passing of one of Michigan’s great heroes, Father William Cunningham. During his lifetime, Father Cunningham worked relentlessly, starting with the 1967 riots in Detroit, for harmony among all citizens of Michigan and the City of Detroit regardless of their ethnic background; and

Whereas, His legacy of love and compassion will be sorely missed. His combination of compassion and an untiring work ethic was reflected in his ceaseless efforts to improve the lives of those around him who reached out; and

Whereas, As Cofounder of Focus: HOPE, a nationally recognized civil rights organization and a group founded in the wake of the riots, Father Cunningham had a simple mission that was contained in the statement printed on all of Focus: HOPE’s literature and business cards: “Recognizing the dignity and beauty of every person, we pledge intelligent and practical action to overcome racism, poverty and injustice”; and

Whereas, Father Cunningham’s legacy includes several street blocks where Focus: HOPE is located - lined with training facilities, including one of the most sophisticated technology training centers in the country that turns out machinists, auto designers, and engineers; and

Whereas, The pragmatic approach of Focus: HOPE, which emphasized job training over hand-outs, responsibility over welfare, made Father Cunningham and Focus: HOPE a frequent stopover for politicians and others looking for a way to help those in need; and

Whereas, The State of Michigan and the City of Detroit will mourn the passing of a man who devoted his life to the City and its citizens. Father Cunningham adopted the City as his parish and spent three decades tirelessly trying to build racial harmony and create jobs. He fought these battles with compassion, courage and tenacity. He was a shining example to all who knew him and his mission will continue through the lives of all who were touched by him; now, therefore, be it

Resolved by the House of Representatives, That we offer this resolution in memory of the passing of Father William Cunningham, a great man who had a loving vision of all of us, a vision that we hope we can one day attain; and be it further

Resolved, That a copy of this resolution be transmitted to Focus: HOPE as evidence of our deepest sympathy.

Pending the reference of the resolution to a committee,

Rep. Gagliardi moved that Rule 77 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

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

Reps. Richner, Fitzgerald, Dobronski, Brater, Parks, Prusi, Hale, LaForge, Middaugh, DeHart, Callahan, Kaza, Murphy, Geiger, Gubow, Bankes, McNutt, Rhead, Dobb, Harder, Anthony, Tesanovich, Cherry, Jaye, Hanley, Baird, Green, Crissman, Goschka, McBryde, Scranton, Stallworth, Raczkowski, Hammerstrom, Perricone, Scott, Jellema, Birkholz, Wetters, Voorhees, Galloway, Horton, Brackenridge, Bodem, Dalman, Cropsey, Martinez, Oxender, Kelly, Gilmer, Olshove, Freeman, Ciaramitaro, Wojno, Thomas, Varga and Hood offered the following resolution:

House Resolution No. 66.

A resolution honoring the Detroit Red Wings.

Whereas, With their disciplined defense, stellar goaltending, and relentless offense leading to a triumphant victory over Claude Lemieux and the Colorado Avalanche in the Stanley Cup playoffs, the Detroit Red Wings have claimed the Clarence Campbell trophy for the second time in three years, representing not only the championship of the Western Conference, but their utter dominance over their inter-conference opponents, and now stand poised and ready to dispatch the Philadelphia Flyers and end forty-two years of frustration for legions of Red Wings fans all over Hockeytown and beyond; and

Whereas, As one of the National Hockey League's original six franchises, the Red Wings' hockey tradition is as long and storied as any in National Hockey League's history; and

Whereas, The Red Wings have possessed the Stanley Cup seven times, and, with four more wins will once again sip the sweet taste of victory from this silver trophy, thereby quenching the longest championship drought in the NHL; and

Whereas, In a truly memorable series, the Wings displayed remarkable grit and astonishing skill in thoroughly dominating the Colorado Avalanche, beating their arch-rival four games to two in spectacular fashion. Now appropriately battle-tested and as determined as ever, this outstanding team comprised of courageous veterans and hungry rookies prepare to meet the Flyers in the final stage of their quest to fulfill their ultimate dream—Lord Stanley's Cup and the NHL Championship; now, therefore, be it

Resolved by the House of Representatives, That we congratulate the Western Conference Champion Detroit Red Wings and express best wishes to them in the Stanley Cup Finals; and be it further

Resolved, That a copy of this resolution be transmitted to Captain Steve Yzerman and his teammates, Coach Scotty Bowman and Mike and Marian Ilitch as evidence of our highest esteem and congratulations.

Pending the reference of the resolution to a committee,

Rep. Gagliardi moved that Rule 77 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

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

Reports of Select Committees

Joint Committee on Administrative Rules

Certificates of Approval

Date: May 21, 1997

Subject: Trans. No. 97-35

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Family Independence Agency Department, General Rules, pertaining to Hearings, Appeals, and Declaratory Rulings (Part 9), dated May 15, 1997.

Date: May 21, 1997
Subject: Trans. No. 97-31

I hereby certify that the Joint Committee on Administrative Rules approved the **rescission** of administrative rules from the State Police Department, Automated Fingerprint Identification System Policy Council, pertaining to Automated Fingerprint Identification System, dated February 5, 1997.

Date: May 21, 1997
Subject: Trans. No. 97-27

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Environmental Quality Department, Air Quality Division, pertaining to Air Pollution Control (Parts 1, 2, 6 and 7), dated 1/21/97.

Date: May 21, 1997
Subject: Trans. No. 97-29

I hereby certify that the Joint Committee on Administrative Rules approved the administrative rules from the Environmental Quality Department, Surface Water Quality Division, pertaining to Wastewater Reporting, dated January 29, 1997.

Sincerely,
Representative Candace A. Curtis
Chair

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, May 22, for his approval of the following bills:

Enrolled House Bill No. 4093 at 2:31 p.m.
Enrolled House Bill No. 4436 at 2:33 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, May 21:

Senate Bill Nos. 514 515 516 517

The Clerk announced that the following bill had been printed and placed upon the files of the members, Thursday, May 22:

Senate Bill No. 521

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Tuesday, May 27:

House Bill Nos. 4794 4795 4796 4797 4798 4799 4800 4801 4802 4803 4804 4805 4806 4807
4808 4810 4812
House Joint Resolution W

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

The Committee on Appropriations, by Rep. Hood, Chair, reported
House Bill No. 4306, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal years ending September 30, 1997 and September 30, 1998; to provide for the expenditure of such appropriations; to create funds; to provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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

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

Favorable Roll Call

HB 4306 To Report Out:

Yeas: Reps. Hood, Mathieu, Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Rison, Schroer, Tesanovich,

Nays: Reps. Gilmer, Bankes, Bobier, Godchaux, Jansen, Jellema, Johnson, McBryde, Oxender.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 22, 1997, at 1:00 p.m.,

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

Absent: Reps. Stallworth, Geiger,

Excused: Rep. Stallworth.

The Committee on Labor and Occupational Safety, by Rep. Murphy, Chair, reported

House Bill No. 4462, entitled

A bill to amend 1939 PA 176, entitled "An act to create a commission relative to labor disputes, and to prescribe its powers and duties; to provide for the mediation and arbitration of labor disputes, and the holding of elections thereon; to regulate the conduct of parties to labor disputes and to require the parties to follow certain procedures; to regulate and limit the right to strike and picket; to protect the rights and privileges of employees, including the right to organize and engage in lawful concerted activities; to protect the rights and privileges of employers; to make certain acts unlawful; and to prescribe means of enforcement and penalties for violations of this act," by amending section 22 (MCL 423.22).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4462 To Report Out:

Yeas: Reps. Murphy, Cherry, Agee, Bogardus, Callahan, Freeman,

Nays: Reps. Byl, Llewellyn, Raczkowski, Rhead.

The Committee on Labor and Occupational Safety, by Rep. Murphy, Chair, reported

House Bill No. 4810, entitled

A bill to amend 1968 PA 330, entitled "Private security guard act of 1968," by amending sections 10 and 32 (MCL 338.1060 and 338.1082), section 10 as amended by 1994 PA 326, and by adding section 16a.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4810 To Report Out:

Yeas: Reps. Murphy, Cherry, Agee, Bogardus, Callahan, Freeman,

Nays: Reps. Byl, Llewellyn, Raczkowski, Rhead.

The Committee on Labor and Occupational Safety, by Rep. Murphy, Chair, reported

House Bill No. 4812, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 355b.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4812 To Report Out:

Yeas: Reps. Murphy, Cherry, Agee, Bogardus, Callahan, Freeman,
Nays: Reps. Byl, Llewellyn, Raczkowski, Rhead.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Murphy, Chair of the Committee on Labor and Occupational Safety, was received and read:

Meeting held on: Tuesday, May 27, 1997, at 9:00 a.m.,
Present: Reps. Murphy, Cherry, Agee, Bogardus, Callahan, Freeman, Byl, Llewellyn, Raczkowski, Rhead,
Absent: Rep. Schermesser,
Excused: Rep. Schermesser.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 22, 1997, at 12:50 p.m.,
Present: Reps. Hanley, Schauer, Baird, LaForge, Thomas, Cassis, Byl, Raczkowski, Voorhees.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaForge, Chair of the Committee on Human Services and Children, was received and read:

Meeting held on: Tuesday, May 27, 1997, at 9:00 a.m.,
Present: Reps. LaForge, Scott, Bogardus, Schauer, Horton, London,
Absent: Reps. Gire, Jaye, McManus,
Excused: Reps. Gire, Jaye, McManus.

Messages from the Senate**House Bill No. 4299, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 20, 31a, 99, 104a, and 107 (MCL 388.1611, 388.1620, 388.1631a, 388.1699, 388.1704a, and 388.1707), sections 11, 20, 31a, 99, and 104a as amended and section 107 as added by 1996 PA 300, and by adding sections 6b, 105a, and 105b.

The Senate has concurred in the House amendments to the Senate substitute (S-1), agreed to the title and pursuant to Joint Rule 20, inserted the full title of the bill.

The House agreed to the full title of the bill.

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

House Bill No. 4492, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1279 (MCL 380.1279), as amended by 1995 PA 289.

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

The House agreed to the full title of the bill.

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

Introduction of Bills

Rep. Rhead introduced

House Bill No. 4829, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 11 (MCL 257.1811).

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

Reps. Agee, Oxender, LaForge, Brater, Hanley, Mans, Wetters, Cherry, Schauer, Anthony, Baade, Prusi, Profit, Tesanovich, Parks, Vaughn, Scott, Murphy, Wojno, Hale, Freeman, Callahan and Jellema introduced

House Bill No. 4830, entitled

A bill to make appropriations to provide state funding for certain school districts levying certain debt millage; and to prescribe certain duties of certain state departments.

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

Reps. Gilmer, Perricone and LaForge introduced

House Bill No. 4831, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending sections 2, 3, 5, and 10 (MCL 15.232, 15.233, 15.235, and 15.240), as amended by 1996 PA 553.

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

Reps. Baird, Wallace, Gire, Schroer, Cherry, Anthony, Kaza, Martinez, Willard, Ciaramitaro, Brater, Hale and Hanley introduced

House Bill No. 4832, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 274.

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

Reps. Baird, Wallace, Gire, Ciaramitaro, Schroer, Brater, Hale, Martinez and Hanley introduced

House Bill No. 4833, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16263, 16335, 17801, and 17820 (MCL 333.16263, 333.16335, 333.17801, and 333.17820), section 16263 as amended by 1995 PA 126, section 16335 as added by 1993 PA 80, and sections 17801 and 17820 as amended by 1987 PA 213, and by adding sections 17819 and 17823.

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

Reps. Baird, Wallace, Gire, Anthony, Schroer, Vaughn, Willard, Ciaramitaro, Brater, Hale and Hanley introduced

House Bill No. 4834, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," (MCL 445.901 to 445.922) by adding section 3c.

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

Reps. Baird, Wallace, Schroer, Vaughn, Willard, Anthony, Ciaramitaro, Brater, Gire and Hale introduced

House Bill No. 4835, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 12601, 12603, 12604a, 12605, 12607, and 12615 (MCL 333.12601, 333.12603, 333.12604a, 333.12605, 333.12607, and 333.12615), sections 12601 and 12615 as amended and section 12604a as added by 1988 PA 315, section 12603 as amended by 1993 PA 217, and sections 12605 and 12607 as amended by 1988 PA 296.

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

Reps. Baird, Wallace, Schroer, Martinez, Vaughn, Willard, Anthony, Ciaramitaro, Brater, Gire, Hale and Hanley introduced

House Bill No. 4836, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending the title and sections 102, 103, 202, 203, 204, 205, 206, 207, 209, 302, 302a, 402, 502, 504, 505, and 506 (MCL 37.2102, 37.2103, 37.2202, 37.2203, 37.2204, 37.2205, 37.2206, 37.2207, 37.2209, 37.2302, 37.2302a, 37.2402, 37.2502, 37.2504, 37.2505, and 37.2506), the title as amended by 1992 PA 258, sections 102, 103, 502, 504, 505, and 506 as amended by 1992 PA 124, section 202 as amended by 1991 PA 11, section 302a as added by 1992 PA 70, and section 402 as amended by 1993 PA 216.

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

Reps. Baird, Wallace, Martinez, Cherry, Schroer, Willard, Anthony, Goschka, Ciaramitaro, Brater, Gire, Hale and Hanley introduced

House Bill No. 4837, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2162 (MCL 600.2162), as amended by 1994 PA 67.

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

Reps. Brater, DeHart, Hale, Kaza, Anthony, Martinez, Gubow, Schermesser, Willard, Scott, Schauer, Cherry, Schroer, Parks, Bogardus and Jellema introduced

House Bill No. 4838, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 14809 (MCL 324.14809), as added by 1996 PA 132.

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

Reps. Hammerstrom, Lowe, Brackenridge, Raczkowski, Jansen, Goschka, Birkholz, Kaza, Green, Galloway, Llewellyn and Perricone introduced

House Bill No. 4839, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509o (MCL 168.509o), as added by 1994 PA 441.

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

Reps. Gernaat and Lowe introduced

House Bill No. 4840, entitled

A bill to authorize the department of natural resources to convey certain state owned property in Roscommon county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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

Reps. Gernaat, Johnson, Lowe, Llewellyn, McManus, Goschka, McBryde, Walberg, Green, Oxender, Griffin, Baade, LeTarte, Voorhees, Jellema, Nye, DeVuyst, Kukuk, Jelinek, Cropsey, Horton, Birkholz, London and Jaye introduced

House Bill No. 4841, entitled

A bill to amend 1927 PA 150, entitled "An act to prescribe a privilege tax for the use of the public highways by owners and drivers of motor vehicles by imposing a specific tax upon the sale or use, within the state of Michigan, of motor fuel; to prescribe the manner and the time of paying this tax and the duties of officials and others respecting the payment and collection of this tax; to provide for the licensing of wholesale distributors, certain retail dealers, exporters, and suppliers as defined in this act; to fix a time when this tax and interest and penalties thereon become a lien upon the property of persons, firms, partnerships, associations, or corporations, subject to the payment of this tax; to provide for the enforcement of this lien; to permit the inspection and testing of petroleum products; to provide for certain exemptions and refunds and for the disposition of the proceeds of this tax; and to prescribe penalties for the violation of this act," by amending sections 12a and 22 (MCL 207.112a and 207.122), section 22 as amended by 1995 PA 52.

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

Reps. Baade, Freeman, Profit, Martinez, Schauer, Llewellyn, Voorhees, Wallace, McBryde, Goschka, Wojno, Scott, Green, Anthony, DeHart, Hale, Harder, LaForge, Gernaat, Hanley and Olshove introduced

House Bill No. 4842, entitled

A bill to amend 1953 PA 192, entitled "An act to create a county department of veterans' affairs in certain counties, and to prescribe its powers and duties; and to transfer the powers and duties of the soldiers' relief commission in such counties," (MCL 35.621 to 35.624) by adding section 5.

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

Reps. Freeman, McBryde, Wetters, Mans, Mathieu, Kaza, Martinez, Callahan, Richner, Hale and Gubow introduced

House Bill No. 4843, entitled

A bill to amend 1937 PA 103, entitled "An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds," by amending section 1 (MCL 565.201).

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

Reps. Willard, Gire, Goschka, Richner, Hale, Brewer, Freeman, Raczkowski, Jaye, Baird, Gubow, Ciaramitaro and Scott introduced

House Bill No. 4844, entitled

A bill to prohibit the concealment of certain facts in a civil action; and to prohibit certain orders and agreements arising out of litigation.

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

Reps. Nye, Llewellyn, Rhead, Voorhees, Bobier, Walberg, Hammerstrom, McBryde, McNutt, Law, Green, Cropsey, Horton, McManus and Kukuk introduced

House Bill No. 4845, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1996 PA 484.

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

Rep. Bogardus moved that the House adjourn.
The motion prevailed, the time being 5:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, May 28, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.