

No. 1
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
89th Legislature
REGULAR SESSION OF 1997

House Chamber, Lansing, Wednesday, January 8, 1997.

12:00 o'clock noon.

Pursuant to the requirements of the Constitution, the Representatives-elect to the House of Representatives of the State of Michigan for the years 1997 and 1998, assembled in Representative Hall in the Capitol at Lansing on the second Wednesday in January, the 8th day of January, 1997, at 12:00 o'clock noon, and in accordance with law, were called to order by Mary Kay Scullion, Acting Clerk of the preceding House.

His Eminence Adam Cardinal Maida, Archbishop of Detroit, offered the following invocation:

“Almighty and ever-loving God, Our source of power and inspiration at the beginning of this new calendar year as we inaugurate a new legislative year, we ask Your guidance to broaden our vision that we will look beyond the immediate—always sensitive to the long-range implications of our actions and decisions. Attune our minds and hearts that we will more readily and wholeheartedly listen to one another and especially to the voices of those who could most easily be forgotten or ignored. As we schedule our commitments and choose our priorities, give us humility, patience and courage to respect the slow and steady pace of human consultation and dialogue. When we feel the flash of anger or the ache of unresolved pain, help us to remember that our greatest legacy and accomplishments will be measured according to our willingness to be compassionate and merciful. Let us always be honest in speech and in action—proclaiming by our every word and deed a message of hope and healing, justice and peace. Finally, Lord God, as we journey together on the roller coaster of public service, give us the grace to enjoy each other's company as friends and partners. May we never forget that it is truly a privilege to serve in leadership and that service itself is its own reward. With deep respect and reverence for every human life, may we defend and promote the common good, ready for the exciting gifts of each new day and the dawning dreams of the Third Millennium. Amen.”

Rep. Gagliardi moved to suspend Rule 2.

The motion prevailed, three-fifths of the members present voting therefor.

Communications from State Officers

November 25, 1996

The Honorable Mel DeStigter
Clerk of the House of Representatives
State Capitol Building
Lansing, Michigan 48909
Dear Mr. DeStigter:

Enclosed is a certified list of the members-elect to the State House of Representatives as shown by the November 5, 1996 general election returns on file in this office. Also enclosed is a copy of the official canvass of the votes cast at the election.

Sincerely,
Candice S. Miller
Secretary of State

STATE OF MICHIGAN
CANDICE S. MILLER, Secretary of State
MICHIGAN DEPARTMENT OF STATE

November 25, 1996

I, Candice S. Miller, Secretary of State of the State of Michigan and Custodian of the Great Seal thereof, do hereby certify that the persons whose names appear on the attached list were elected at the November 5, 1996 general election to the office of State Representative for a two-year term commencing on January 1, 1997.

[SEAL]

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State in the City of Lansing this 25th day of November, A.D. 1996.

Candice S. Miller

House District	Party	Name	Address
1	REP	Andrew C. Richner	718 Berkshire Road, Grosse Pte. Park 48230
2	DEM	Curtis Hertel	12083 Wayburn, Detroit 48224
3	DEM	Mary Lou Parks	4134 Balfour, Detroit 48224
4	DEM	Ed Vaughn	5764 Woodward #5, Detroit 48202
5	DEM	Ted Wallace	20500 Goddard #106, Detroit 48234
6	DEM	Martha G. Scott	75 Rhode Island, Highland Park 48203
7	DEM	Raymond M. Murphy	610 Chicago Blvd., Detroit 48202
8	DEM	Ilona Varga	1027 Waterman, Detroit 48209
9	DEM	Kwame M. Kilpatrick	3223 Carter St., Detroit 48206
10	DEM	Samuel Buzz Thomas III	19260 Burlington, Detroit 48203
11	DEM	Morris Hood Jr.	8872 Cloverlawn, Detroit 48204
12	DEM	Keith B. Stallworth	19793 Sorrento, Detroit 48235
13	DEM	Burton Leland	20765 Tireman, Detroit 48228
14	DEM	Derrick Hale	15908 Lamphere, Detroit 48223
15	DEM	Agnes M. Dobronski	5286 Mead, Dearborn 48126
16	DEM	Bob Brown	23280 S. Brookside, Dearborn Heights 48125
17	DEM	Thomas H. Kelly	4345 Chamberlain, Wayne 48184
18	DEM	Eileen DeHart	32017 Anita Drive, Westland 48185
19	REP	Lyn R. Bankes	18670 Woodworth, Redford 48240
20	REP	Gerald H. Law	45209 Woodleigh Way, Plymouth 48170
21	REP	Deborah Whyman	44446 Newburyport, Canton 48187
22	DEM	Gregory E. Pitoniak	9686 Rose, Taylor 48180
23	DEM	George W. Mans	2414 West Jefferson, Trenton 48183
24	DEM	Joseph Palamara	2315 20th Street, Wyandotte 48192
25	DEM	Gloria J. Schermesser	944 Kings Highway, Lincoln Park 48146
26	DEM	William J. Callahan	20001 Chalon, St. Clair Shores 48080
27	DEM	Nick Ciaramitaro	29127 Brittany Ct. East, Roseville 48066
28	DEM	Paul Wojno	27365 Jean, Warren 48093
29	DEM	Dennis Olshove	29723 Roan, Warren 48093
30	REP	Sue Rocca	39964 Saal Rd., Sterling Heights 48313
31	DEM	Sharon L. Gire	37567 Raddle, Clinton Township 48036
32	REP	Dave Jaye	8303 Waschull, Washington Township 48094
33	REP	Alvin H. Kukuk	23611 23 Mile Road, Macomb 48042
34	DEM	John F. Freeman	28342 Dartmouth, Madison Heights 48071
35	DEM	David M. Gubow	26728 York, Huntington Woods 48070
36	DEM	Nancy L. Quarles	18131 Magnolia Parkway, Southfield 48075
37	REP	Andrew Raczkowski	28619 Herndonwood, Farmington Hills 48334
38	REP	Nancy C. Cassis	22186 Daleview Dr., Novi 48374
39	REP	Barbara Dobb	8101 Locklin, Commerce 48382
40	REP	Patricia A.K. Godchaux	1155 West Lincoln, Birmingham 48009
41	REP	Shirley Johnson	4222 Sheridan Drive, Royal Oak 48073
42	REP	Greg Kaza	284 Woodside Ct. #187, Rochester Hills 48307
43	DEM	Hubert Price Jr.	583 Pearsall, Pontiac 48341

House District	Party	Name	Address
44	REP	David N. Galloway	9575 Steep Hollow, White Lake 48386
45	REP	Penny M. Crissman	210 Charles, Rochester 48307
46	REP	Tom Middleton	641 Hurd Rd., Ortonville 48462
47	DEM	Rose Bogardus	416 West Salem Court, Davison 48423
48	DEM	Vera B. Rison	6223 Bermuda Lane, Mt. Morris 48458
49	DEM	Robert L. Emerson	1025 Kensington, Flint 48503
50	DEM	Deborah Cherry	3272 Sayre Court, Burton 48519
51	DEM	Candace A. Curtis	7100 Elms Road, Swartz Creek 48473
52	DEM	Mary Schroer	1911 Geddes, Ann Arbor 48104
53	DEM	Elizabeth S. Brater	1507 Wells Street, Ann Arbor 48104
54	DEM	Kirk A. Profit	205 Valley Drive, Ypsilanti 48197
55	REP	Beverly S. Hammerstrom	1183 Oakmont Drive, Temperance 48182
56	DEM	Lynn Owen	4826 Sycamore, Newport 48166
57	REP	Tim Walberg	6769 Teachout Road, Tipton 49287
58	REP	Michael E. Nye	7111 Anderson Road, Litchfield 49252
59	REP	Glenn S. Oxender	27221 Wait Road, Sturgis 49091
60	DEM	Ed LaForge	1818 Nottingham, Kalamazoo 49001
61	REP	Charles R. Perricone	1909 Nichols Rd., Kalamazoo 49006
62	DEM	Mark Schauer	5695 Glenn Cross Road L-3, Battle Creek 49015
63	REP	Donald H. Gilmer	7021 N. 46th St., Augusta 49012
64	DEM	Michael J. Griffin	505 N. Elm, Jackson 49202
65	REP	Clyde LeTarte	1711 Little Dr., Horton 49246
66	REP	Judith L. Scranton	2457 Spring Lake Lane, Brighton 48116
67	REP	Dan Gustafson	4648 Sandstone, Williamston 48895
68	DEM	Lingg Brewer	2682 Fontaine Trail, Holt 48842
69	DEM	Lynne Martinez	306 Leslie Street, Lansing 48912
70	DEM	Laura Baird	1762 Spring Lake Drive, Okemos 48864
71	REP	Frank M. Fitzgerald	430 W. Jefferson, Grand Ledge 48837
72	REP	Mark C. Jansen	6857 Linden Ave. SE, Grand Rapids 49548
73	REP	Jack Horton	1625 Parnell Ave. NE, Lowell 49331
74	REP	Ken Sikkema	3885 Omaha, Grandville 49418
75	REP	William R. Byl	1241 Benjamin Ave. SE, Grand Rapids 49506
76	DEM	Thomas C. Mathieu	762 Tamarack, Grand Rapids 49504
77	REP	Harold J. Voorhees	5380 Kenowa SW, Grandville 49418
78	REP	Ron Jelinek	7605 Stickles Rd., Three Oaks 49128
79	REP	Bob Brackenridge	2211 Wilson Court, St. Joseph 49085
80	REP	James Mick Middaugh	603 West Michigan Avenue, Paw Paw 49079
81	REP	Terry London	1020 Illinois, Marysville 48040
82	DEM	Karen Willard	8974 Anchor Bay Drive, Algonac 48001
83	REP	Kim A. Rhead	190 W. Speaker St., Sandusky 48471
84	REP	Mike Green	1405 Blackmore Rd., Mayville 48744
85	DEM	Clark Harder	807 N. Chipman St., Owosso 48867
86	REP	Alan L. Cropsey	7730 Loomis Road, DeWitt 48820
87	REP	Terry Geiger	950 Maple St., Lake Odessa 48849
88	REP	Patricia Birkholz	3413 Sixty Fourth Street, Saugatuck 49453
89	REP	Jon Jellema	510 Park, Grand Haven 49417
90	REP	Jessie F. Dalman	450 Brecado Court, Holland 49423
91	DEM	Paul T. Baade	3131 Maplegrove Road, Muskegon 49441
92	DEM	James G. Agee	1454 East Harbour Towne Circle, Muskegon 49441
93	REP	Larry L. DeVuyst	3813 East Pierce Road, Ithaca 48847
94	REP	Michael J. Goschka	16393 Schroeder Road, Brant 48614
95	DEM	Michael J. Hanley	203 South Bates, Saginaw 48602
96	DEM	A. T. Frank	6090 Western Drive #18, Saginaw 48603
97	DEM	Howard J. Wetters	1866 Wetters Road, Kawkawlin 48631
98	REP	James McNutt	4000 Haskin, Midland 48640
99	REP	Jim McBryde	1812 Stockman, Mt. Pleasant 48858
100	REP	John T. Llewellyn	5588 W. 32nd, Fremont 49412

House District	Party	Name	Address
101	REP	Bill Bobier	4220 Loop Rd., Hesperia 49421
102	REP	John Gernaat	10104 S. Blodgett Road, McBain 49657
103	DEM	Tom Alley	920 W. Wright St., West Branch 48661
104	REP	Michelle A. McManus	7883 E. Alpers, Lake Leelanau 49653
105	REP	Allen Lowe	1101 Ottawa, Grayling 49738
106	REP	Beverly A. Bodem	121 E. White Street, Alpena 49707
107	DEM	Pat Gagliardi	P.O. Box 191 Tourist Road, Drummond Island 49726
108	DEM	David Anthony	314 S. 3rd St., Escanaba 49829
109	DEM	Michael Prusi	Rte. 3 Box 1034A, Ishpeming 49849
110	DEM	Paul Tesanovich	Rt. 2 Box 758, L'Anse 49946

The roll of the House was called by the Assistant Clerk, who announced that all of the Representatives-elect were present except Reps. LeTarte and Leland.

Rep. Gagliardi moved that Reps. LeTarte and Leland be granted leaves of absence from today's session. The motion prevailed.

The Representatives-elect appeared at the Clerk's desk and took and subscribed the constitutional oath of office, which was administered by the Hon. Conrad Mallett, Jr., Chief Justice of the Michigan Supreme Court.

The Acting Clerk announced that the first business in order was the selection of seats in accordance with the Statute.

The Statute having been read, the members in the order of their total length of service in the House selected seats as their names were called by the Acting Clerk. Zoe Zulakis, Laura Gagliardi, Michelle Gagliardi and Sarah Jansen drew numbers for the selection of seats for members as provided, by Statute, all seats being selected as follows:

1—Scranton	56—Gagliardi
2—Brown	57—Hertel
3—Stallworth	58—Varga
4—Geiger	59—Brater
5—Sikkema	60—Schroer
6—Gustafson	61—LaForge
7—Richner	62—Owen
8—Birkholz	63—Mathieu
9—Raczkowski	64—Hood
10—Perricone	65—Parks
11—McNutt	66—Mans
12—Middaugh	67—Profit
13—Alley	68—Palamara
14—Jelinek	69—Ciaramitaro
15—Cassis	70—Emerson
16—Hammerstrom	71—Pitoniak
17—Rhead	72—Anthony
18—Llewellyn	73—Agee
19—Gernaat	74—Hanley
20—London	75—Price
21—Fitzgerald	76—Gubow
22—Byl	77—Freeman
23—LeTarte	78—Wetters
24—Whyman	79—Cherry
25—Jaye	80—Tesanovich
26—Crissman	81—Prusi
27—Brackenridge	82—Callahan
28—Jellema	83—Gire
29—DeVuyst	84—Willard
30—Voorhees	85—Vaughn
31—Lowe	86—DeHart
32—Middleton	87—Schermesser
33—Bodem	88—Hale

34—Dobb	89—Wojno
35—Rocca	90—Martinez
36—Jansen	91—Baird
37—McManus	92—Scott
38—Horton	93—Kelly
39—Goschka	94—Thomas
40—Dalman	95—Schauer
41—Banks	96—Kilpatrick
42—Green	97—Baade
43—Godchaux	98—Olshove
44—Galloway	99—Curtis
45—Law	100—Murphy
46—Bobier	101—Quarles
47—McBryde	102—Rison
48—Oxender	103—Bogardus
49—Kukuk	104—Wallace
50—Kaza	105—Dobronski
51—Nye	106—Harder
52—Walberg	107—Leland
53—Cropsey	108—Griffin
54—Gilmer	109—Brewer
55—Johnson	110—Frank

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Gagliardi and Gustafson offered the following resolution:

House Resolution No. 1.

A resolution prescribing the Standing Rules of the House of Representatives.

Resolved by the House of Representatives, That the following rules be adopted as the Standing Rules of the House of Representatives:

STANDING RULES OF THE HOUSE OF REPRESENTATIVES

CHAPTER I

GENERAL PROVISIONS

Meetings, Officers and Quorum.

Rule 1. The House shall meet in regular session at the seat of government on the second Wednesday in January of each year at twelve o'clock noon. In each odd-numbered year, it shall proceed with its organization, the election of a Speaker, a Speaker Pro Tempore, one Associate Speaker Pro Tempore, from its membership, and a Clerk for the ensuing term of the Legislature. All elections shall be by roll call and shall require a majority of the Members voting to elect.

A majority of the Members elected to and serving in the House shall constitute a quorum to do business, but a smaller number may adjourn from day to day and not less than 15 Members present and voting in favor thereof may compel the attendance of absent Members and fix penalties for non-attendance. (See Const 1963, Art 4 §§ 13 and 14)

Admission to Floor—Defined.

Rule 2. No person shall be admitted on the floor of the House for a period of 30 minutes immediately preceding the time set for any call to order during any session of the House through adjournment, except as follows:

- (a) Representatives and Senators;
- (b) Former Legislators, unless otherwise restricted;
- (c) Sergeants at Arms, pages, and Clerk's staff who are specifically designated to be working on the House floor during session;

(d) The executive directors and the Governor's legislative liaison who have obtained and are wearing in plain sight appropriate identification passes, issued under guidelines developed by the Speaker;

(e) Immediate family of Representatives who have obtained and are wearing in plain sight appropriate identification passes, issued under guidelines developed by the Speaker;

(f) Legislative staff who have obtained and are wearing in plain sight appropriate identification passes, issued under guidelines developed by the Speaker; and

(g) Media correspondents accredited by the Clerk of the House who are wearing in plain sight appropriate identification passes, issued under guidelines developed by the Clerk. Media correspondents shall not be at the Members' desks during roll call votes.

Members may have not more than one Member of their immediate family seated at the Member's desk during session. All other immediate family members shall be seated in an area designated by the Speaker.

Any person admitted under this rule who lobbies, or is a registered lobbyist, shall thereby forfeit his or her right to be admitted on the floor of the House at any time. The words "floor of the House," when used in these rules, shall mean the space of the main floor of Representative Hall, together with all offices and lounges on the second floor of the Capitol under the jurisdiction of the Clerk, including the democratic and republican caucus rooms and the corridor behind the House rostrum.

Guests may be introduced only by permission of the Presiding Officer after the House has been called to order and before the attendance roll call has been concluded.

Bar of the House.

Rule 3. Any Member, having answered attendance roll call at the opening of any session, or who enters after attendance roll call, shall thereafter be deemed as present until leave of absence is obtained from the House. Any Member having entered upon the floor of the House after the House has been called to order, shall be deemed to be present if within the bar of the House.

The words "within the bar of the House," when used in these rules, shall mean the space occupied and used by the House or any committee or other legislative room or office under the jurisdiction of the House.

CHAPTER II

OFFICERS SPEAKER

Definitions.

Rule 4. Speaker is any Member elected as Speaker under Rule 1 of these rules.

Duties as Presiding Officer.

Rule 5. The Speaker or the designee of the Speaker shall take the Chair each day at the hour to which the House shall have adjourned or recessed. The Presiding Officer shall call the House to order and, except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules.

Rule 6. The Presiding Officer shall preserve order and decorum; may speak to points of order, rising for that purpose; and shall decide questions of order, subject to an appeal to the House. When two or more Members rise at once, the Presiding Officer shall name the Member who is first to speak.

The Speaker shall not permit distributions on the floor other than items pertaining to that day's calendar nor permit circulation of bills or resolutions for signature by other than Members. The Presiding Officer shall not permit announcements that are not governmentally related.

Every Member presenting a paper containing subject matter for the consideration of the House shall endorse the same with a statement of its subject or contents and the Member's name.

Duties of Speaker as Chief Administrator.

Rule 7. (a) Payment to all persons, authorized under paragraphs (b), (c) and (d) to expend House funds for transportation, lodging, meals, registration fees and related items, shall be made in accordance with an established set of expenditure regulations as predetermined and prepublished to Members by the Speaker. The regulations shall set forth the guidelines for amounts, methods of payment and time of payment for such items. When, in the judgment of the Speaker, it is desired to revise the regulations, the Speaker may make such revision upon 15-day notice to all Members.

(b) The Speaker may authorize persons to make expenditures from the general funds of the House for administrative purposes. The Speaker may from time to time, with the concurrence of the Minority Leader and the Majority Floor Leader, enter into contracts for the purchase and payment of benefits affecting employees, Members of the House, and retirees.

(c) Regular standing committees of the House shall be allotted such funds as the Speaker may authorize. The Speaker may restrict selected expenditures to a lesser number of Members, alternates or substitute Members, than the number of Members of the standing committee. The funds may be expended for items specified in paragraph (a) and for contractual services, publications and supplies. All expenditures under this paragraph shall be approved by the committee Chair and the Speaker and for items specified in paragraph (a) shall be in accordance with the regulations and guidelines provided for by paragraph (a).

(d) Additional committees may be authorized by resolution of the House which resolutions shall set forth the maximum budget of such committees. Members, alternates and substitute Members of such additional committees shall be appointed by the Speaker unless otherwise specified in the resolution. The Speaker may restrict selected expenditures to a lesser number of Members, alternates or substitute Members than the number of Members specified in the resolution. Budgeted funds may be expended for items specified in paragraph (a), for contractual services, publications, supplies and any other items specified in the resolution. Payments for contractual services may be authorized by the committee chair and the Speaker. All expenditures under this paragraph for items specified in paragraph (a) shall be in accordance with the regulations and guidelines provided for by paragraph (a).

Appointments by the Speaker.

Rule 8. The Speaker shall appoint all committees except where the House shall otherwise order. If the Speaker makes permanent or temporary additions to any standing or special committee, the names and the appointments shall be published in the journal for the House prior to their taking any action as a Member of that committee except such time as the House is adjourned or in recess, in which case the addition or appointment shall appear in the next succeeding House journal.

Appointment of Employees by Speaker.

Rule 9. Except as otherwise provided in these rules, the Speaker or the Speaker's designee shall appoint all employees of the House. The compensation for all employees and officers of the House shall be fixed by the Speaker or the Speaker's designee. All employees of the House shall maintain a status as non-tenured, at-will employees. All employees of the House work at the pleasure of the Speaker or the Speaker's designee, shall be subject to the Speaker's or the Speaker's designee's orders, and may be transferred to a different position, demoted, suspended, or summarily removed by the Speaker or the Speaker's designee.

Naming of Acting Speaker.

Rule 10. The Speaker, may, by filing a written notice with the Clerk, substitute any Member to perform the duties of the Presiding Officer, but not for a longer time than one day without leave of the House. Such notice shall be spread upon the journal.

Voting.

Rule 11. The Speaker and Presiding Officer may vote on all elections, on all divisions called for by any Member, and on all questions taken by yeas and nays.

Putting the Question.

Rule 12. The Presiding Officer shall distinctly put all questions in this form: "All in favor of (as the question may be), say 'aye' " and after the affirmative vote is expressed, "All opposed, say 'no'." If in doubt the Presiding Officer may order a division of the House. A division of the House may be had on the demand of ten Members, or a roll call of the House may be demanded by one-fifth of the Members present (see Const 1963, Art 4 § 18) on any pending question and in such case the record of the votes and names of the voting Members shall be entered in the journal.

When a division of the House is ordered, the voting machine shall be used, and the Clerk shall announce the vote and the Presiding Officer shall declare the result. On a tie vote the question shall be deemed as lost. A majority of those voting shall decide any question on a rising vote unless otherwise provided.

Recognition During Roll Call.

Rule 13. After a question has been stated by the Presiding Officer, and the calling of the roll has been started by the Clerk, the Presiding Officer shall not recognize a Member for any purpose, except upon points of order, to reserve the right to explain his or her "no" vote, to request an excuse for another Member, to announce intent not to vote for reason of potential conflict of interest, or to request that the Board be cleared, until after the announcement of the vote by the Clerk. The Presiding Officer shall preserve order and direct Members who are not in their seats to resume them.

The Clerk shall enter upon the journal the names of those voting "aye" and the names of those voting "no," which roll call shall be consecutively numbered by the Clerk and so recorded in the journal.

SPEAKER PRO TEMPORE

Powers and Duties.

Rule 14. In the absence of the Speaker, the Speaker Pro Tempore shall exercise the powers and perform the duties of Speaker, and shall preside over the House, unless the Speaker shall have designated another Member to preside for any day.

(a) In the absence of the Speaker and the Speaker Pro Tempore, an Associate Speaker Pro Tempore shall exercise the powers and perform the duties of Speaker and shall preside over the House, unless the Speaker shall have designated another Member to preside for any day.

(b) In the absence of a designated Presiding Officer, the Clerk shall preside and if a quorum is present shall designate a temporary Presiding Officer of the same party as the presiding Speaker.

CLERK

Roll Call.

Rule 15. The Clerk shall serve as parliamentarian of the House. The Clerk shall take the roll at the opening of each session of the House and announce whether or not a quorum is present. The Clerk shall enter upon the journal the names of the Members present for attendance roll call, the names of the Members specifically excused from session, and the names of the Members absent from session.

The term "roll call" as used in these rules shall mean a record roll call.

Conduct of Religious Exercises.

Rule 16. The Clerk shall arrange for the conduct of religious exercises at the opening of each session of the House.

Publication and Correction of Journal.

Rule 17. The Clerk shall make up and complete the journal of the House in conformity with the rules, supervise the daily publication thereof and make such corrections therein from day to day as may be necessary. During the consideration and passage of appropriation bills, the Clerk is authorized to correct totals that may have been affected by amendments made to items in the bill, such corrections to be made to the official bill and the journal.

Order of Business.

Rule 18. The Clerk shall keep the several orders of business separate and distinct, and shall prepare and place on the desk of each Member each day a list of the business on his or her desk under each order of business.

Printing, Announcement of Printing and Enrollment of Bills.

Rule 19. The Clerk shall attend to the printing or reproduction of all bills, acts or documents ordered printed or reproduced by the House. The Clerk shall announce each day the numbers of all bills and joint resolutions, both House and Senate, which have been printed or reproduced and placed upon the files of the Members, and the number of bills which have been enrolled and presented to the Governor.

Responsibility for Care of Bills; Presentation of Enrolled Bills to Governor.

Rule 20. The Clerk shall be responsible to the House for the care and preservation of each bill introduced into the House, and for each bill received from the Senate up to the time of its return to that body, which responsibility shall only be relieved by a receipt from a proper person when the bill passes from his or her possession. When a bill has been finally passed by the two Houses, the Clerk shall present to the Governor an enrolled copy thereof, taking a receipt therefor showing the day, hour and minute at which such copy was deposited in the executive office.

Appointment of Assistants.

Rule 21. The Clerk shall, by and with the consent of the Speaker, appoint an Assistant Clerk and other assistants in the performance of the duties required of the Clerk. All assistants of the Clerk and employees of the House assigned to the Clerk's office shall maintain a status as non-tenured, at-will employees. All assistants and employees of the House assigned to the Clerk's office work at the pleasure of the Clerk and/or Speaker, shall be subject to the orders of the Clerk and/or Speaker, and may be transferred to a different position, demoted, suspended, or summarily removed by the Clerk or Speaker. The compensation for assistants and employees of the Clerk's office shall be fixed as provided in Rule 9.

Accreditation of News Media.

Rule 22. The Clerk of the House shall pass upon the applications of all members of the news media. Persons desiring to be accredited as official media correspondents at the two-year session shall file a written application with the Clerk. When issuing credentials, the Clerk shall instruct the media person as to conduct on the House floor by issuing guidelines.

Members of the press corps shall comply with all House rules and guidelines and shall, while on the House floor during session, display credentials at all times.

Responsibility for Care of House.

Rule 23. The Clerk of the House shall exercise supervisory care and control of the Hall of the House of Representatives and all House rooms and equipment assigned to the office of the Clerk. The Clerk shall from time to time, upon prior written authorization by the Speaker, have made such repairs and alterations in the House Chambers and the rooms and corridors connected therewith and their furniture and equipment, as may be necessary.

Incapacity of Clerk.

Rule 24. In case of the inability of the Clerk, from sickness or other cause, to perform the duties of that office, the Assistant Clerk shall be charged with the responsibility of the Clerk and shall perform the Clerk's duties. In case a vacancy exists in the office of Clerk, during the interim of sessions, the Assistant Clerk shall assume the Clerkship and perform the duties of Clerk until a successor has been elected.

Notices in Cases of Extra Sessions.

Rule 25. Whenever the Legislature shall be called to meet in extraordinary session or in case of emergency, the Clerk of the House shall notify Members and staff of the date and time of convening.

SERGEANT AT ARMS**Definitions.**

Rule 26. The Sergeant at Arms shall be the chief police officer of the House and shall be appointed by the Speaker.

Powers and Duties.

Rule 27. The Sergeant at Arms shall have charge, under the direction of the Speaker, of the Assistant Sergeants at Arms and pages, and control of all police regulations. The Sergeant at Arms shall have authority to serve subpoenas and warrants issued by the House or any duly authorized officer or committee, or cause the same to be done by one of the Assistant Sergeants at Arms, or a duly authorized agent. The Sergeant at Arms shall see that all visitors are seated and at no time are standing on the floor or balconies of the House. The Sergeant at Arms shall prohibit the use of portable telephones in the balconies and lounges of the House Chamber. The Sergeant at Arms shall ensure that reasonable decorum is maintained in the lobby immediately in front of the entrance to Representative Hall to ensure access for Representatives and to ensure equal treatment for all citizens.

CHAPTER III**MEMBERS****Conduct in Debate.**

Rule 28. When any Member is about to speak in debate or present any matter to the House, the Member shall rise and respectfully address the Presiding Officer, confine remarks to the question under debate, and avoid personalities.

Members Called to Order.

Rule 29. If any Member in speaking transgresses the rules of the House, the Presiding Officer shall, or any Member may, call the transgressor to order, in which case the Member so called to order shall immediately sit down and shall not rise unless to explain or proceed in order.

Times Members May Speak.

Rule 30. No Member shall speak more than once on the same question without leave of a majority of those present and voting, unless the Member be the prime mover of the matter pending, or Chair of the committee that reported it, in which case he or she shall be privileged to speak twice.

VOTING

Voting by the Electronic Roll Call System.

Rule 31. (a) When taking the yeas and nays on any questions to be voted upon, the electronic roll call system may be used, and when so used shall have the same force and effect as a roll call taken as otherwise provided in these rules.

When the House is ready to vote upon any questions requiring a roll call, and the vote is to be taken by the electronic roll call system, the Presiding Officer shall announce:

“The question before the house is (designating the matter to be voted upon). All in favor shall vote ‘aye,’ all opposed shall vote ‘no.’ The House will now proceed to vote.”

When sufficient time has been allowed the Members to vote, the Presiding Officer shall announce: “Have all Members voted?” After a short pause, the Presiding Officer shall say: “The Clerk shall close the board.” Any Member shall be privileged to vote or change his or her vote after the board has been closed by rising and, when recognized by the Presiding Officer, announcing his or her vote before the result of the vote has been announced by the Clerk. After a sufficient time has passed to allow late voting, the Presiding Officer shall say: “The Clerk shall announce and display the vote.”

The Clerk shall immediately announce and display the result to the House. The Clerk shall enter upon the journal the result in the manner provided by the rules of the House.

No Member shall vote for another Member, nor shall any person not a Member cast a vote for a Member. In addition to such penalties as may be prescribed by law, any Member who shall vote or attempt to vote for another Member may be punished in such manner as the House may determine. If a person not a Member shall vote or attempt to vote for any Member that person shall be barred from the floor of the House for the remainder of the session and may be further punished in such manner as the House may deem proper, in addition to such punishment as may be prescribed by law.

(b) Upon the passage of any question the vote shall be taken by the yeas and nays and entered upon the journal of the House on request of one-fifth of the Members shown to be present by the journal entries. (See Const 1963, Art 4 § 18)

Vote Explanations.

Rule 32. (a) Any Member shall be privileged to reserve the right to explain his or her “no” vote on a record roll call vote, but the Member shall reserve the right at the time of voting and not otherwise. To be printed in the journal, the “no” vote explanation shall be submitted in writing to the office of the Clerk of the House within one hour of the time of adjournment of the House on the session day the privilege is requested. The “no” vote explanation shall not exceed three minutes verbally nor be greater than 500 words.

(b) If a Member desires to abstain from voting because of a potential conflict of interest, the Member may rise, announce his or her intent not to vote, and reserve the right to explain the abstention. If requested, the Member shall be granted the right to have the explanatory statement, not to exceed 100 words, printed in the journal. To be printed in the journal, the abstention from voting explanation shall be submitted in writing to the office of the Clerk of the House within one hour of the time of adjournment of the House on the session day the privilege is requested. The statement may also be read from the floor following explanation of “no” votes and shall not exceed three minutes.

(c) “No” vote explanations or explanations of abstention from voting shall not be edited by the Clerk before publication in the journal.

Voting Intention Explanations.

Rule 33. No Member shall enter in the journal his or her voting intention unless the Member was present that legislative day and was specifically excused from that portion of the session at which time the actual vote was taken.

Conduct.

Rule 34. While the Presiding Officer is putting any question, or the roll is being taken by the Clerk or any Member is speaking, the Members shall not entertain private discourse or pass between the Presiding Officer and the Member speaking.

The Members shall keep their seats until the Majority Floor Leader announces that no further voting will occur or the Presiding Officer announces that the House is adjourned.

CHAPTER IV

COMMITTEES STANDING COMMITTEES

Names and Number of Members.

Rule 35. (a) All standing committees shall be appointed by the Speaker except where the House shall otherwise order.

(b) The standing committees of the House and the number of Members shall be as follows:

1. Advanced Technology and Computer Development
2. Agriculture

3. Appropriations
4. Colleges and Universities
5. Commerce
6. Conservation, Environment and Recreation
7. Consumer Protection
8. Constitutional and Civil Rights
9. Corrections
10. Education
11. Forestry and Mineral Rights
12. Health Policy
13. House Oversight and Ethics
14. Human Services and Children
15. Insurance
16. Judiciary
17. Labor and Occupational Safety
18. Local Government
19. Marine Affairs and Port Development
20. Mental Health
21. Public Retirement
22. Public Utilities
23. Regulatory Affairs
24. Senior Citizens and Veterans Affairs
25. Tax Policy
26. Tourism
27. Transportation
28. Urban Policy and Economic Development

Statutory Standing Committees:

1. Administrative Rules (5)
2. Legislative Council (6)
3. Legislative Retirement (4)
4. Michigan Capitol Committee (4)
5. House Fiscal Agency (6)

(c) Any Member of any committee who is absent from attendance at any such committee meetings for three out of five consecutive committee meetings, unless excused from attendance on account of illness, or because of a death in the family, or serious family illness, or is in attendance at some other committee meeting at the same time, or has been excused from attending the day's session of the House, shall be automatically dropped from membership on such committee, and the committee automatically reduced unless the Speaker of the House shall fill such vacancy. Each committee clerk shall keep a record of attendance at all committee meetings, and shall make a written report to the office of the Clerk of the House showing the names of those present, the names of those absent, and the names of those excused from attendance, which shall be entered upon the journal of the House. When a Member has been absent for three out of five consecutive meetings of a committee without proper excuse, the Clerk of the House shall report the name of such Member, together with the dates of said meetings, to the Speaker of the House, and advise the Member of such action. The Speaker of the House may then fill such vacancy by appointing a Member to the committee who shall not be the Member previously dropped from membership on the committee.

(d) The daily journal of the House shall report the roll call on all motions to report bills, joint resolutions and reorganization orders. (See Const 1963, Art 4 § 17)

(e) Committees shall adopt a meeting schedule at the commencement of each term which shall be printed in the journal of the House. Additional meetings may be called by the Chair or by a majority of the Members in writing to the Clerk of the House. The Chair may cancel any scheduled meeting, except one called by a majority of the Members, by notice to the Members.

Uniform Committee Rules.

Rule 36. (a) Committees and subcommittees shall operate under the rules of the House and the uniform committee rules which shall be published in the journal of the House. The Clerk of the House shall assign committee clerks with the approval of the respective committee Chairs. Duties of committee clerks shall be prescribed by the Clerk of the House.

(b) Special committees shall operate under the same rules as standing committees insofar as practical. Conference committees on House bills shall meet at a place assigned by the Clerk.

(c) All committees will operate under the following rules and other uniform committee rules as determined and published by the Speaker:

1. A quorum of a committee shall consist of a majority of the Members appointed and serving.
2. Members of standing committees may not check-in for a committee meeting and leave their vote. Members of committees may only cast a vote if they are present at the meeting during the vote.
3. It shall require an affirmative vote of a majority of the members appointed to and serving on a committee in order to:
 - a. Report a bill or resolution out of committee.
 - b. Amend or substitute a bill or resolution.
 - c. Reconsider a vote to report a bill or joint resolution from committee.
4. Provided a quorum of a committee is present, it shall require an affirmative vote of a majority of the Members present and voting in order to:
 - a. Table a bill or resolution.
 - b. Take a bill or resolution from the table.
 - c. Reconsider a vote, other than in Rule 3c.
5. It shall require an affirmative vote of a majority of the Members present and voting in order to:
 - a. Postpone action on a bill or resolution
 - b. Recess.
 - c. Adjourn a meeting.
6. Each chair of a standing committee shall determine the agenda for a committee meeting.
7. The chair of a standing committee may create subcommittees and shall designate the bill(s), resolutions(s) or topic(s) to be considered by each subcommittee. The chair of the standing committee shall designate a chair of the subcommittee and shall appoint Members to each subcommittee.

Subcommittees of standing committees shall follow the same rules as standing committees.

Meetings or public hearings of committees may be scheduled outside of Lansing with prior written approval of the Speaker. Subcommittees must have the prior written approval of the chair of the standing committee and the Speaker in order to conduct a public hearing or meeting outside of Lansing.
8. All meetings or public hearings of committees or subcommittees shall comply with the following procedures in order to assure public access (See Const 1963, Art 4 §§ 16 and 17):
 - a. All meetings or public hearings shall be open to the public and accessible.
 - b. The right of any person to attend a meeting or public hearing includes the right to tape-record, videotape, and/or broadcast live on radio or television.
 - c. As defined in subrule (b), the right of any person to attend a meeting or public hearing may not be conditioned on prior approval of, or notice to, the committee or subcommittee.
 - d. All decisions of a committee or subcommittee shall be made at a public meeting. A committee may not round robin a bill nor may the roll call vote of a committee be left open.
 - e. The right of a person to attend a meeting or public hearing shall not be limited by a requirement that she or he register or otherwise provide his or her name or other identifying information to the committee, the committee chair, a subcommittee or a subcommittee chair.
 - f. A person shall not be excluded from a meeting or public hearing of a committee or subcommittee except for a breach of the peace or in order to protect the health and safety of all persons in attendance at the meeting.
 - g. A rescheduled or a special meeting of a committee or subcommittee shall be posted at least 18 hours before the scheduled meeting time. No committee or subcommittee shall remain in session or stand in recess beyond the hour of 12:00 midnight.
 - h. Notice of committee or subcommittee meetings or public hearings shall include notice that handicapped individuals needing special services to fully participate in the meeting or public hearing may contact the committee or subcommittee chair to request the necessary assistance.
9. Each committee shall have written minutes prepared of each meeting. The minutes shall include the date, time, place, Members present, Members absent, Members excused, and any decisions which were made. The minutes shall also include all roll call votes taken at the meeting. The proposed minutes of a meeting shall be available for inspection by the public within 8 working days of the meeting. Minutes shall be approved by the committee at a subsequent meeting. Approved minutes shall be available for public inspection no later than 5 working days after approval.
10. Committees shall excuse a Member from attending a committee meeting on account of illness, or because of death in the family, or serious family illness, or because the Member is in attendance at some other committee meeting. A committee shall excuse a Member from attending a committee meeting if he or she has been excused from the day's session of the House. A committee may excuse a Member from attending a committee meeting for other appropriate reasons, as determined by the committee.
11. Committees shall not meet during a session of the House without the consent of the House.
12. There shall be no smoking during a meeting of a standing committee or a subcommittee.
13. To the extent practical, special committees shall follow the same rules as standing committees of the House.
14. Portable telephones shall not be used in a room in which a committee of the House is meeting while that meeting is occurring.
15. With approval of a majority of the Members appointed and serving on the committee, a committee may adopt additional rules provided they do not conflict with the Uniform Standing Committee Rules or with the Standing Rules of the House.

Chair of Committee.

Rule 37. The first named Member of any committee shall be the Chair, and the second named Member shall be Vice-Chair. In the absence of both the Chair and Vice-Chair the next named Member of the Majority party in attendance shall act as Chair. The Chair or any Member of the committee may place under oath or affirmation any person who appears to testify before the committee.

House Oversight and Ethics Committee and Auditor General Reports.

Rule 38. The House Oversight and Ethics Committee shall receive all reports presented by the Legislative Auditor General. The House Oversight and Ethics Committee shall review the report and, if appropriate, refer the Auditor General reports to the appropriate standing committee for consideration. After reviewing the report, the standing committee shall report its response to the Auditor General's report to the House Oversight and Ethics Committee within 60 days of the date of referral. Consideration by the standing committee shall not impede or preclude any Member from initiating any action in response to the Auditor General report.

Subpoena Power.

Rule 39. The right of a committee to subpoena shall be granted only by resolution of the House. The vote on adoption of a subpoena power resolution shall be by record roll call vote. The votes of a majority of the Members elected and serving shall be required for adoption.

Sitting of Committees During Sessions of the House.

Rule 40. No committee shall sit during the sessions of the House, without leave of the House. Any committee thus excused shall be deemed to be present on a Call of the House.

Reports of Committees.

Rule 41. A committee may recommend amendments, a substitute, or referral to another committee, with or without recommendation as to passage.

Substitute bills shall be prepared by the Legislative Service Bureau prior to reporting by the committee. A majority of the Members serving on a committee shall be necessary to report a bill out of the committee. A majority of the Members appointed to a committee and serving shall constitute a quorum. The Chair and Minority Vice-Chair or Majority and Minority Floor Leaders may designate their respective floor manager on any bill reported from the committee. The prime sponsors and Members designated as a floor manager shall be the first recognized by the Presiding Officer to speak in floor debate. Minority reports shall not be permitted or received by the House. Bills reported without recommendation as to passage shall lie on the table.

All bills favorably reported back to the House shall be referred to second reading together with amendments recommended by the standing committee, except that every bill appropriating public money or property when reported back to the House by any standing committee other than the Committee on Appropriations, together with amendments that may be recommended by such standing committee shall be referred directly to the Committee on Appropriations for consideration and, when favorably reported back to the House by the Committee on Appropriations (whose committee report shall also include the amendments, if any, that were recommended by the standing committee which first considered the bill), the bill shall be referred to second reading. If more than one standing committee has considered a bill, the amendments recommended by each committee shall be considered in the chronological order of committee consideration and the report of the last committee to consider the bill shall contain the amendments recommended by the previous committees.

Public Hearings.

Rule 42. A committee may provide for a public hearing on any bill referred to that committee. Notice of such hearing, its subject, time and place, shall be given in writing to the Clerk of the House who shall announce the hearing to the House, publish it in the journal and in the House calendar and post it on the bulletin board designated by the Clerk for the posting of such notices. The Clerk shall schedule hearings to be held in the House Chambers so as to prevent conflicts of operation.

CHAPTER V**TRANSACTION OF BUSINESS****Order of Business.**

Rule 43. The order of business of the House shall be as follows unless otherwise ordered by the House:

1. Motions and Resolutions.
2. Reports of Select Committees.
3. Reports of Standing Committees.

4. Messages from the Senate.
5. Third Reading.
6. Second Reading
7. Notices.
8. Announcement by the Clerk of Printing and Enrollment.
9. Messages from the Governor.
10. Comments and Recommendations.
11. Explanation of "No" Votes.
12. Communications from State Officers.
13. Introduction of Bills.
14. Announcements by the Clerk.
15. Presentation of Petitions.

Routine business on which no vote of the House is required may be disposed of on any day, with or without a quorum present, and proper entries thereof shall be made in the journal. If a quorum is not present, any item of business becoming the subject of a floor motion shall forthwith be postponed to the next legislative day.

The business of the House shall not be delayed or interrupted by speeches by nonmembers, presentations, awards, ceremonies or musical programs, unless, on motions of the Majority or Minority Floor Leader, the House shall by vote of the majority of Members elected and serving, on a record roll call vote, agree to set aside a specific time for such purposes. Such time shall be after all other legislative business has been completed. Such motion shall be made not later than 24 hours prior to the time proposed to be set aside.

BILLS

Introduction.

Rule 44. All bills to be introduced shall be approved as to form and numbering of sections by the Legislative Service Bureau, be signed by the Member introducing them, and ten copies of each shall be handed to the office of the Clerk not later than three hours prior to calling the House to order. The Clerk shall number bills in the order of receiving, and present the same to the House at the next session of the House. If a bill has for its purpose the changing of the charter of a corporation, at least one day's notice shall be given either from the floor of the House or in writing to the Clerk and shall contain the title of the bill and shall be spread upon the journal. All bills shall be introduced in typewritten or printed form.

Once a bill has been turned into the Clerk's office for introduction, a Member may add his or her signature as a co-sponsor only with the permission of the sponsor.

No person may add or remove any signature, other than his or her own, from a bill being introduced.

Order of Consideration.

Rule 45. The regular order to be taken by bills introduced in the House shall be as follows:

1. Notice of introduction. (If a bill proposes an amendment to an act of incorporation.)
2. Introduction, first reading of title, order printed or reproduced and reference to a standing committee designated by the Speaker.
3. Report by the committee and placing on Second Reading. (If an appropriation bill, or one involving the expenditure of money from any fund of the State treasury for any purpose, reference to the Committee on Appropriations, report by that committee and placing on Second Reading.)
4. Consideration of Second Reading in order of reference.
5. Third Reading and vote on passage.
6. Transmission to Senate if passed.
7. Returned by the Senate, and, if not amended by the Senate, reference to the Clerk for enrollment printing; if amended by the Senate, laying over one day, and consideration the following day under the same order of business (Messages from the Senate); and (if amendments are concurred in) reference to the Clerk for enrollment printing.
8. Report by Clerk of enrollment printing and presentation to the Governor. Senate bills shall, as far as possible, take the same course as House bills.

All joint resolutions proposing amendments to the Constitution shall take the same course as bills and shall be identified by letter, i.e., "A", "B", "C", etc.

Nothing in these rules shall prevent a majority of the Members elected to and serving in the House from discharging a committee from further consideration of any measure. (See Const 1963, Art 4 § 16) A notice of at least one day shall be given of a motion to discharge any such committee, the notice to be in writing and entered upon the journal. If a committee of the House is discharged from further consideration of a bill, the bill shall be referred to the order of Second Reading for consideration on the same legislative session day.

Such notice may be offered again on any succeeding legislative day of the same legislative session, but not upon the same day, nor more than a second time by the same Member.

Reading.

Rule 46. Every bill shall be read three times in the House before its final passage. (See Const 1963, Art 4 § 26) The first and second readings may be by its title only, but the third reading shall be in full unless otherwise ordered by 4/5 of the Members present and voting in the House.

No bill shall be passed or become a law at any regular session until it has been printed or reproduced and in the possession of the House for at least five days. (See Const 1963, Art 4 § 26)

The Speaker or his or her designee may direct that a bill be printed or reproduced out of order.

Commitment and Amendment.

Rule 47. No bill shall be referred to a committee until it has passed its first reading. No bill shall be altered or amended on its passage through the House so as to change its original purpose as determined by its total content and not alone by its title. (See Const 1963, Art 4 § 24)

Referral to Second Reading.

Rule 48. All bills reported favorably by any committee of the House shall be referred to the order of Second Reading. Such bills shall be kept on file in the order of referral for consideration, and such file shall be called "Second Reading."

Second Reading.

Rule 49. When the House shall have arrived at "Second Reading" it shall consider the bills in the order of referral or such order as may be determined by a majority of those voting. Appropriation bills shall be considered an exception to this rule and shall be placed at the head of the calendar for that order each day and shall be given preference in printing and reproduction over other bills. No appropriation bill shall be read a third time within five calendar days after the bill has been reported by the Committee on Appropriations and received by the Clerk.

Second Reading Amendment.

Rule 50. Under the order of Second Reading, bills shall be read a second time. Committee recommendations, committee substitutes, and committee amendments shall be considered first. Amendments to committee substitutes or committee amendments shall not be considered until such committee substitutes or amendments have been adopted by the House. Amendments offered from the floor shall be submitted to the Clerk and shall be approved as to form by the Clerk before consideration.

When a substitute is offered by a Member or Members, amendments to the proposed substitute shall not be considered before the proposed substitute is adopted.

After an amendment has been turned into the Clerk's office, a Member may not add his or her name as a co-sponsor without the approval of the sponsor.

On motion a bill may be advanced to the order of Third Reading by a majority of the Members voting. Such motion shall take precedence following the motion to amend.

The body of a bill shall not be defaced or interlined.

Amendment; Vote.

Rule 51. No bill shall be amended prior to its Second Reading. Bills which have been considered on Second Reading by motion and concurrence of a majority of the Members voting shall be advanced to the order of Third Reading. Bills shall be subject to all subsidiary motions on Third Reading. Amendments offered on Third Reading shall not be considered nor printed in the journal unless seconded by a majority of the Members voting. Amendments on Second or Third Reading shall require a majority of the Members elected and serving for adoption. This requirement shall apply to amendments in the first and second degree and no further degree shall be permitted. A substitute shall be considered an amendment in the first degree.

Amendment; Third Reading.

Rule 52. Bills may be considered for final passage, by a suspension of the rules, without having been considered on Second Reading and may then be amended prior to their passage by a majority vote of the Members elected and serving. Bills considered on Second Reading may be placed on Third Reading for immediate passage by motion and concurrence of a majority of the Members elected and serving.

After an amendment has been turned into the Clerk's office, a Member may not add his or her name as a co-sponsor without the approval of the sponsor.

Bills failing of passage will be subject to reconsideration and if reconsidered will be subject to consideration on the order of Third Reading.

Legislative Appropriations Bills.

Rule 53. Any bill proposing to make appropriations for the legislative branch of government shall not be given final approval by the House of Representatives until each Member has been provided with a written report of the estimated expenditures for the House for the fiscal period for which the appropriations are being made. The report shall include

the following categories of information concerning the House: number of full-time equivalent positions for the entire House of Representatives; Members of the House of Representatives: salary and salary-related expenses, travel expenses, State Officers Compensation Commission payments and benefits; offices of Members of the House of Representatives: number of full-time equivalent positions, salary and salary-related expenses, travel expenses, and benefits; Caucus Central Staffs: number of full-time equivalent positions, salary and salary-related expenses, travel expenses, and benefits; House Business Office: number of full-time equivalent positions, salary and salary-related expenses, travel expenses, benefits, and operational overhead for the House of Representatives; Office of the Clerk and Sergeant at Arms: number of full-time equivalent positions, salary and salary-related expenses, travel expenses and benefits; House Fiscal Agency: number of full-time equivalent positions, salary and salary-related expenses, travel expenses, benefits, and operational overhead.

Not later than February 1, each Member of the House of Representatives shall receive a written year-end report for the preceding fiscal year detailing the expenditures of the House of Representatives. The year-end report shall be printed in the format outlined in this rule.

Nothing in this rule shall require the disclosure of information which is exempt from disclosure pursuant to Rule 78 of these rules.

Majority Vote on Bills.

Rule 54. No bill shall become a law without the concurrence of a majority of the Members elected to and serving in the House. On the final passage of bills, the votes and names of the Members voting thereon shall be entered in the journal. (See Const 1963, Art 4 § 26)

After a house bill has been passed, or upon final action on a house bill returned from the Senate, a Member may add his or her name as a co-sponsor to a bill with the approval of the sponsor or the sponsor's motion to open the board for that purpose.

Extraordinary Vote Requirements.

Rule 55. (a) Action by the House on any of the following matters shall require the vote of two-thirds of the Members elected and serving:

Rejection of Recommendations of State Officers Compensation Commission (See Const 1963, Art 4 § 12)

Expulsion of Member (See Const 1963, Art 4 § 16)

Immediate Effect (See Const 1963, Art 4 § 27)

Local or Special Act (See Const 1963, Art 4 § 29)

Private or Local Purpose Appropriation (See Const 1963, Art 4 § 30)

Overriding Veto or Line Item Veto (See Const 1963, Art 4 § 33)

Bank and Trust Company Laws (See Const 1963, Art 4 § 43)

Create Courts of Limited Jurisdiction (See Const 1963, Art 6 § 1)

Removal of Judges (See Const 1963, Art 6 § 25)

Long Term State Borrowing (See Const 1963, Art 9 § 15)

State Land Reserve Designation (See Const 1963, Art 10 § 5)

Rejection or Reduction of Civil Service Pay Increases (See Const 1963, Art 11 § 5)

Constitutional Amendment (See Const 1963, Art 12 § 1)

Exceed Revenue Limits (See Const 1963, Art 9 § 27)

Mackinac Bridge Bonds Refunding (See Schedule, Const 1963 § 14)

(b) Action by the House on any of the following matters shall require the vote of three-fourths of the Members elected and serving:

Any law which increases the February 1, 1994, statutory limits on the maximum amount of ad valorem property taxes that may be levied for school district operating purposes (See Const 1963, Art 9 § 3)

Amendment or Repeal of Initiated Law (See Const 1963, Art 2 § 9)

Title; Object; Reference to Compiler's Sections.

Rule 56. No bill shall embrace more than one object, which shall be expressed in its title. No bill shall be altered or amended on its passage through the House so as to change its original purpose as determined by its total content and not alone by its title. (See Const 1963, Art 4 § 24) If the bill proposes any amendment to existing laws, the sections of which have been assigned compiler's section numbers in the last general compilation or public acts, the title shall contain also a reference to the compiler's sections.

SPECIAL ORDERS

Unfinished Special Orders.

Rule 57. Any subject matter made the special order for a particular day not having been reached on that day shall come up for consideration under the same order on the next succeeding legislative day. The motion to place a bill on the special orders may be made only by the Majority or Minority Floor Leaders.

MOTIONS AND RESOLUTIONS IN GENERAL

Stating Motions.

Rule 58. When a motion is made, and when necessary under the rules, seconded, it shall be stated by the Presiding Officer; or, if in writing, it shall be handed to and read aloud by the Clerk before being debated.

Reduced to Writing.

Rule 59. Every motion shall be reduced to writing if the Presiding Officer or any Member shall request it, and shall be entered upon the journal, together with the name of the Member making it, unless withdrawn upon request of the Member making it and by a majority vote of those present and voting, or ruled out of order by the Presiding Officer.

When in Possession; Withdrawal.

Rule 60. After a motion has been stated by the Presiding Officer, or read by the Clerk, it shall be deemed to be in the possession of the House, but may be withdrawn at any time before decision or amendment upon request of the Member making it and by a majority vote of those present and voting.

Precedence of Motions.

Rule 61. When a question is under debate, no motion shall be received except:

1. To adjourn.
2. To take a recess.
3. To reconsider.
4. To lay on the table.
5. For the previous question.
6. To postpone to a day certain.
7. To commit.
8. To amend.
9. To postpone indefinitely.

Such motions shall take precedence in the order in which they stand arranged, and shall be decided by a majority vote of those Members present and voting, except the motion to postpone indefinitely and a motion to amend shall be decided by a majority vote of the Members elected and serving. When a recess is taken during the pendency of any question, the consideration of such question shall be resumed upon reassembling unless otherwise determined. No motion to postpone to a day certain, or to commit, being decided shall be again allowed on the same day and at the same stage of the question. A motion to postpone indefinitely having been decided shall not be subject to reconsideration. When a bill is up for consideration at any stage of procedure, and a motion is made to postpone indefinitely, or to strike out all after the style clause, amendments shall be in order before taking a vote on any such motion.

Always in order; Not Debatable.

Rule 62. The following motions are not debatable:

1. Adjourn.
2. Call of the House.
3. Recess.
4. Previous Question.
5. Table or take from the table.
6. Decision of Presiding Officer unless an appeal is taken.

The following motions are debatable but do not open the main question to debate:

1. Commit.
2. Discharge a committee.
3. Postpone to a time certain.
4. Suspension of the Rules.

Order of Putting Questions.

Rule 63. All questions shall be put in the order they were moved, except in the case of privileged questions.

Amendments to be Germane.

Rule 64. No independent or new proposition or new question shall be introduced under color of an amendment. All amendments must be germane to the main question. When the question of germaneness is raised, the Presiding Officer shall rule on the question.

Division of Question.

Rule 65. Any Member may call for a division of the question, and if supported by a majority vote of the Members present and voting, the question shall be divided if its components are so distinct that if one is taken away a substantive proposition shall remain for the decision of the House. A motion to strike out and insert shall be deemed indivisible.

MOTIONS FOR THE PREVIOUS QUESTION

Method of Ordering.

Rule 66. The method of ordering the previous question shall be as follows: Any Member may move the previous question, and the motion shall apply to the pending question only. This being seconded by at least ten Members, the Presiding Officer shall put the question, "Shall the main question now be put?" This shall be ordered only by a majority of the Members present and voting. After the seconding of the previous question and prior to ordering the same, a Call of the House may be moved and ordered, but after ordering the previous question nothing shall be in order prior to the decision of the pending question, except demands for the yeas and nays, points of order, appeals from the decision of the Presiding Officer, and a motion to adjourn or to take a recess, which shall be decided without debate. The effect of the previous question shall be to put an end to all debate and bring the House to a direct vote upon the pending question. If the House shall refuse to order the pending question, the consideration on the subject shall be resumed as though no motion for the previous question had been made. No protest may be entered under the previous question.

MOTIONS TO RECONSIDER

Motions for Reconsideration.

Rule 67. Any Member may move for a reconsideration of any question on the same or next succeeding legislative session day. Reconsideration of the vote by which a bill passed the House, or any proposition requiring a vote in excess of a majority of Members elected and serving for adoption, shall require a majority of the Members elected and serving. The motion to reconsider shall not be renewed the same day. The same question shall not be reconsidered more than twice. A motion to reconsider any question shall not be subject to any subsidiary motion except to postpone for the day. The question of passing a bill the objections of the Governor notwithstanding shall not be reconsidered more than twice.

Notice of Reconsideration.

Rule 68. A notice of intention to move for a reconsideration of any bill may be given by any Member from the floor of the House or in writing to the Clerk, which shall be immediately announced by the Clerk, spread upon the journal, and the bill shall be retained by the Clerk of the House until after the time expires during which under Rule 67 the motion can be made, either by the Member serving such notice or by any other Member. Notice of intention shall not be in order on the day preceding a recess of one week or more, unless supported by two-fifths of the Members shown to be present by the journal entries, or at a time which would prevent passage of the bill. No other Members may move for reconsideration on the same day that notice of intention to move for a reconsideration is given.

Majority Vote.

Rule 69. Any proposition which requires for its adoption a two-thirds or three-fourths vote may, upon failure of adoption, be reconsidered by a majority vote of the Members elected and serving.

MOTIONS FOR CALLS OF THE HOUSE

Ordering Calls of the House.

Rule 70. Calls of the House may be ordered upon motion by a majority of the Members present, but the total vote in favor of such Call shall not be less than fifteen in number. A motion for a Call of the House shall not be entertained after the previous question is ordered.

Procedure.

Rule 71. After a Call of the House is ordered, the doors shall be closed and the Members shall not be allowed to leave the floor of the House without permission of the Speaker or the Speaker's designees. The roll of the House shall be called by the Clerk and the absentees noted. The Sergeant at Arms may, upon motion, be dispatched after the absentees. In such case a list of the absentees shall be furnished by the Clerk to the Sergeant at Arms, who shall report such absentees at the bar of the House with all possible speed. In case the Sergeant at Arms shall require assistance in addition to the regularly appointed Assistant Sergeants at Arms of the House, during an authorized Call of the House, the Speaker or Presiding Officer may, upon motion, deputize any person properly qualified, including any member of the Michigan State Police, as a special assistant Sergeant at Arms. The House may proceed to business under a Call of the House pending the arrival of any absentees.

APPEALS

Form of Question.

Rule 72. On all appeals from the decisions of the Presiding Officer, the question shall be “Shall the judgment of the Chair or Presiding Officer stand as the judgment of the House?” which question shall be decided by a majority vote of those present and voting, by a roll call vote. A tie vote sustains the judgment of the Presiding Officer.

Debate.

Rule 73. No Member shall speak more than once on the question of an appeal without leave of the House by a majority vote of those Members present and voting.

Tabling Appeals.

Rule 74. An appeal may be laid on the table but shall not carry with it the subject matter before the House at the time such appeal is taken.

Amendment or Suspension of Rules.

Rule 75. Any rule of the House may be amended by a majority vote of the Members elected and serving. No rule shall be amended unless the amendment is in writing and in possession of the House five days prior to its consideration. A rule may be suspended by a vote of three-fifths of the Members shown to be present by the journal entries. Suspension of the rules as applied to matters pertaining to order of business, schedule of legislative sessions and adjournment may be by a majority vote of the Members elected and serving.

Practice.

Rule 76. In all cases not provided by the Constitution, the House Rules, or the Joint Rules of the Senate and House of Representatives, the authority shall be Mason’s Manual of Legislative Procedure.

House and Concurrent Resolutions.

Rule 77. Every resolution, both House and Concurrent, shall be read to the House, if not otherwise provided for, and shall be referred by the Speaker to a committee, or by the Presiding Officer to a committee designated by the Speaker unless under suspension of the rules immediate consideration is ordered. Resolutions of sorrow may be considered immediately upon presentation. All resolutions reported to the House by any standing committee shall not be eligible for consideration until the next legislative session day. The adoption of any concurrent resolution approving any intertransfer or transfer of any appropriation shall be by record roll call vote.

CHAPTER VI

PUBLIC ACCESS FINANCIAL RECORDS

Rule 78. The financial records of the House of Representatives shall be open for public inspection. Upon a written request which describes the financial record sufficiently to enable the House of Representatives to find the financial record, a person has a right to inspect, copy, or receive copies of that financial record of the House of Representatives. Documents shall be available for inspection during normal business hours.

A copy of the House financial records shall be on file with the House Business Office, which shall have overall authority to administer the House financial records under the direction of the Speaker of the House.

As used in this section, “financial record” means a budget, contract, purchase order, an expenditure authorization, voucher, check, warrant, lease, audit report, balance sheet, travel voucher, or allotment account.

The following information contained in legislative financial records is exempt from disclosure under this rule:

a. Information of a personal nature contained in financial records where the public disclosure of the information would constitute a clearly unwarranted invasion of an individual’s privacy is exempt from disclosure under this rule. Such information would include, but not be limited to, the following:

1. An employee’s social security account number, financial institution record, electronic transfer fund number, deferred compensation, savings bonds, W-2 and W-4 forms, and any court enforced judgments.

2. An employee’s health care benefit selection.

3. Telephone bill detail including the telephone number and name of individual called.

4. Unemployment Compensation and Workers’ Disability Compensation records.

b. Records and information specifically described and exempted from disclosure under statute or subject to attorney-client privilege.

c. A bid or proposal by a person to enter into a contract or agreement, until the time for the public opening of bids or proposals, or if a public opening is not to be conducted, until the time for the receipt of bids or proposals has expired.

d. Commercial or financial information or trade secrets voluntarily provided to the House of Representatives.

e. Communications, notes, and electronic data within the House of Representatives or between the Legislature and other public bodies of an advisory nature.

The House of Representatives may charge a reasonable fee for providing a copy of a financial record. The fee shall be limited to actual mailing costs and to the actual incremental cost of duplication or publication including labor, the cost of search, examination, review, and the deletion of exempt from nonexempt information.

The House of Representatives may also charge a reasonable fee for providing for the inspection of financial records. This fee may include the actual incremental cost of supervising the inspection including labor, the cost of search, examination, review, and the deletion of exempt from nonexempt information.

Rule 79. The House may adopt any such other rules and policies as are necessary to provide for the orderly dissemination of materials to and communication with the public including, but not limited to, dissemination and communication by electronic means.

Rule 80. Nothing in these rules shall prohibit the cable broadcast of sessions of the Michigan House of Representatives. The House may adopt such rules and policies as are necessary to provide for the orderly cable broadcast of sessions.

CHAPTER VII

MISCELLANEOUS

READING, ENDORSEMENT OF PAPERS AND PERSONAL PRIVILEGE

Reading and Personal Privilege.

Rule 81. (1) When the reading of a paper is called for and an objection is raised to such reading, the House by a majority vote of the Members present and voting shall determine whether or not the paper shall be read.

(2) Matters involving personal privilege are limited and include only the following:

a. Anything tending to subject a Member to ridicule or contempt.

b. Charges in news media accounts relating to a Member in his or her representative capacity only.

c. News media accounts attributing to a Member remarks he or she has not made.

d. Accusation by another Member in debate of intentional misrepresentation.

e. Assault on a Member for words spoken in debate.

f. Arrest of a Member except for treason, felony or breach of the peace.

Under a question of personal privilege a Member is required to confine his or her remarks to the matter of personal concern. All statements of personal privilege and all constitutional protests shall be made under the order of Comments and Recommendations and shall not exceed three minutes nor be greater in length than 500 words.

Expungement of Records and Petitions.

Rule 82. Any Member may dissent from and protest against any act, proceeding or resolution which he or she deems injurious to any person or the public and have the reason for such dissent entered in the journal. Any matter may be expunged from the record as not being privileged by order of the House by a majority of the Members elected and serving. When any matter is ordered expunged from the record, as above provided, no mention shall be made of the same nor of the action of the House in ordering such expunction.

No memorial, remonstrance or petition, except recount petitions, shall be printed in the daily journal without having been read to the House and ordered printed in the journal by a majority vote of those present. Remarks made under the order of business of Comments and Recommendations shall not be printed in the journal.

QUALIFICATIONS OF MEMBERS

Oath of Office.

Rule 83. Upon objection by any Representative or Representative-elect, no Representative-elect shall be given the oath of office or be permitted to be seated as a Member if he or she has previously been convicted of any election law violation which contributed to his or her election to the House of Representatives, subversion or has within the preceding 20 years been convicted of a felony involving a breach of public trust. (See Const 1963, Art 4 § 7) Upon a finding by a majority vote of the Members elected and serving in the House that the offense committed by such Representative-elect is within the provisions of this rule, that person shall be declared to be not qualified for membership in the House, and the office shall be declared vacant. The question of a Member's qualifications shall be presented only by a Member.

CHAPTER VIII**EQUALLY DIVIDED HOUSE**

Rule 84. If at any time during the eighty-ninth legislative session, there are 55 Members duly elected and serving as Democrats as evidenced by the party he or she represented on the general or special election ballot from which he or she was elected to the eighty-ninth legislative session, and 55 Members duly elected and serving as Republicans as evidenced by the party he or she represented on the general or special election ballot from which he or she was elected to the eighty-ninth legislative session, then the House of Representatives shall proceed with the election of a Speaker and other officers provided for in Rule 1 by at least 56 votes.

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, three-fifths of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

The Acting Clerk announced that the next business in order was the election of the Speaker.

Rep. Gagliardi moved that all the nominating, seconding and acceptance speeches be printed in the Journal.

The motion prevailed.

Rep. Griffin placed in nomination the name of Rep. Curtis Hertel.

Rep. Griffin:

“Mr. Speakers, all four of you, Ladies and Gentlemen of the House: Today I place before you the name of my good friend and colleague, Curtis Hertel, for Speaker of the Michigan House of Representatives. I do so with a deep sense of pride in my Democratic Caucus and an equally strong conviction that Curtis Hertel is an excellent choice to lead us in the upcoming 89th Legislature. Four years ago, I was honored to give the nominating speech for Rep. Hertel to be co-speaker. At that time, I spoke of his family in general and his father, Jack Hertel, in particular. While Jack is not with us today, the rest of the family is—Vicki and the children, John, Dennis and his mother—which reminds me that when Dennis went to Congress and John went to the Senate, Curtis showed up at the front door and said that we had one more hurdle to cross. For many of us, this is the last time that we’ll ever vote for the speaker. It’s important then that the member to whom we hand the gavel is someone that this body holds in the highest regard. Curtis, I know, loves the House and this chamber as much as anyone who has served here. Our tradition and our memory are in good hands. My fellow colleagues, I officially nominate Curtis Hertel for the position of Speaker of the House of Representatives.”

Rep. Sikkema seconded the nomination of Rep. Curtis Hertel.

Rep. Sikkema:

“Thank you Madam Clerk. Madam Clerk and members, I rise to second the nomination of Curtis Hertel as Speaker of the House. Two years ago Representative Hertel rose from this floor to second the nomination of Paul Hillegonds as Speaker. In his remarks that day Representative Hertel congratulated Republicans for our victory at the polls in 1994. Today, it is our turn. Representative Hertel, I sincerely congratulate you and your Democratic colleagues for a hard fought victory. I respect the election results and the proper role of the majority in this legislative body.

Curtis, I have served with you for ten years. I believe you care about this institution, its vitality, its effectiveness and certainly about its proper role in state government. I have seen in you a quietness and a calmness that will serve you well as Speaker. You have demonstrated, most visibly during the time of shared control a belief that people of good intentions can work together to solve problems if they choose to do so. It is my belief that these characteristics must be present for this session to be successful. For, the hard, cold reality is that we have divided government today. Any party or individual in the House, in the Senate, or in the Executive Office which seeks to dominate purely by position or power rather than by persuasion will surely fail in this environment.

Let me say that I am proud of the legislative success of the House Republican Caucus. The changes that have been recently accomplished across the broad range of public policy will take root and remain in place for many, many years. We believe, however, that what has led to our success in the legislative arena is quite simple—a belief in the power of ideas, a commitment to open and honest debate, and increased public access to government. We do not intend, in the months and weeks ahead, to gloss over our differences with the majority party. But, to the extent that kind of environment is continued in this House by the new leadership, we will seek common ground.

This will be a historic session. Never before in the 160 year history of this state have we begun a session in which almost two-thirds of us are constitutionally prohibited from seeking re-election. There exists no road map and no model for us to follow that leads to success. The fact of the matter is that we have to create it ourselves during this session. This presents a tremendous challenge and a responsibility. To the Speaker and to the leadership—yes, but also to each and every one of us as members. It is my hope for every man and woman who took the oath of office today, that long after this session is over our service in the Michigan House during the 89th Legislature will be a mark of honor and distinction and pride. Madam Clerk, it is in this spirit that I proudly rise to recognize the nomination of Curtis Hertel as Speaker.”

The question being on the election of the Speaker,

The roll of the House was called by the Acting Clerk and the members voted as follows:

For Curtis Hertel

Roll Call No. 1

Yeas—106

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

Nays—0

The Acting Clerk announced that Rep. Curtis Hertel, having received a majority vote of the members present and voting, was duly elected Speaker of the House of Representatives.

The Chair named as a committee to conduct Speaker Hertel to the Chair, Reps. Olshove, Parks and Sikkema.

The Speaker, Rep. Hertel, then addressed the House as follows:

“Well, when I got up here on the podium, the Clerk reminded me that I had left without my escort but I told her that I couldn’t wait any longer to get up here. I should also tell you while the board was open during the roll call, my 11-year-old son, Kevin, turned to me and asked me if it looked ok. Kevin, it was ok.

Let me begin by extending to each of my colleagues here this afternoon my heartfelt congratulations to you and my thanks for the trust and confidence that you have placed in me today. I want to thank Cardinal Maida for being here to perform the invocation. I know that he had to return to Detroit to continue his duties, but it was certainly an honor to have him here with us. As my brother, Dennis, said to me earlier this morning when we were talking with the Cardinal—as we go into the next two years, we are certainly going to need all of the help we can get. So, I thought it was particularly appropriate to have the Cardinal with us and we thank him for being here. I also want to express, on behalf of all of my colleagues here in the House, gratitude to Chief Justice Mallett for being here with us this afternoon, and to extend congratulations to him upon his selection as Chief Justice. It is certainly an honor that he so richly deserved. Congratulations to the Chief Justice. To my good friend, the distinguished Republican leader in this Chamber, someone I've come to know and work very well with over the past two years, Ken, I think I know better than anyone the challenge that you face over the next two years in your new role. I also know from having worked with you for two years that you have the ability and you have the character to do the job and I want you to know that I, the leadership on my side of the aisle, and my colleagues on the Democratic side of the aisle look forward to working very closely with you. Thank you for your kind words today. I also want to extend my thanks to Representative Michael Griffin for his generous words today. Michael, in this business I was told that as a freshman you make very few friends and many acquaintances during your time here—I am proud to call you my friend. Thank you Michael.

While we were selecting seats earlier today it occurred to me that this is a very long day for many of you. Those of you, in particular, who have young children here with you. I brought along a photo from my office which was taken ten years ago on swearing-in day. At that time my four children: Curtis was nine; Matthew was six; Kevin was 20 months; Lisa was three years old, were here and I remember distinctly that day, and so many other days, having family here and how long and difficult the day is. So, for that reason, I am going to attempt to keep my remarks brief this afternoon.

I would ask my colleagues to indulge me in a point of personal privilege because there are some special people in my life that are here today that I would like to share with you. First, is my mother, Marie Hertel. Mom, while we both wish that Dad was sitting beside you today, I want you to know that the strong sense of purpose and integrity that you and Dad instilled in me early in life is still very much with me. Thank you for everything. To my wife, Vickie, without your strength and love I wouldn't be standing here today. Thank you. To my children: Curtis, Matthew, Lisa, Kevin—you, along with your mother, are the foundation of my life. Please don't ever forget that. I know I won't. To my brothers John and Dennis, I have benefitted from your knowledge, experience and guidance more than you will ever know. I want everyone here to know how proud I am to be your brother.

I know that Representative Griffin touched on this, but I too want to acknowledge the presence of four former Speakers of the House who are with us this afternoon. We are honored to have them here. First, let me introduce to you Speaker Lou Dodak who is the man responsible for the beautiful renovation of this Chamber and is also the man responsible for bringing me along and making me a part of the leadership team in the House many, many years ago. Without that guidance I wouldn't be here today. Lou, thank you. Next, Speaker Gary Owen—a soft spoken Speaker. Gary, was the Speaker who gave me my first chance as a committee chair in only my second term which was a rare opportunity for a member of that standing and I'll never be able to thank him enough for that. Thank you Gary. Thanks for being here today. Next Speaker is Speaker Bobby Crim. Bobby was Speaker of the House when I was first elected to this Chamber in 1980. He helped me a great deal with my first election and helped guide me in my freshman term here in the House of Representatives. Bobby, thank you for being here today. And, last, but certainly not least, we are most honored to have with us a legend among Speakers. His leadership in this institution is second to none. His record of integrity, hard work and accomplishment in this Chamber remains unchallenged both by those who preceded him and those who came after him, Speaker Bill Ryan. Bill, thank you for being here. What really bothers me most about being here with the four Speakers today is that when they were down in my office before we came up to the Chamber at noon I was taking a photograph with them and I noticed that they all have more hair than I do.

Let me turn briefly to the business at hand this afternoon and look forward to the 89th Legislative Session. I know there are those that expect that over the next two years, this House will be little more than a burial ground for unsavory political policy. More than once since election day I have been greeted with the phrase, "well at least you'll be able to kill that in the House." Those who mistakenly believe that this Body will become little more than a partisan counterpart to the Governor and the Senate have underestimated our resolve. The message of last November was not to stand still, but to seize the initiative. While there may be those who will too often inject controversy into our deliberations, my commitment and the commitment of our caucus is simple—a willingness to set aside partisan differences so that we can reach our common destination together. For most of us this is the last time that we will be sworn in as members of this House. Like many of you, I have always taken a great deal of pride in being a member of this Body. It has been said, and I believe it is true, that because we stand for election every two years we are the people's House. We are closer to the citizens that we represent. That is a great responsibility for each and every one of us. So, let us resolve today to set aside our differences and work together to amass a record of accomplishments over the next two years so that in years to come when we remember the 89th Legislature, we will each remember it as our finest hour. Thank you very much and God bless you."

The Speaker announced that the next business in order was the election of the Speaker Pro Tempore.

Rep. Curtis placed in nomination the name of Raymond M. Murphy.

Rep. Curtis:

“It is with a distinct honor and pleasure to nominate Rep. Ray Murphy for the position of Speaker Pro Tempore. Ray’s proven leadership and ability will continue to provide integrity to the Michigan House of Representatives and I so move his nomination, Mr. Speaker.”

Rep. London seconded the nomination of Rep. Raymond M. Murphy.

Rep. London:

“Thank you Mr. Speaker and members. It is my pleasure to second the motion to nominate Mr. Raymond Murphy to the office of Speaker Pro Tempore. I have served with Rep. Murphy for 12 years. He knows and understands the rules and so, Mr. Speaker, with the tradition and the spirit of bipartisanship, I would like to second the motion to nominate Raymond Murphy for the position of Speaker Pro Tempore.”

The question being on the election of the Speaker Pro Tempore,

The roll of the House was called by the Acting Clerk and the members voted as follows:

For Raymond M. Murphy

Roll Call No. 2

Yeas—107

Agee	Emerson	Kaza	Profit
Alley	Fitzgerald	Kelly	Prusi
Anthony	Frank	Kilpatrick	Quarles
Baade	Freeman	Kukuk	Rackowski
Baird	Gagliardi	LaForge	Rhead
Banks	Galloway	Law	Richner
Birkholz	Geiger	Llewellyn	Rison
Bobier	Gernaat	London	Rocca
Bodem	Gilmer	Lowe	Schauer
Bogardus	Gire	Mans	Schermesser
Brackenridge	Godchaux	Martinez	Schroer
Brater	Goschka	Mathieu	Scott
Brewer	Green	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
Cropsey	Hood	Owen	Walberg
Curtis	Horton	Oxender	Wallace
Dalman	Jansen	Palamara	Wetters
DeHart	Jaye	Parks	Whyman
DeVuyst	Jelinek	Perricone	Willard
Dobb	Jellema	Pitoniak	Wojno
Dobronski	Johnson	Price	

Nays—0

In The Chair: Hertel

The Speaker announced that Raymond M. Murphy, having received a majority vote of the members present and voting for the office of Speaker Pro Tempore, was duly elected Speaker Pro Tempore of the House of Representatives.

The Speaker appointed Reps. Quarles, Schermesser and Perricone to escort Speaker Pro Tempore, Rep. Murphy, to the rostrum.

Speaker Pro Tempore, Rep. Murphy, addressed the House as follows:

“Mr. Speaker and members. Let me thank you for the confidence that you have placed in me to be Speaker Pro Tempore for the next two years. I would imagine that I will spend most of that time standing here presiding over the sessions. I will be fair with all the representatives, giving everyone—both Democrats and Republicans—a chance to voice their viewpoints. I will try to run a good, fair, and strong meeting and with that said, I would like to say thank you for electing me as Speaker Pro Tempore of the House of Representatives.”

The Speaker announced that the next business in order was the election of the Associate Speaker Pro Tempore.

Rep. Ciaramitaro placed in nomination the name of Rep. Sharon Gire.

Rep. Ciaramitaro:

“Thank you, Mr. Speaker. I rise to place the nomination for the position of Associate Speaker Pro Tempore the name of a person who has contributed greatly to her district, her party and her state. Representative Sharon Gire has served as a city commissioner, a county commissioner and, for the last ten years as a member of this House. Even before entering public life, she served the community both in her employment and in her volunteer efforts. Sharon is well known in Macomb County and in this Legislature for her quiet, but persistent, leadership. She demonstrates the tact and grace that are so vital in a government split between differing ideologies and political parties. She fights with great determination for the causes she holds so dear, yet she has always exhibited respect for the opinions of others and the courtesy to her colleagues that should always be the rule in this Chamber. I am proud and honored to nominate my colleague, my neighbor and my friend, State Representative Sharon Gire for the position of Associate Speaker Pro Tempore.”

Rep. Bankes seconded the nomination of Rep. Sharon Gire.

Rep. Bankes:

“Thank you, Mr. Speaker. It is my distinct pleasure, Mr. Speaker, to second the nomination of Sharon Gire as Associate Speaker Pro Tempore. Sharon has long been a very effective legislator that has worked not only for her district, but for all of the people of Michigan. As a legislator who believes in bipartisan effort to get the job done, she was very helpful in the passage of the welfare reform package. For years as a legislator, and before that as a social worker, she has been an advocate for Michigan’s children and families. And, to that effort she co-chairs the Michigan Child Care Task Force which advocates quality, safe and affordable child care. She knows that if welfare reform is to be successful, we must take care of the children, and she is there to advocate on their behalf. Sharon does all of these things—not for the publicity but because she knows it is the right thing to do. She is tenacious in reaching her goals. I appreciate the opportunity, Mr. Speaker, to second the nomination of my friend and co-worker, Sharon Gire.”

The question being on the election of the Associate Speaker Pro Tempore,

The roll of the House was called by the Acting Clerk and the members voted as follows:

For Sharon Gire

Roll Call No. 3

Yeas—108

Agee	Emerson	Johnson	Price
Alley	Fitzgerald	Kaza	Profit
Anthony	Frank	Kelly	Prusi
Baade	Freeman	Kilpatrick	Quarles
Baird	Gagliardi	Kukuk	Rackowski
Bankes	Galloway	LaForge	Rhead
Birkholz	Geiger	Law	Richner

Bobier	Gernaat	Llewellyn	Rison
Bodem	Gilmer	London	Rocca
Bogardus	Gire	Lowe	Schauer
Brackenridge	Godchaux	Mans	Schermesser
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	Hertel	Olshove	Voorhees
Curtis	Hood	Owen	Walberg
Dalman	Horton	Oxender	Wallace
DeHart	Jansen	Palamara	Wetters
DeVuyst	Jaye	Parks	Whyman
Dobb	Jelinek	Perricone	Willard
Dobronski	Jellema	Pitoniak	Wojno

Nays—0

In The Chair: Hertel

The Speaker announced that Sharon Gire, having received a majority vote of the members present and voting for the office of Associate Speaker Pro Tempore, was duly elected Associate Speaker Pro Tempore of the House of Representatives.

The Speaker appointed Reps. Willard, Hale and Crissman to escort Associate Speaker Pro Tempore, Rep. Gire, to the rostrum.

Associate Speaker Pro Tempore, Rep. Gire, addressed the House as follows:

“Mr. Speaker, colleagues and guests, thank you very much for this special privilege and honor of serving you in the next term. I look forward to serving in this leadership capacity for the next two years. As we move forward into this historic term—as has been noted before, when the vast majority of us are lame ducks—I believe it is more important than ever that we work together to address the issues and problems facing us in the state of Michigan. In two years when almost 70 of us will leave this Legislature, I know that we want to leave a record of accomplishment, problem solving and cooperation. For those of you who will remain, hopefully we will have left a model of working together to find solutions to the challenging problems our state faces. This is what our constituents want, deserve and expect from us. I pledge my support to our Speaker and you, my colleagues, to help us work toward that goal. I’d like to say a special thanks to Representative Ciaramitaro and Representative Bankes for their very kind words and thank you all very much for this opportunity. God bless you.”

The Speaker announced that the next business in order was the election of the Clerk.

Rep. Martinez placed in nomination the name of Mary Kay Scullion.

Rep. Martinez:

“Thank you Mr. Speaker. It is my privilege today to place into nomination for the position of Clerk of the House, the name of a friend, colleague and constituent who is a stranger to none of us. The person that I would like to nominate today is Mary Kay Scullion. She has been around this institution for a long time, having started out on research staff and moving into position as legal counsel—first in the Senate and then in the House—and more recently serving us here in this body as Assistant Clerk and Parliamentarian. The position of Clerk in this body is a very special one and the reason that I am so pleased to be able to place the name of Mary Kay Scullion into nomination today is

that I so much appreciate the commitment that she has to this institution and the commitment that she has to the democratic process and to keeping clear the procedures, rules, operations and records of the House. She served us under a number of different kinds of leadership and positions here. She helped us craft and operate under agreements that provided for shared leadership and I am very confident that we will be served well and be able to work very well with Mary Kay Scullion. Therefore, I officially and formally nominate her to the position of Clerk of the House.”

Rep. Nye seconded the nomination of Mary Kay Scullion.

Rep. Nye:

“Thank you Mr. Speaker. It is with great honor and pleasure that I am here to second the nomination. I remember that I had mixed feelings when Mary Kay became the Assistant Clerk of this House. For one, I thought it was a great honor for her to be able to move forward and become the Assistant Clerk and now the Clerk; but I was also saddened because of the hours and years that she and the different chairs of the Judiciary Committee and myself had debated many, many issues. Some of those issues we used to date by the age of her daughter and, in fact, sentencing guidelines we’re still dating with regard to the age of her daughter because this started when she was pregnant. Through the many years of debating issues, I have come to have a great respect for Mary Kay—her honesty, integrity and her ability to remain my friend even after we have had heated hours of debate—and respect all of our opinions and try to work to consensus with regard to those issues. She is an individual who is very sharp but yet fair. She is also an individual, at least for our benefit, who has 20/20 vision in both eyes—some of you older members will understand that concept. Mary Kay is also an individual who has put this institution above all and I think that is important for us as we head down the road into this term limit situation we are facing because Mary Kay has always been interested in the institution not whether it was Republican or Democrat but what was the issue we were dealing with and would it preserve us as a House of Representatives which is very important. So, it is with great pleasure that I second the nomination of Mary Kay Scullion for the position of Clerk of the House of Representatives.”

The question being on the election of the Clerk,

The roll of the House was called by the Speaker and the members voted as follows:

For Mary Kay Scullion

Roll Call No. 4

Yeas—107

Agee	Fitzgerald	Kaza	Profit
Alley	Frank	Kelly	Prusi
Anthony	Freeman	Kilpatrick	Quarles
Baade	Gagliardi	Kukuk	Raczkowski
Baird	Galloway	LaForge	Rhead
Banks	Geiger	Law	Richner
Birkholz	Gernaat	Llewellyn	Rison
Bobier	Gilmer	London	Rocca
Bodem	Gire	Lowe	Schauer
Bogardus	Godchaux	Mans	Schermesser
Brackenridge	Goschka	Martinez	Schroer
Brater	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	Hertel	Olshove	Voorhees
Curtis	Hood	Owen	Walberg
Dalman	Horton	Oxender	Wallace
DeHart	Jansen	Palamara	Wetters
DeVuyst	Jaye	Parks	Whyman

Dobb
Dobronski
Emerson

Jelinek
Jellema
Johnson

Perricone
Pitoniak
Price

Willard
Wojno

Nays—0

In The Chair: Hertel

The Speaker announced that Mary Kay Scullion, having received a majority vote of the members present and voting for the office of Clerk, was duly elected Clerk of the House of Representatives.

The Clerk-elect took and subscribed the constitutional oath of office, which was administered by the Speaker.

Clerk of the House, Mary Kay Scullion:

“Thank you. I am truly thrilled to have been elected Clerk of this body. Both Rep. Martinez and Rep. Nye captured how I feel about it. I love this institution and am committed to it. I want to say a special thank you to Speaker Hertel for his faith in my ability to do this job and for his request that I come forward and come into the Clerk’s Office a year and a half ago. Without his support, I would not be here. Thank you Speaker Hertel. Again, I want to thank the membership of this body. I am honored—truly honored—today. And, I want to say thank you to my family and my friends for their support and want to let you know that I am joined here by my father, Jim Scullion; my youngest sister, Patrice Scullion, who flew in from Marquette today to join us; my daughter, Meghan, that Rep. Nye pointed out is kind of the gauge by which we measure how long we had been working on certain issues; and my dear friend, Patricia Curran. Most of all I want to say that I look forward to working with all of you for the next two years. Thank you.”

Rep. Gagliardi moved that the Clerk be directed to notify the Governor and the President of the Senate that the House had completed its organization and was ready to proceed with the business of the session.

The motion prevailed.

Reps. Gagliardi and Gustafson offered the following resolution:

House Resolution No. 2.

A resolution fixing the hour for daily sessions.

Resolved, That unless otherwise ordered, the daily sessions of the House of Representatives commence on Monday at 5:00 o’clock p.m., Tuesday and Wednesday at 2:00 o’clock p.m. and on Thursday at 10:00 o’clock a.m.

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, three-fifths of the members present voting therefor.

The question being on the adoption of the resolution,

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

Roll Call No. 5

Yeas—107

Agee
Alley
Anthony
Baade
Baird
Bankes
Birkholz
Bobier
Bodem
Bogardus
Brackenridge
Brater

Emerson
Fitzgerald
Frank
Freeman
Gagliardi
Galloway
Geiger
Gernaat
Gilmer
Gire
Godchaux
Goschka

Kaza
Kelly
Kilpatrick
Kukuk
LaForge
Law
Llewellyn
London
Lowe
Mans
Martinez
Mathieu

Profit
Prusi
Quarles
Raczkowski
Rhead
Richner
Rison
Rocca
Schauer
Schermesser
Schroer
Scott

Brewer	Green	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
Cropsey	Hood	Owen	Walberg
Curtis	Horton	Oxender	Wallace
Dalman	Jansen	Palamara	Wetters
DeHart	Jaye	Parks	Whyman
DeVuyst	Jelinek	Perricone	Willard
Dobb	Jellema	Pitoniak	Wojno
Dobronski	Johnson	Price	

Nays—0

In The Chair: Hertel

Reps. Gagliardi and Gustafson offered the following resolution:

House Resolution No. 3.

A resolution requesting the Department of Management and Budget to furnish copies of the Compiled Laws of 1979 and 1 complete set of the Public Acts of each subsequent session and Michigan Manuals.

Resolved, That the Department of Management and Budget be and is hereby requested to furnish to each member of the House of Representatives 1 complete set of the Michigan Compiled Laws of 1979, 1 complete set of the Public Acts of each subsequent session, and 1 copy of the latest edition of the Michigan Manual, for use at their House offices during sessions, such sets to be the property of the State and to be stored during the interim; and be it further

Resolved, That the Department of Management and Budget be requested to furnish the Clerk of the House copies of the latest editions of the above for use in House offices under the supervision of the Clerk as requisitioned by the Clerk.

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, three-fifths of the members present voting therefor.

The question being on the adoption of the resolution,

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

Roll Call No. 6**Yeas—106**

Agee	Emerson	Kelly	Profit
Alley	Fitzgerald	Kilpatrick	Prusi
Anthony	Frank	Kukuk	Quarles
Baade	Freeman	LaForge	Rackowski
Baird	Gagliardi	Law	Rhead
Banks	Galloway	Llewellyn	Richner
Birkholz	Geiger	London	Rison
Bobier	Gernaat	Lowe	Rocca
Bodem	Gilmer	Mans	Schauer
Bogardus	Gire	Martinez	Schermesser
Brackenridge	Godchaux	Mathieu	Schroer
Brater	Goschka	McBryde	Scott
Brewer	Green	McManus	Scranton
Brown	Gubow	McNutt	Sikkema
Byl	Gustafson	Middaugh	Stallworth
Callahan	Hale	Middleton	Tesanovich

Cassis	Hammerstrom	Murphy	Thomas
Cherry	Hanley	Nye	Varga
Ciaramitaro	Harder	Olshove	Vaughn
Crissman	Hertel	Owen	Voorhees
Cropsey	Hood	Oxender	Walberg
Curtis	Horton	Palamara	Wallace
Dalman	Jansen	Parks	Wetters
DeHart	Jelinek	Perricone	Whyman
DeVuyst	Jellema	Pitoniak	Willard
Dobb	Johnson	Price	Wojno
Dobronski	Kaza		

Nays—0

In The Chair: Hertel

Reps. Gagliardi and Gustafson offered the following resolution:

House Resolution No. 4.

A resolution directing the Clerk to notify the Governor that the House has assembled and is ready to proceed with the business of the session.

Resolved, That the Clerk of the House is hereby directed to notify the Governor that the House of Representatives has convened pursuant to the requirements of the Constitution and is ready to proceed with the business of the session.

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, three-fifths of the members present voting therefor.

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

Roll Call No. 7**Yeas—107**

Agee	Emerson	Kaza	Profit
Alley	Fitzgerald	Kelly	Prusi
Anthony	Frank	Kilpatrick	Quarles
Baade	Freeman	Kukuk	Rackowski
Baird	Gagliardi	LaForge	Rhead
Bankes	Galloway	Law	Richner
Birkholz	Geiger	Llewellyn	Rison
Bobier	Gernaat	London	Rocca
Bodem	Gilmer	Lowe	Schauer
Bogardus	Gire	Mans	Schermesser
Brackenridge	Godchaux	Martinez	Schroer
Brater	Goschka	Mathieu	Scott
Brewer	Green	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
Cropsey	Hood	Owen	Walberg
Curtis	Horton	Oxender	Wallace
Dalman	Jansen	Palamara	Wetters
DeHart	Jaye	Parks	Whyman

DeVuyst
Dobb
Dobronski

Jelinek
Jellema
Johnson

Perricone
Pitoniak
Price

Willard
Wojno

Nays—0

In The Chair: Hertel

Reps. Gagliardi and Gustafson offered the following resolution:

House Resolution No. 5.

A resolution directing the Clerk to notify the Senate that the House has assembled and is ready to proceed with the business of the session.

Resolved, That the Clerk of the House is hereby directed to notify the Senate that the House of Representatives has convened pursuant to the requirements of the Constitution and is ready to proceed with the business of the session.

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, three-fifths of the members present voting therefor.

The question being on the adoption of the resolution,

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

Roll Call No. 8

Yeas—106

Agee
Alley
Anthony
Baade
Baird
Banks
Birkholz
Bobier
Bodem
Bogardus
Brackenridge
Brater
Brewer
Brown
Byl
Callahan
Cassis
Cherry
Ciaramitaro
Crissman
Cropsey
Curtis
Dalman
DeHart
DeVuyst
Dobb
Dobronski

Emerson
Fitzgerald
Frank
Freeman
Gagliardi
Galloway
Geiger
Gernaat
Gilmer
Gire
Godchaux
Goschka
Green
Gubow
Gustafson
Hale
Hammerstrom
Hanley
Harder
Hertel
Hood
Horton
Jansen
Jaye
Jelinek
Jellema
Johnson

Kaza
Kelly
Kilpatrick
Kukuk
LaForge
Law
Llewellyn
London
Lowe
Mans
Martinez
Mathieu
McBryde
McManus
Middaugh
Middleton
Murphy
Nye
Olshove
Owen
Oxender
Palamara
Parks
Perricone
Pitoniak
Price

Profit
Prusi
Quarles
Raczkowski
Rhead
Richner
Rison
Rocca
Schauer
Schermesser
Schroer
Scott
Scranton
Sikkema
Stallworth
Tesanovich
Thomas
Varga
Vaughn
Voorhees
Walberg
Wallace
Wetters
Whyman
Willard
Wojno

Nays—0

In The Chair: Hertel

Pursuant to Article IV, Section 12, of the Constitution of the State of Michigan of 1963, this resolution requires a two-thirds vote of the members elected to and serving in each house.

Reps. McManus, Crissman, Perricone, Kaza, McBryde, Horton, Brater, Byl, Jellema, Green and Richner offered the following concurrent resolution:

House Concurrent Resolution No. 1.

A concurrent resolution rejecting the findings and recommendations of the State Officers Compensation Commission relative to the compensation and expense allowances of the Governor, Lieutenant Governor, the Justices of the Supreme Court, and the members of the Michigan Legislature.

Whereas, The State Officers Compensation Commission was created by 1968 PA 357 pursuant to Article IV, Section 12, of the Constitution of the State of Michigan of 1963; and

Whereas, The State Officers Compensation Commission is charged with the responsibility for determining the salaries and expense allowances of the Governor, Lieutenant Governor, the Justices of the Supreme Court, and the members of the Michigan Legislature. These determinations shall be filed before December 31st of each even-numbered year and shall be effective on January 1st of the year following their filing unless the legislature, by concurrent resolution adopted by a 2/3 vote of the members elected to and serving in each house, prior to February 1st of the year following the filing of the determinations, rejects either the entire determination or specific determinations for specific positions. In the event of rejection, the existing salaries and expense allowances shall prevail retroactive to January 1st; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of the Michigan Legislature, pursuant to the provisions of 1968 PA 357, hereby reject the compensation and expense allowance determinations of the State Officers Compensation Commission for 1997 and 1998 for the Governor, Lieutenant Governor, Justices of the Supreme Court, and members of the Michigan Legislature; and be it further

Resolved, That a copy of this resolution be transmitted to the State Officers Compensation Commission and to the Director of the Department of Management and Budget.

Pending the reference of the concurrent resolution to a committee,

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

The motion prevailed, three-fifths of the members present voting therefor.

The question being on the adoption of the concurrent resolution,

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

The motion prevailed.

Messages from the Senate

January 8, 1997

The Honorable Curtis Hertel
Speaker of the House of Representatives
Capitol Building
Lansing, Michigan 48913
Dear Mr. Speaker:

By direction of the Senate, I hereby notify you that a quorum of the Senate has assembled and is ready to proceed with the business of the session.

Very respectfully,
Carol Morey Viventi, J.D.
Secretary of the Senate

Senate Concurrent Resolution No. 1.

A concurrent resolution granting authority for adjournment for more than 2 days.

Resolved by the Senate (the House of Representatives concurring), That each House hereby grants unto the other permission to adjourn for not more than 15 intervening calendar days at such times as each House shall determine at any time during the 1997 and 1998 regular sessions.

The Senate adopted the concurrent resolution.

Pending the reference of the concurrent resolution to a committee,

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

The motion prevailed, three-fifths of the members present voting therefor.

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 9**Yeas—104**

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

Nays—1

Jaye

In The Chair: Hertel

Senate Concurrent Resolution No. 2.

A concurrent resolution prescribing the Joint Convention Rules for the Legislature.

Resolved by the Senate (the House of Representatives concurring), That the following be and are hereby adopted as the Joint Convention Rules of the Senate and House of Representatives:

**JOINT CONVENTION RULES
OF THE
SENATE AND HOUSE OF REPRESENTATIVES**

Held in Hall of House.

Rule 1. Joint conventions shall be held in the Hall of the House of Representatives, or such other location as may be agreed to by the Speaker of the House of Representatives and the Majority Leader of the Senate. The President of the Senate or, in the absence of the President of the Senate, the Speaker of the House shall preside. Before the 2 Houses shall meet in joint convention, a concurrent resolution shall be introduced in one House setting forth the date and hour at which the joint convention shall meet, which, if adopted, shall be transmitted to the other House for concurrence.

Secretaries-Journals.

Rule 2. The Secretary of the Senate and Clerk of the House of Representatives shall be the secretaries of the joint convention. The proceedings of the joint convention shall be published with the Journals of the House, and the final result, as announced by the President on the return of the Senate to its chamber, shall be entered on the Journals of the Senate.

Rules of House to Govern.

Rule 3. The rules of the House of Representatives, so far as the same may be applicable, shall govern the proceedings in joint convention.

President pro tempore of Convention.

Rule 4. Whenever the Speaker of the House presides, he or she shall be entitled to vote on all occasions, and in case of a tie the question shall be declared lost.

Power to Compel Attendance.

Rule 5. Joint conventions shall have the power to compel the attendance of absent members in the mode and under the penalties prescribed in the rules of the House to which such members respectively belong, and for that purpose the Sergeant at Arms of each House shall attend.

May Adjourn from Time to Time.

Rule 6. Joint conventions may adjourn from time to time, as may be found necessary, and it shall be the duty of the House of Representatives to prepare to receive the Senate, and of the Senate to proceed to the joint convention, at the time fixed by law or resolution, or to which the joint convention may have adjourned.

The Senate adopted the concurrent resolution.

Pending the reference of the concurrent resolution to a committee,

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

The motion prevailed, three-fifths of the members present voting therefor.

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 10**Yeas—106**

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

Nays—0

In The Chair: Hertel

The Speaker, Rep. Hertel, called the Speaker Pro Tempore, Rep. Murphy, to the Chair.

Senate Concurrent Resolution No. 3.

A concurrent resolution providing for a joint convention of the Senate and House of Representatives.

Resolved by the Senate (the House of Representatives concurring), That the Senate and House of Representatives meet in joint convention in the Hall of the House of Representatives on Tuesday, January 28, 1997, at 7:00 p.m. to receive the message of Governor John Engler.

The Senate adopted the concurrent resolution.

Pending the reference of the concurrent resolution to a committee,

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

The motion prevailed, three-fifths of the members present voting therefor.

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 11**Yeas—105**

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

Nays—0

In The Chair: Murphy

Senate Concurrent Resolution No. 4.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Wednesday, January 8, 1997, it stand adjourned until Tuesday, January 28, 1997, at 6:15 p.m.; and be it further

Resolved, That when the House of Representatives adjourns on Wednesday, January 8, 1997, it stand adjourned until Tuesday, January 28, 1997, at 6:00 p.m.

The Senate adopted the concurrent resolution.

Pending the reference of the concurrent resolution to a committee,

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

The motion prevailed, three-fifths of the members present voting therefor.

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 12**Yeas—104**

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

Nays—0

In The Chair: Murphy

The Speaker Pro Tempore, Rep. Murphy, called the Associate Speaker Pro Tempore, Rep. Gire, to the Chair.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Gagliardi moved to suspend that portion of Rule 44 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

The motion prevailed, three-fifths of the members present voting therefor.

Rep. Gagliardi moved that his remarks be printed in the Journal.

The motion prevailed.

“I would like to take a point of personal privilege and announce to the members of this body and our families and guests that today is an historic day. It’s hard to imagine that in 1997 we are just now seeing the first woman Clerk of the House elected, and on behalf of all of us to you, Mary Kay, thanks for setting history today.”

Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Tuesday, January 28, at 6:00 p.m. The motion prevailed.

Pursuant to Article IV, Section 12, of the Constitution of the State of Michigan of 1963, this resolution requires a two-thirds vote of the members elected to and serving in each house.

Reps. Brown, DeHart, Schauer, Brewer, Bogardus, Willard and Wetters offered the following concurrent resolution:
House Concurrent Resolution No. 2.

A concurrent resolution rejecting the recommendations of the State Officers Compensation Commission for 1997 and 1998.

Whereas, The State Officers Compensation Commission was created by 1968 PA 357 pursuant to Article IV, Section 12, of the Constitution of the State of Michigan of 1963; and

Whereas, The State Officers Compensation Commission is charged with the responsibility for determining the salaries and expense allowances of the Governor, Lieutenant Governor, the Justices of the Supreme Court, and the members of the Michigan Legislature. These determinations shall be filed before December 31st of each even-numbered year and shall be effective on January 1st of the year following their filing unless the legislature, by concurrent resolution adopted by a 2/3 vote of the members elected to and serving in each house, prior to February 1st of the year following the filing of the determinations, rejects either the entire determination or specific determinations for specific positions. In the event of rejection, the existing salaries and expense allowances shall prevail retroactive to January 1st; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of the Michigan Legislature, pursuant to the provisions of 1968 PA 357 and Article IV, Section 12 of the Michigan Constitution, hereby reject the recommendations of the State Officers Compensation Commission for 1997 and 1998; and be it further

Resolved, That a copy of this resolution be transmitted to the State Officers Compensation Commission and to the Director of the Department of Management and Budget.

Pending the reference of the concurrent resolution to a committee,

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

The motion prevailed, three-fifths of the members present voting therefor.

The question being on the adoption of the concurrent resolution,

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

The motion prevailed.

Notices

January 2, 1996

Honorable Mary Kay Scullion
Clerk - Michigan House of Representatives
State Capitol
Lansing, MI 48909

Dear Ms. Scullion:

As required in PA 342 of 1996, I am hereby appointing the following House members to serve on the Revenue Sharing Commission:

Representative Morris Hood

Representative Nick Ciaramitaro

Representative Harold Voorhees

If you have any questions concerning this matter, please don't hesitate to contact me.

Sincerely,
Representative Curtis Hertel
Speaker
Michigan House of Representatives

Communications from State Officers

The following communication from the Secretary of State was received and read:

December 30, 1996

Ms. Mary Kay Scullion, Clerk
Michigan House of Representatives
P.O. Box 30014
Lansing, Michigan 48909
Dear Ms. Scullion:

The enclosed report, prepared by the Board of State Canvassers, details the recount of votes conducted in the 57th State House District after the November 5, 1996 general election. The submission of the report is required under Michigan election law, MCLA 168.879(4):

"Upon the completion of a recount for a legislative office, the board of state canvassers, in addition to the certification required by section 892, shall forward to the appropriate legislative body a report of the results of the recount."

Please do not hesitate to contact me if you have any questions.

Sincerely,
Christopher M. Thomas
Director of Elections

The communication was referred to the Clerk and ordered printed in the Journal and the accompanying report referred to the Clerk for record.

The following communication from the Central Area Partnership Consortium was received and read:

Date: January 2, 1997
To: Interested Persons
From: Ralph F. Loeschner, President
Subject: Job Training Plans

The Job Training Partnership Act and the Michigan Jobs Commission require that job training plans and modifications be sent to specific individuals and agencies. These plans are also available to the public in general. To that end, I have enclosed the following document:

*CAPAC No Wrong Door Implementation Plan (01/15/97 to 12/31/97)

In accordance with the Americans with Disabilities Act (ADA), this information will be made available in alternative format (large type, audio tape, etc.) upon special request.

Please feel free to direct your questions to Tim Vanaman (ext. 3337).

The communication was referred to the Clerk and ordered printed in the Journal and the accompanying report referred to the Clerk for record.

Introduction of Bills

Rep. Cropsey introduced

House Bill No. 4001, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3104 (MCL 500.3104), as amended by 1980 PA 445.

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

Rep. Jelinek introduced

House Bill No. 4002, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3104 (MCL 500.3104), as amended by 1980 PA 445.

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

Rep. Schauer introduced

House Bill No. 4003, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 401 (MCL 550.1401), as amended by 1984 PA 66.

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

Rep. Schauer introduced

House Bill No. 4004, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 2606, 2625, and 2626.

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

Rep. Schauer introduced

House Bill No. 4005, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21054u.

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

Rep. Schauer introduced

House Bill No. 4006, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406f.

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

Reps. Fitzgerald and Birkholz introduced

House Bill No. 4007, entitled

A bill to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act," by amending sections 1, 2, 13a, 14, 18, 18f, 19a, and 19b of chapter XIII (MCL 712A.1, 712A.2, 712A.13a, 712A.14, 712A.18, 712A.18f, 712A.19a, and 712A.19b), sections 1, 2, and 13a as amended by 1996 PA 409, section 14 as amended by 1988 PA 224, sections 19a and 19b as amended by 1994 PA 264, section 18 as amended by 1996 PA 244, and section 18f as amended by 1996 PA 16, and by adding sections 1a, 1b, 1c, 13b, 14a, and 18k.

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

Reps. Birkholz and Fitzgerald introduced

House Bill No. 4008, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15f of chapter IV (MCL 764.15f), as amended by 1996 PA 418.

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

Reps. Fitzgerald and Birkholz introduced

House Bill No. 4009, entitled

A bill to amend 1984 PA 422, entitled "An act to create a state foster care review board program in the state court administrative office; to create local foster care review boards; to prescribe the powers and duties of certain public officers and certain public and private agencies; and to provide penalties," by amending section 1 (MCL 722.131), as amended by 1989 PA 74.

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

Rep. Fitzgerald introduced

House Bill No. 4010, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 243e (MCL 750.243e).

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

Rep. Fitzgerald introduced

House Bill No. 4011, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," section 7a of chapter VIII (MCL 768.7a), as amended by 1988 PA 48.

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

Rep. Fitzgerald introduced

House Bill No. 4012, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 776.22) by adding section 7c to chapter VIII.

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

Rep. Fitzgerald introduced

House Bill No. 4013, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 479c.

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

Rep. Fitzgerald introduced

House Bill No. 4014, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 210 and 211 (MCL 750.210 and 750.211).

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

Rep. McNutt introduced

House Bill No. 4015, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4o (MCL 205.54o), as added by 1994 PA 156.

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

Rep. McNutt introduced

House Bill No. 4016, entitled

A bill to amend chapter IX of 1927 PA 175, entitled "The code of criminal procedure," (MCL 769.1 to 769.34) by adding section 29.

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

Rep. McNutt introduced

House Bill No. 4017, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 2 and 698 (MCL 257.2 and 257.698), section 698 as amended by 1994 PA 101.

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

Rep. McNutt introduced

House Bill No. 4018, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 1996 PA 53, and by adding section 4o.

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

Rep. McNutt introduced

House Bill No. 4019, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 1995 PA 209.

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

Rep. McNutt introduced

House Bill No. 4020, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 4, 5, and 7a (MCL 722.24, 722.25, and 722.27a), sections 4 and 7a as amended by 1996 PA 19 and section 5 as amended by 1993 PA 259.

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

Rep. McNutt introduced

House Bill No. 4021, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 1 and 7b (MCL 722.711 and 722.717b), section 1 as amended by 1986 PA 107 and section 7b as amended by 1996 PA 308, and by adding section 7c.

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

Rep. Schauer introduced

House Bill No. 4022, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 261 (MCL 206.261), as amended by 1994 PA 256.

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

Rep. Ciaramitaro introduced

House Bill No. 4023, entitled

A bill to amend 1991 PA 46, entitled "Eligible domestic relations order act," by amending sections 2, 3, 4, 5, and 10 (MCL 38.1702, 38.1703, 38.1704, 38.1705, and 38.1710) and by adding sections 5a and 10a.

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

Rep. Ciaramitaro introduced

House Bill No. 4024, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending sections 801 and 858 (MCL 418.801 and 418.858), as amended by 1994 PA 271.

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

Rep. Ciaramitaro introduced

House Bill No. 4025, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," (MCL 55.107 to 55.117) by adding section 112a.

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

Rep. Ciaramitaro introduced

House Bill No. 4026, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 455.

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

Rep. Ciaramitaro introduced

House Bill No. 4027, entitled

A bill to amend 1980 PA 469, entitled "The whistleblowers' protection act," by amending the title and section 2 (MCL 15.362).

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

Rep. Ciaramitaro introduced

House Bill No. 4028, entitled

A bill to provide for the readability of consumer contracts; to impose certain requirements relating to consumer contracts; to prescribe the powers and duties of certain state officers and departments; to provide remedies; to provide for limitation of actions; and to provide for civil fines and prescribe penalties for violations of this act.

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

Reps. Martinez and Brewer introduced

House Bill No. 4029, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 10102 and 10104 (MCL 333.10102 and 333.10104).

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

Reps. Brewer and Martinez introduced

House Bill No. 4030, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 307 and 310 (MCL 257.307 and 257.310), as amended by 1996 PA 205.

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

Reps. Brewer and Martinez introduced

House Bill No. 4031, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to provide for certain duties of the secretary of state; and to prescribe certain penalties for violations," by amending section 2 (MCL 28.292), as amended by 1996 PA 204.

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

Rep. Profit introduced

House Bill No. 4032, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," (MCL 418.101 to 418.941) by adding section 181.

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

Rep. Middaugh introduced

House Bill No. 4033, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 89a.

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

Rep. Middaugh introduced

House Bill No. 4034, entitled

A bill to amend 1931 PA 285, entitled "An act to provide for city, village and municipal planning; the creation, organization, powers and duties of planning commissions; the regulation and subdivision of land; and to provide penalties for violation of the provisions of this act," by amending section 3 (MCL 125.33), as amended by 1986 PA 5.

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

Rep. Middaugh introduced

House Bill No. 4035, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 684 (MCL 257.684).

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

Rep. Middaugh introduced

House Bill No. 4036, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57f (MCL 400.57f), as added by 1995 PA 223.

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

Rep. Middaugh introduced

House Bill No. 4037, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11502, 11504, 11506, 11507a, 11509, 11511, 11512, 11516, 11517, 11519, 11529, 11532, 11533, 11534, 11535, 11536, and 11538 (MCL 324.11502, 324.11504, 324.11506, 324.11507a, 324.11509, 324.11511, 324.11512, 324.11516, 324.11517, 324.11519, 324.11529, 324.11532, 324.11533, 324.11534, 324.11535, 324.11536, and 324.11538), sections 11502 and 11504 as amended and section 11507a as added by 1996 PA 359, section 11506 as amended by 1996 PA 392, and sections 11509, 11511, 11512, 11516, 11517, 11519, and 11529 as amended by 1996 PA 358, and by adding sections 11508a, 11511a, 11511b, 11511c, 11511d, 11531a, 11531b, 11534a, and 11551; and to repeal acts and parts of acts.

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

Rep. Profit introduced

House Bill No. 4038, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57i.

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

Rep. Profit introduced

House Bill No. 4039, entitled

A bill to create the model emergency vehicle operation policy commission; to prescribe its membership, powers, and duties; to prescribe the powers and duties of certain state and local agencies and departments; to provide for the development and certification of emergency vehicle operation policies; and to repeal acts and parts of acts.

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

Rep. Profit introduced

House Bill No. 4040, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 352, 355, 356, and 357 (MCL 18.1352, 18.1355, 18.1356, and 18.1357), sections 352 and 355 as amended by 1991 PA 1972.

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

Rep. Profit introduced

House Bill No. 4041, entitled

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

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

Rep. Profit introduced

House Bill No. 4042, entitled

A bill to provide for the deferment of property taxes for certain senior citizens; to provide for a property tax deferment revolving fund; to prescribe certain powers and duties of the department of treasury, county officials, and other local officials; and to provide for certain borrowing by counties.

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

Rep. Profit introduced

House Bill No. 4043, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 9f.

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

Rep. Profit introduced

House Bill No. 4044, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2963.

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

Rep. Callahan introduced

House Bill No. 4045, entitled

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

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

Rep. Callahan introduced

House Bill No. 4046, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 3115b.

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

Rep. Callahan introduced

House Bill No. 4047, entitled

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

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

Rep. Callahan introduced

House Bill No. 4048, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5827 (MCL 600.5827) and by adding section 5828.

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

Rep. Anthony introduced

House Bill No. 4049, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 518.

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

Rep. Anthony introduced

House Bill No. 4050, entitled

A bill to amend 1969 PA 312, entitled "An act to provide for compulsory arbitration of labor disputes in municipal police and fire departments; to define such public departments; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority thereof; and to provide for the enforcement and review of awards thereof," by amending the title and sections 1, 2, 3, and 10 (MCL 423.231, 423.232, 423.233, and 423.240).

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

Rep. Anthony introduced

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 first time by its title and referred to the Committee on Transportation.

Rep. Anthony introduced

House Bill No. 4052, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 27 (MCL 38.27), as amended by 1987 PA 241, and by adding sections 48a and 48b.

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

Rep. Varga introduced

House Bill No. 4053, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding section 5j.

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

Reps. Parks, Wallace, Varga, Prusi, Scott, Vaughn and Baird introduced

House Bill No. 4054, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1561 and 1596 (MCL 380.1561 and 380.1596), section 1561 as amended by 1996 PA 339.

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

Rep. Varga introduced

House Bill No. 4055, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11117a.

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

Rep. Varga introduced

House Bill No. 4056, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2219.

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

Rep. Varga introduced

House Bill No. 4057, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 401e.

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

Rep. Varga introduced

House Bill No. 4058, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding sections 2226a and 21050a.

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

Rep. Varga introduced

House Bill No. 4059, entitled

A bill to amend 1984 PA 218, entitled “Third party administrator act,” (MCL 550.901 to 550.962) by adding section 43.

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

Rep. Bobier introduced

House Bill No. 4060, entitled

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

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

Rep. Bobier introduced

House Bill No. 4061, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 503 and 2132 (MCL 324.503 and 324.2132), section 503 as amended by 1996 PA 133 and section 2132 as added by 1995 PA 60, and by adding part 610.

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

Reps. Parks, Wallace, Varga, Prusi, Scott, Vaughn and Baird introduced

House Bill No. 4062, 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. Parks, Wallace, Varga, Prusi, Scott, Vaughn and Baird introduced

House Bill No. 4063, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1149a.

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

Reps. Parks, Wallace, Varga, Prusi, Scott, Vaughn and Baird introduced

House Bill No. 4064, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” (MCL 169.201 to 169.282) by adding section 41a.

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

Reps. Banks, Gire, Wallace, Scranton, Schroer, Johnson, Gilmer, Bobier, Cassis, Rhead, Green, Godchaux, Dobb, Willard, Harder, Curtis, Gustafson, Wetters, Middleton, Gagliardi, Owen, Emerson, McBryde, Byl, Birkholz, Fitzgerald, DeVuyst, Jelinek, Raczkowski, Brater, Varga, Hanley, Pitoniak, DeHart, Cherry, Cropsey, Walberg, Crissman, Galloway and Perricone introduced

House Bill No. 4065, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 7212, 7401, and 7403 (MCL 333.7212, 333.7401, and 333.7403), section 7212 as amended by 1993 PA 25 and sections 7401 and 7403 as amended by 1996 PA 249, and by adding section 7401a.

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

Reps. Oxender, Agee and Gire introduced

House Bill No. 4066, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by amending the title, as amended by 1995 PA 289, and by adding part 28a; and to repeal acts and parts of acts.

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

Reps. Wojno, Freeman, Mans, Olshove, Hanley, Callahan, Schauer, Thomas, Hale and Gire introduced

House Bill No. 4067, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," (MCL 445.901 to 445.922) by adding section 11a.

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

Reps. Jaye, Goschka, Lowe, Llewellyn, Whyman, Horton and Cropsey introduced

House Bill No. 4068, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by amending the title, as amended by 1991 PA 118, and by adding section 21.

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

Rep. Profit introduced

House Joint Resolution A, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 25 to article I, to establish the right to equal educational opportunity.

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

Reps. Bobier, Llewellyn, Profit and Perricone introduced

House Joint Resolution B, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 3, 6, 16, and 31 of article IX, to eliminate the equalization of property tax assessments.

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

Reps. Jaye, Goschka, Lowe, McBryde, Rhead, Llewellyn, Horton, Raczkowski and Cropsey introduced

House Joint Resolution C, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 46 of article IV, to provide for the death penalty in certain circumstances.

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

Reps. Jaye, Goschka, Lowe, Llewellyn, Horton, Whyman, Raczkowski and Cropsey introduced

House Joint Resolution D, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 2 of article VIII, to allow direct or indirect state financial aid to nonpublic schools.

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

Reps. Jaye, Goschka, Lowe, Whyman, McBryde, McManus, Llewellyn, Raczkowski, Cropsey, Kaza, Geiger and Perricone introduced

House Joint Resolution E, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 26 of article IV and section 31 of article IX, to provide for concurrence of 2/3 of the members of each house to increase a tax base or a tax rate for state taxes or to impose a fee, to require a 2/3 vote of the electors of a unit of local government to levy a local tax or increase a tax base or tax rate for a local tax, and to provide for concurrence of 2/3 of the members of the governing body of a unit of local government to increase or impose a fee.

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

Rep. Hertel moved that the House adjourn.
The motion prevailed, the time being 3:30 p.m.

The Associate Speaker Pro Tempore, Rep. Gire, declared the House adjourned until Tuesday, January 28, at 6:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

