

No. 53
JOURNAL OF THE HOUSE

House Chamber, Lansing, Tuesday, June 10, 1997.

2:00 p.m.

The House was called to order by the Clerk.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was not present.

Reports of Standing Committees

The Committee on Transportation, by Rep. Leland, Chair, reported

House Bill No. 4328, entitled

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending sections 3 and 10 (MCL 474.53 and 474.60), section 3 as amended by 1984 PA 210 and section 10 as amended by 1993 PA 28, and by adding section 10a.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 4328 To Report Out:

Yeas: Reps. Leland, Schermesser, Baade, Brown, Curtis, Mans, Olshove, Schauer, Scott, Wojno, Birkholz, Galloway, Gernaat, Green,

Nays: None.

The Committee on Transportation, by Rep. Leland, Chair, reported

House Bill No. 4518, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 658 (MCL 257.658), as amended by 1984 PA 328.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 4518 To Report Out:

Yeas: Reps. Leland, Schermesser, Brown, Curtis, Mans, Olshove, Schauer, Scott, Birkholz,

Nays: Reps. Galloway, Gernaat, Green.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Leland, Chair of the Committee on Transportation, was received and read:
Meeting held on: Wednesday, June 4, 1997, at 3:33 p.m.,
Present: Reps. Leland, Schermesser, Baade, Brown, Curtis, Mans, Olshove, Schauer, Scott, Wojno, Birkholz, Byl, Galloway, Gernaat, Green, Middleton,
Absent: Rep. London,
Excused: Rep. London.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported
House Bill No. 4716, entitled
A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," (MCL 432.201 to 432.216) by adding section 9a.
With the recommendation that the substitute (H-2) be adopted and that the bill then pass.
The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

HB 4716 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno,
Nays: Reps. Gustafson, DeVuyst, Fitzgerald, Goschka, Perricone, Richner, Voorhees.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported
House Bill No. 4721, entitled
A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," (MCL 432.201 to 432.216) by adding section 6a.
With the recommendation that the bill pass.
The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

HB 4721 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno, DeVuyst, Fitzgerald, Goschka, Perricone, Richner, Voorhees,
Nays: None.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported
House Bill No. 4724, entitled
A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," (MCL 432.201 to 432.216) by adding section 4a.
With the recommendation that the substitute (H-2) be adopted and that the bill then pass.
The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

HB 4724 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno, Gustafson, DeVuyst, Fitzgerald, Goschka, Perricone, Richner, Voorhees,
Nays: None.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported
House Bill No. 4725, entitled
A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," by amending section 5 (MCL 432.205).
With the recommendation that the substitute (H-2) be adopted and that the bill then pass.
The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

HB 4725 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Varga, Wallace, Wojno, Gustafson, DeVuyst, Fitzgerald, Goschka, Perricone, Richner, Voorhees,
Nays: None.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Bill No. 4755, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," by amending section 2 (MCL 432.202).

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 4755 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno, Voorhees,
Nays: Reps. Gustafson, DeVuyst, Fitzgerald, Goschka, Perricone, Richner.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Bill No. 4863, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," by amending section 8 (MCL 432.208).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4863 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wojno, Voorhees,
Nays: Reps. Gustafson, DeVuyst, Fitzgerald, Perricone, Richner.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Bill No. 4864, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," by amending section 7 (MCL 432.207).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4864 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wojno, Voorhees,
Nays: Reps. Gustafson, DeVuyst, Fitzgerald, Perricone, Richner.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Bill No. 4865, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," by amending section 6 (MCL 432.206).

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 4865 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Voorhees,
Nays: Reps. Gustafson, DeVuyst, Fitzgerald, Perricone, Richner.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Bill No. 4883, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," by amending section 13 (MCL 432.213).

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 4883 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno, Gustafson, DeVuyst, Fitzgerald, Goschka, Perricone, Richner, Voorhees,

Nays: None.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

Senate Concurrent Resolution No. 24.

A concurrent resolution to reappoint Thomas H. McTavish, C.P.A., as Auditor General.

(For text of resolution, see House Journal No. 23, p. 405.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

SCR 24 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wojno, Gustafson, DeVuyst, Fitzgerald, Richner, Voorhees,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gagliardi, Chair of the Committee on House Oversight and Ethics, was received and read:

Meeting held on: Thursday, June 5, 1997, at 12:10 p.m.,

Present: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno, Gustafson, DeVuyst, Fitzgerald, Goschka, Perricone, Richner, Voorhees.

Communications from State Officers

The following communication from the Southeast Michigan Community Alliance was received and read:

JTPA PLAN SUMMARY

Southeast Michigan Community Alliance (SEMCA), a Michigan Works! Agency, publishes this plan summary in accordance with Section 105(a)(2) of the Federal Job Training Partnership Act (JTPA). SEMCA serves all of Wayne County except the City of Detroit, and all of Monroe County.

All plans except Title IIB cover the time period July 1, 1997 - June 30, 1998. Title IIB covers Oct. 1, 1996 - Sept. 30, 1997.

Title IIA: \$1,580,251 in Title IIA funds will be used to provide job training services and activities for 336 economically disadvantaged adults. Planned activities include basic education and occupational skills training, on-the-job training, and supportive services.

Title IIA 5% Older Worker: \$95,646 in Title IIA-5% Older worker funds will be used to provide job training services and activities for 20 economically disadvantaged older workers. Planned activities include basic education and occupational skills training, on-the-job training, and supportive services.

Title IIC: \$213,812 in Title IIC funds will be used to provide job training and employability enhancement activities for 53 economically disadvantaged youth (age 14-21). Planned activities include basic education and occupational skills training, work experience, limited internship and supportive services.

Title III: \$1,268,107 in Title III funds will be used to provide retraining and basic readjustment services for 280 dislocated workers.

Title IIB: \$1,979,147 in Title IIB funds will be used to provide summer work experience, preemployment/work maturity and citizenship skills for 1,000 youth (age 14-21). Approximately 200 youth will receive remediation.

Copies of all plans are available for review at SEMCA, 8750 S. Telegraph Rd., Ste. 400, Taylor MI 48180. Please call (313) 295-1200 to make an appointment to review plans. In accordance with the Americans with Disabilities Act, reasonable accommodations will be made for individuals with disabilities.

The communication was referred to the Clerk.

Introduction of Bills

Reps. Goschka, Kukuk, Kaza, McBryde, Bodem and Voorhees introduced

House Bill No. 4899, 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.

Reps. Goschka, Jansen, Horton, Cassis, Kukuk, McBryde, Bodem, Gernaat and Voorhees introduced

House Bill No. 4900, 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. Martinez introduced

House Bill No. 4901, entitled

A bill to designate an official insect of this state.

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

Reps. Law, DeHart, Cassis, Raczkowski, Hammerstrom, Bankes, Godchaux and Kelly introduced

House Bill No. 4902, entitled

A bill to amend 1965 PA 451, entitled "The revised school code," by amending section 705 (MCL 380.705), as amended by 1994 PA 258.

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

Reps. Schermesser, Goschka, Hanley, DeHart, Hale, McBryde, Leland, Kelly, Wojno, Prusi and Parks introduced

House Bill No. 4903, entitled

A bill to amend 1965 PA 190, entitled "An act to provide for a system of uniformity of service for veterans," by amending section 1 (MCL 35.61).

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

Reps. Schermesser, Goschka, Hanley, DeHart, Hale, McBryde, Leland, Kelly, Wojno, Prusi and Parks introduced

House Bill No. 4904, entitled

A bill to amend 1946 (1st Ex Sess) PA 9, entitled "An act to create the Michigan veterans' trust fund, and to define who shall be eligible to receive assistance therefrom; to provide for the disbursement of the income thereof and surplus therein; to create a board of trustees, and to prescribe its powers and duties; to provide for county and district committees, and their powers, duties, and expenses; to prescribe penalties; and to make appropriations to carry out the provisions of this act," by amending section 2 (MCL 35.602).

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

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, June 4, for his approval of the following bills:

Enrolled Senate Bill No. 233 at 11:07 a.m.

Enrolled Senate Bill No. 51 at 11:09 a.m.

Enrolled Senate Bill No. 322 at 11:11 a.m.

Enrolled Senate Bill No. 140 at 11:13 a.m.

The Clerk announced that the following Senate bills had been received on Thursday, June 5:

Senate Bill Nos. 116 435

The Clerk announced the enrollment printing and presentation to the Governor on Friday, June 6, for his approval of the following bills:

Enrolled House Bill No. 4450 at 2:25 p.m.

Enrolled House Bill No. 4465 at 2:27 p.m.

Enrolled House Bill No. 4466 at 2:29 p.m.

Enrolled House Bill No. 4162 at 2:31 p.m.

Enrolled House Bill No. 4102 at 2:33 p.m.

Enrolled House Bill No. 4601 at 2:35 p.m.

Enrolled House Bill No. 4610 at 2:37 p.m.

The Clerk announced that the following bill had been printed and placed upon the files of the members, Friday, June 6:

House Bill No. 4883

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, June 9:

House Bill Nos. 4859 4860 4861 4862 4866 4867 4868 4869 4870 4871 4872 4873

The Clerk announced that the following Senate bills had been received on Tuesday, June 10:

Senate Bill Nos. 351 410 487 513 515 516 517

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4117, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8 (MCL 722.628), as amended by 1988 PA 372.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title of the bill.

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

House Bill No. 4237, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," by amending sections 107 and 117 (MCL 55.107 and 55.117), section 107 as amended by 1993 PA 96.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1846 RS 14, entitled "Of county officers," by amending sections 107 and 117 (MCL 55.107 and 55.117), section 107 as amended by 1993 PA 96 and section 117 as amended by 1997 PA 4.

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

House Bill No. 4305, entitled

A bill to make appropriations for community colleges for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

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

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

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

House Bill No. 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 year ending September 30, 1998, and to make certain appropriations for those purposes and adjust certain appropriations for those purposes for the fiscal year ending September 30, 1997; 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.

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

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

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending 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.

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

House Bill No. 4309, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 1998; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal years ending September 30, 1997 and September 30, 1998; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

House Bill No. 4520, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 17h (MCL 436.17h), as amended by 1996 PA 379.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title of the bill.

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

House Bill No. 4101, entitled

A bill to amend 1982 PA 249, entitled "An act to establish the state children's trust fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the trust fund," by amending section 1 (MCL 21.171).

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

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

House Bill No. 4587, entitled

A bill to amend 1978 PA 53, entitled "Statutory joint account act," by amending section 4 (MCL 487.714).

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.

House Bill No. 4588, entitled

A bill to amend 1965 PA 114, entitled "An act relating to dry, edible beans; to create a bean commission and prescribe its functions; to levy and collect assessments on bean production; and to provide penalties for violation of this act," by amending section 7 (MCL 290.557).

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

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

House Bill No. 4589, entitled

A bill to amend 1915 PA 59, entitled "An act to provide for the construction, improvement and maintenance of highways; for the levying, spreading and collecting of taxes and of special assessments therefor; to authorize the borrowing of money and the issuance of bonds under certain restrictions, regulations and limitations; to prescribe the powers and duties of certain officers with reference thereto; and to validate certain proceedings heretofore taken," by amending section 25 (MCL 247.425).

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

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

House Bill No. 4590, entitled

A bill to amend 1925 PA 381, entitled "An act to authorize certain counties to combine for the purpose of planning systems of inter-county highways, super-highways and limited access highways; to define the terms "super-highways" and "limited access highways"; to authorize the establishment of inter-county highway commissions; to prescribe their powers and duties; to provide for the appropriation of funds therefor; and to empower counties to legislate with respect thereto," by amending section 6 (MCL 252.6).

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

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

House Bill No. 4591, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 26c (MCL 774.26c), as amended by 1980 PA 506.

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.

House Bill No. 4592, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 35 (MCL 432.35).

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.

House Bill No. 4593, entitled

A bill to amend 1954 PA 70, entitled "An act relative to agreements providing for the final disposition of a dead human body; and to prescribe penalties for violations of the provisions of this act," by amending section 1 (MCL 328.201), as amended by 1982 PA 366.

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

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

Senate Bill No. 116, 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, and by adding section 22g.

The Senate has passed the bill.

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

Senate Bill No. 435, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7m (MCL 211.7m), as added by 1980 PA 142.

The Senate has passed the bill.

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

At 2:35 p.m., the Clerk declared the House adjourned until Wednesday, June 11, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.