

No. 21

JOURNAL OF THE HOUSE

House Chamber, Lansing, Wednesday, March 12, 1997.

2:00 p.m.

The House was called to order by Acting Speaker Hanley.

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

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

e/d/s = entered during session

Rep. John Freeman, from the 34th District, offered the following invocation:

“Dear Lord, Harry S. Truman once said, ‘I come to the office each morning and stay for long hours doing what has to be done to the best of my ability. And when you have done the best you can, you can’t do any better. So, when I go to sleep I turn everything over to the Lord and forget it.’ Each day, whether we are in Lansing or in the district, we have the opportunity to attend to the people’s business. Let us take this moment to thank You for this opportunity and to pray that You continue to provide us with the strength to continue to stay the long hours and to do what has to be done to the best of our combined abilities. Amen.”

Rep. Hammerstrom moved that Reps. Bankes and McNutt be granted an excuse from today’s session.
The motion prevailed.

Notices

March 12, 1997

Mary Kay Scullion, Clerk
Michigan House of Representatives
Capitol Building
Lansing, Michigan 48909
Dear Madam Clerk:

In accordance with House Rule 10, I hereby designate Representative Michael Hanley, to be the Presiding Officer for all, or part of today’s session.

Sincerely,
Curtis Hertel
Speaker of the House

The Speaker assumed the Chair.

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

The Speaker laid before the House
House Concurrent Resolution No. 16.

A concurrent resolution to memorialize the Congress of the United States to reauthorize the Intermodal Surface Transportation Efficiency Act.

(For text of resolution, see House Journal No. 15, p. 234.)

(The concurrent resolution was reported by the Committee on Transportation on March 6, consideration of which was postponed until March 11 under the rules.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Reps. Bodem, Brown, Dalman, DeVuyt, Dobb, Gire, Goschka, Jellema, Kelly, Kukuk, Law, McBryde, Middaugh, Middleton, Stallworth, Vaughn and Wallace were named co-sponsors of the concurrent resolution.

The Speaker laid before the House
House Resolution No. 18.

A resolution to memorialize the Congress of the United States to reauthorize the Intermodal Surface Transportation Efficiency Act.

(For text of resolution, see House Journal No. 15, p. 233.)

(The resolution was reported by the Committee on Transportation on March 6, consideration of which was postponed until March 11 under the rules.)

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Baade, Brewer, Crissman, Jellema, Kelly, Law, McBryde, Stallworth and Vaughn were named co-sponsors of the resolution.

Third Reading of Bills

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.

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

Roll Call No. 87

Yeas—105

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

Nays—0

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

House Bill No. 4329, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1284 (MCL 380.1284), as amended by 1995 PA 289.

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

Roll Call No. 88**Yeas—104**

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

Nays—0

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

House Bill No. 4093, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 65a (MCL 791.265a), as amended by 1994 PA 217.

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

Roll Call No. 89**Yeas—106**

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

Nays—0

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

Reps. Anthony, Baade, Birkholz, Bodem, Bogardus, Brewer, Brown, Callahan, Cherry, Crissman, DeHart, DeVuyst, Dobb, Frank, Freeman, Gagliardi, Gilmer, Gire, Goschka, Green, Hale, Horton, Jansen, Jellema, Johnson, Kaza, Kukuk, LeTarte, Llewellyn, Lowe, Mans, Mathieu, McBryde, Middleton, Olshove, Parks, Perricone, Prusi, Raczkowski, Rhead, Rocca, Schermesser, Scott, Stallworth, Tesanovich, Varga, Vaughn and Wojno were named co-sponsors of the bill.

The Speaker called the Speaker Pro Tempore to the Chair.

Second Reading of Bills**House Bill No. 4147, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan

transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal certain acts and parts of acts," by amending section 10 (MCL 247.660), as amended by 1993 PA 294.

The bill was read a second time.

Rep. Byl moved to amend the bill as follows:

1. Amend page 7, following line 26, by inserting:

"Enacting section 1. This act shall not take effect unless Senate Bill No. 170 and Senate Bill No. 174 of the 89th Legislature are passed by the legislature and signed into law with sufficient funds appropriated to ensure the following services are continued at adequate levels:

(a) Secretary of state services to the motoring public.

(b) Law enforcement and public safety services of the state police and attorney general.

(c) Services of the department of environmental quality.

(d) The department of management and budget.

(e) The legislative auditor general which would otherwise be funded under this act and continued collection of transportation fees and taxes to prevent loss of federal funds because of inadequate state matching funds."

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

Rep. Byl demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 90

Yeas—40

Birkholz	Fitzgerald	Jansen	Middleton
Bobier	Galloway	Jelinek	Nye
Bodem	Geiger	Jellema	Oxender
Brackenridge	Gernaat	Johnson	Perricone
Byl	Gilmer	Kukuk	Raczkowski
Cassis	Godchaux	Law	Rhead
Crissman	Green	LeTarte	Richner
Dalman	Gustafson	London	Sikkema
DeVuyst	Hammerstrom	McBryde	Voorhees
Dobb	Horton	Middaugh	Walberg

Nays—62

Agee	Frank	Lowe	Rocca
Alley	Freeman	Mans	Schauer

Anthony	Gagliardi	Martinez	Schermesser
Baade	Goschka	Mathieu	Schroer
Baird	Gubow	McManus	Scott
Bogardus	Hale	Murphy	Stallworth
Brater	Hanley	Olshove	Tesanovich
Brewer	Harder	Owen	Thomas
Brown	Hertel	Palamara	Varga
Callahan	Hood	Parks	Vaughn
Cherry	Jaye	Price	Wallace
Cropsey	Kaza	Profit	Wetters
Curtis	Kelly	Prusi	Whyman
DeHart	LaForge	Quarles	Willard
Dobronski	Leland	Rison	Wojno
Emerson	Llewellyn		

In The Chair: Murphy

Rep. Birkholz moved to amend the bill as follows:

1. Amend page 7, following line 26, by inserting:

“Enacting section 1. This amendatory act does not take effect unless the secretary of state forwards a list of branch offices to the legislature which would be closed because of a reduction in funds received due to the enactment of this amendatory act within 45 days after enactment of this amendatory act, and the list is approved by the house and senate by concurrent resolution not more than 60 days after the enactment of this amendatory act. If the secretary of state does not send the list, this amendatory act takes effect 60 days after its date of enactment.”.

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

Rep. Birkholz demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 91

Yeas—42

Birkholz	Dobb	Jelinek	Middleton
Bobier	Fitzgerald	Jellema	Nye
Bodem	Galloway	Kukuk	Oxender
Brackenridge	Geiger	Law	Perricone
Byl	Gernaat	LeTarte	Rhead
Cassis	Gilmer	London	Richner
Ciaramitaro	Godchaux	Lowe	Sikkema
Crissman	Goschka	McBryde	Voorhees
Cropsey	Gustafson	McManus	Walberg
Dalman	Horton	Middaugh	Whyman
DeVuyst	Jansen		

Nays—59

Agee	Gagliardi	Leland	Rocca
Anthony	Gire	Llewellyn	Schauer
Baade	Green	Mans	Schermesser
Baird	Griffin	Martinez	Schroer
Bogardus	Gubow	Mathieu	Scott
Brater	Hale	Murphy	Stallworth

Brewer	Hammerstrom	Olshove	Tesanovich
Brown	Hanley	Owen	Thomas
Callahan	Harder	Palamara	Varga
Cherry	Hood	Parks	Vaughn
Curtis	Jaye	Price	Wallace
DeHart	Kaza	Profit	Wetters
Dobronski	Kelly	Prusi	Willard
Frank	Kilpatrick	Raczkowski	Wojno
Freeman	LaForge	Rison	

In The Chair: Murphy

Reps. Middleton, Birkholz and Goschka moved to amend the bill as follows:

1. Amend page 3, line 23, after "SUBDIVISION" by striking out "(E)" and inserting "(F)".

2. Amend page 5, following line 15, by inserting:

"(E) \$110,000,000.00 FOR SUBSEQUENT DEPOSIT IN THE EMERGENCY ROAD MAINTENANCE FUND FOR THE PURPOSES DESCRIBED IN SUBSECTION (6)." and relettering the remaining subdivision.

3. Amend page 5, line 18, after "THROUGH" by striking out "(D)" and inserting "(E)".

4. Amend page 7, following line 26, by inserting:

"(6) THE EMERGENCY ROAD MAINTENANCE FUND IS CREATED AS A RESTRICTED FUND IN THE STATE TREASURY. THE FUND SHALL BE ADMINISTERED BY THE DEPARTMENT, SHALL BE USED TO SUPPLEMENT EXISTING FUNDS AVAILABLE UNDER THIS ACT FOR THE PURPOSES OF FILLING POTHOLES AND RESURFACING AND REPAIRING ROADS EXISTING ON THE EFFECTIVE DATE OF THIS SUBSECTION, AND SHALL BE DISTRIBUTED IN THE SAME PERCENTAGES AS THOSE FUNDS DISTRIBUTED UNDER SUBSECTION (1)(F). MONEY IN THE FUND AT THE END OF EACH FISCAL YEAR SHALL NOT LAPSE BUT SHALL REMAIN IN THE FUND TO BE USED FOR THE PURPOSES OF THE FUND."

The question being on the adoption of the amendments offered by Reps. Middleton, Birkholz and Goschka,

Rep. Middleton demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Middleton, Birkholz and Goschka,

Rep. Anthony moved to amend the Middleton, Birkholz and Goschka amendments as follows:

1. Amend Reps. Middleton, Birkholz and Goschka amendment No. 4, page 7, following line 26, subsection (6), after "ROADS" by inserting "AND SNOW REMOVAL".

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

Rep. Anthony demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 92

Yeas—94

Agee	Fitzgerald	Johnson	Price
Anthony	Frank	Kelly	Profit
Baird	Freeman	Kilpatrick	Prusi
Birkholz	Gagliardi	Kukuk	Quarles
Bobier	Galloway	LaForge	Rhead
Bodem	Geiger	Law	Richner
Bogardus	Gernaat	Leland	Rocca
Brackenridge	Gilmer	Llewellyn	Schauer
Brewer	Gire	London	Schermesser
Brown	Godchaux	Lowe	Schroer
Byl	Goschka	Mans	Scott
Callahan	Green	Martinez	Sikkema
Cassis	Griffin	McBryde	Stallworth
Cherry	Gubow	McManus	Tesanovich

Ciaramitaro	Hale	Middaugh	Thomas
Crissman	Hammerstrom	Middleton	Varga
Cropsey	Hanley	Murphy	Vaughn
Curtis	Harder	Nye	Voorhees
Dalman	Hertel	Olshove	Walberg
DeHart	Hood	Oxender	Wallace
DeVuyst	Horton	Palamara	Wetters
Dobb	Jansen	Parks	Willard
Dobronski	Jelinek	Perricone	Wojno
Emerson	Jellema		

Nays—8

Baade	Jaye	LeTarte	Rackowski
Gustafson	Kaza	Owen	Whyman

In The Chair: Murphy

The question being on the adoption of the amendments offered previously by Reps. Middleton, Birkholz and Goschka, The amendments were adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 93**Yeas—102**

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

Nays—0

In The Chair: Murphy

Rep. London moved to amend the bill as follows:

1. Amend page 3, line 23, after "SUBDIVISION" by striking out "(F)" and inserting "(G)".
 2. Amend page 5, following line 15, following subdivision (E), by inserting:
 "(F) \$110,000,000.00 FOR SUBSEQUENT DEPOSIT IN THE FISCAL INTEGRITY FUND FOR THE PURPOSES DESCRIBED IN SUBSECTION (6)." and relettering the remaining subdivision.
 3. Amend page 5, line 18, after "THROUGH" by striking out "(E)" and inserting "(F)".
 4. Amend page 6, following line 5, by inserting:
 "(2) COUNTY ROAD COMMISSIONS AND CITIES AND VILLAGES SHALL NOT RECEIVE FUNDS FROM THE FISCAL INTEGRITY FUND UNLESS THEY CONDUCT OR HAVE ON FILE WITH THE DEPARTMENT A FINANCIAL AND PERFORMANCE AUDIT IN A FORM APPROVED BY THE DEPARTMENT OF TREASURY FROM AN OUTSIDE ACCOUNTING FIRM CHOSEN BY THE COUNTY, CITY, OR VILLAGE AND APPROVED BY THE DEPARTMENT OF TREASURY THAT USES GENERALLY ACCEPTED AUDITING STANDARDS OR GENERALLY ACCEPTED GOVERNMENT AUDITING STANDARDS. THE AUDIT SHALL REFLECT THE MANNER IN WHICH AND THE PROJECTS FOR WHICH FUNDS RECEIVED UNDER THIS ACT WERE COMMITTED IN THE IMMEDIATELY PRECEDING FISCAL YEAR. A COPY OF THE AUDIT SHALL BE FURNISHED TO THE DIRECTOR OF THE DEPARTMENT, THE CLERK OF THE HOUSE, AND THE SECRETARY OF THE SENATE AND SHALL BE AVAILABLE TO THE PUBLIC UNDER THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246." and renumbering the remaining subsections.
 5. Amend page 7, following line 26, following subsection (6), by inserting:
 "(7) THE FISCAL INTEGRITY FUND IS CREATED AS A RESTRICTED FUND IN THE STATE TREASURY. THE FUND SHALL BE ADMINISTERED BY THE DEPARTMENT AND SHALL BE USED EXCLUSIVELY TO SUPPLEMENT EXISTING FUNDS DISTRIBUTED UNDER SUBSECTION (1)(E). A COUNTY ROAD COMMISSION OR CITY OR VILLAGE THAT DOES NOT SECURE AN AUDIT UNDER SUBSECTION (2) SHALL NOT RECEIVE A DISTRIBUTION FROM THE FISCAL INTEGRITY FUND AND THEIR SHARE SHALL BE DISTRIBUTED TO COUNTY ROAD COMMISSIONS OR CITIES OR VILLAGES THAT HAVE COMPLIED WITH SUBSECTION (2)."
- The question being on the adoption of the amendments offered by Rep. London,
 Rep. London demanded the yeas and nays.
 The demand was supported.
 The question being on the adoption of the amendments offered by Rep. London,
 The amendments were adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 94

Yeas—105

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

Dobb
Dobronski
Fitzgerald

Jellema
Johnson

Parks
Perricone

Willard
Wojno

Nays—0

In The Chair: Murphy

Rep. Voorhees moved to amend the bill as follows:

1. Amend page 7, following line 26, subsection (6), after “SUBSECTION (1)(F)” by inserting “ONLY TO THOSE COUNTY ROAD COMMISSIONS AND CITIES AND VILLAGES THAT ALLOCATE AT LEAST AN EQUAL AMOUNT FOR THE PURPOSES OF FILLING POTHOLE AND RESURFACING AND REPAIRING ROADS EXISTING ON THE EFFECTIVE DATE OF THIS SUBSECTION FROM THOSE FUNDS DISTRIBUTED UNDER SUBSECTION (1)(F).”.

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

Rep. Voorhees demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 95

Yeas—44

Birkholz
Bobier
Brackenridge
Byl
Cassis
Dalman
DeVuyst
Fitzgerald
Galloway
Geiger
Gernaat

Gilmer
Godchaux
Green
Gustafson
Hammerstrom
Horton
Jansen
Jaye
Jelinek
Jellema
Johnson

Kaza
Kukuk
Law
LeTarte
Llewellyn
London
McBryde
McManus
Middaugh
Middleton
Nye

Oxender
Perricone
Raczkowski
Rhead
Richner
Rocca
Schroer
Sikkema
Voorhees
Walberg
Whyman

Nays—60

Agee
Anthony
Baade
Baird
Bodem
Bogardus
Brater
Brewer
Brown
Callahan
Cherry
Ciaramitaro
Crissman
Cropsey
Curtis

DeHart
Dobb
Dobronski
Emerson
Frank
Freeman
Gagliardi
Gire
Goschka
Griffin
Gubow
Hale
Hanley
Harder
Hertel

Hood
Kelly
Kilpatrick
LaForge
Leland
Lowe
Mans
Martinez
Mathieu
Murphy
Olshove
Palamara
Parks
Price
Profit

Prusi
Quarles
Rison
Schauer
Schermesser
Scott
Stallworth
Tesanovich
Thomas
Varga
Vaughn
Wallace
Wetters
Willard
Wojno

In The Chair: Murphy

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

The question being on the motion by Rep. Kelly,

Rep. London moved that the bill be referred to the Committee on Appropriations.

The question being on the motion by Rep. London,

Rep. London demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. London,

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

Roll Call No. 96

Yeas—40

Birkholz	Dobb	Jelinek	Middaugh
Bobier	Fitzgerald	Jellema	Middleton
Bodem	Galloway	Johnson	Nye
Brackenridge	Geiger	Kukuk	Oxender
Byl	Gernaat	Law	Perricone
Cassis	Gilmer	LeTarte	Raczkowski
Crissman	Godchaux	London	Richner
Cropsey	Gustafson	Lowe	Sikkema
Dalman	Horton	McBryde	Voorhees
DeVuyst	Jansen	McManus	Walberg

Nays—60

Agee	Freeman	Kilpatrick	Rocca
Alley	Gagliardi	LaForge	Schauer
Anthony	Gire	Leland	Schermesser
Baade	Goschka	Llewellyn	Schroer
Baird	Green	Mans	Scott
Bogardus	Gubow	Mathieu	Stallworth
Brater	Hale	Murphy	Tesanovich
Brewer	Hammerstrom	Olshove	Thomas
Brown	Hanley	Palamara	Varga
Callahan	Harder	Price	Vaughn
Cherry	Hertel	Profit	Wallace
Curtis	Hood	Prusi	Wetters
DeHart	Jaye	Quarles	Whyman
Dobronski	Kaza	Rhead	Willard
Frank	Kelly	Rison	Wojno

In The Chair: Murphy

The question being on the motion made previously by Rep. Kelly,

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

House Bill No. 4222, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending section 18 (MCL 552.518), as amended by 1996 PA 144.

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

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

Rep. Dobronski moved to amend the bill as follows:

1. Amend page 4, following line 6, by inserting:

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

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

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

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

House Bill No. 4091, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38c (MCL 208.38c), as amended by 1994 PA 231.

The bill was read a second time.

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

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

By unanimous consent the House returned to the order of

Messages from the Senate**House Concurrent Resolution No. 11.**

A concurrent resolution to urge the United States Environmental Protection Agency to reaffirm certain standards of ozone and particulate levels.

(For text of resolution, see House Journal No. 11, p. 177.)

The Senate has amended the concurrent resolution as follows:

1. Amend the tenth "Whereas" clause, line 4, after "costs;" by inserting "and

Whereas, The issue of transported volatile organic compounds is not adequately addressed;"

The Senate has adopted the concurrent resolution as amended and named Senator Young as co-sponsor.

The question being on concurring in the amendment made to the concurrent resolution by the Senate,

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

The concurrent resolution was referred to the Clerk.

By unanimous consent the House returned to the order of

Motions and Resolutions

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

The motion prevailed.

Reps. Willard, Freeman, Rison, Thomas, Bogardus, Frank, Kilpatrick, Brown, Hale, Schermesser, Callahan, Wojno, Agee, Hanley, LaForge, Mathieu, Brater, Parks, Prusi, Tesanovich, Price, DeHart, Cherry, Curtis, Palamara, Schroer, Murphy, Olshove, Baade, Harder, Baird, Martinez, Emerson, Anthony, Hertel, Varga, Gagliardi, Ciaramitaro, Gubow, Dobronski, Gire, Leland, Brewer, Wallace, Scott, Vaughn, Kelly, Hood, Owen and Wetters offered the following resolution:

House Resolution No. 26.

A resolution to memorialize the Congress of the United States to enact legislation to prohibit the hiring of replacement workers as an alternative to negotiations and settlements of labor disputes.

Whereas, While the history of organized labor has often been marked by difficulties and controversy over the years, working men and women bargaining in good faith through formal labor negotiations has brought many benefits to our state and nation. The standard of living for working families is much higher than it could possibly be without organization. For responsible companies, the steady supply of reliable workers also brings many rewards and long-term stability; and

Whereas, In recent years, a shift seems to be occurring in strategy for businesses in how they handle labor disputes. Too often, the initial response in a labor dispute is for management to hire replacement workers instead of negotiating with the workers. This short-sighted action severely hinders all communications between management and workers. Often, hiring replacement workers sets in motion an escalating series of actions that are harmful to everyone; and

Whereas, Michigan has experienced this recently through the lengthy and bitter newspaper strike in Detroit. Hiring replacement workers has clearly hindered the effectiveness of negotiations and made a difficult situation far worse and more divisive than necessary. This extended tension is harmful to labor, management, and the public; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to prohibit the hiring of replacement workers as an alternative to negotiations and settlements of labor disputes; and be it further

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

The resolution was referred to the Committee on Labor and Occupational Safety.

Reps. Raczkowski and Kilpatrick offered the following resolution:

House Resolution No. 27.

A resolution to request the Department of Military Affairs to require National Guard engineering units to utilize their annual training to undertake projects in urban areas of the state.

Whereas, The knowledge, equipment, and resources of the National Guard strengthen Michigan in many ways. Our citizens enjoy an added measure of security from the service rendered by the men and women who belong to the various units of the Guard. This service ranges from commitment to our national defense and preparedness to aid in times of domestic emergency; and

Whereas, A key component of the effectiveness of the National Guard is annual training. This training could be even more directly beneficial to our state if suitable projects were to be undertaken. The capabilities of the engineering units could certainly be put to good use in construction projects in our major cities. Many of the infrastructure needs of urban areas would seem well-suited to the equipment and skills of the National Guard. The urban areas, in turn, have many projects suitable for engineering units and are capable of housing the Guard; and

Whereas, With the needs facing our state, it is most prudent to utilize all of our resources wisely. There is much to be gained by using annual training for projects that are of value far beyond the training alone; now, therefore, be it

Resolved by the House of Representatives, That we request the Department of Military Affairs to require National Guard engineering units to utilize their annual training to undertake projects in urban areas of the state; and be it further

Resolved, That a copy of this resolution be transmitted to the Department of Military Affairs.

The resolution was referred to the Committee on Senior Citizens and Veterans Affairs.

This resolution is offered to comply with the provisions of Article 4, Section 53 of the Constitution of the State of Michigan of 1963.

Speaker Hertel and Reps. Gagliardi, Sikkema and Gustafson offered the following concurrent resolution:

House Concurrent Resolution No. 22.

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

Whereas, Article 4, Section 53 of the Constitution of the State of Michigan of 1963 requires the legislature by a majority vote of the members elected to and serving in each house to appoint an auditor general, who shall be a certified public accountant licensed to practice in this state, to serve for a term of eight years; and

Whereas, Under the provisions of Article 4, Section 53, the Auditor General of the state of Michigan shall conduct post audits of financial transactions and accounts of the state and of all branches, departments, offices, boards, commissions, agencies, authorities, and institutions established by the state constitution or by law, and performance post audits; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of the Michigan Legislature, pursuant to Article 4, Section 53 of the Constitution of the State of Michigan, hereby reappoint Thomas H. McTavish, C.P.A., as Auditor General of the state of Michigan, to serve for a term of eight years.

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

Reps. Raczkowski and Kilpatrick offered the following concurrent resolution:

House Concurrent Resolution No. 23.

A concurrent resolution to request the Department of Military Affairs to require National Guard engineering units to utilize their annual training to undertake projects in urban areas of the state.

Whereas, The knowledge, equipment, and resources of the National Guard strengthen Michigan in many ways. Our citizens enjoy an added measure of security from the service rendered by the men and women who belong to the various units of the Guard. This service ranges from commitment to our national defense and preparedness to aid in times of domestic emergency; and

Whereas, A key component of the effectiveness of the National Guard is annual training. This training could be even more directly beneficial to our state if suitable projects were to be undertaken. The capabilities of the engineering units could certainly be put to good use in construction projects in our major cities. Many of the infrastructure needs of urban areas would seem well-suited to the equipment and skills of the National Guard. The urban areas, in turn, have many projects suitable for engineering units and are capable of housing the Guard; and

Whereas, With the needs facing our state, it is most prudent to utilize all of our resources wisely. There is much to be gained by using annual training for projects that are of value far beyond the training alone; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we request the Department of Military Affairs to require National Guard engineering units to utilize their annual training to undertake projects in urban areas of the state; and be it further

Resolved, That a copy of this resolution be transmitted to the Department of Military Affairs.

The concurrent resolution was referred to the Committee on Senior Citizens and Veterans Affairs.

Reports of Standing Committees

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

House Resolution No. 15.

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

(For text of resolution, see House Journal No. 13, p. 209.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call**HR 15 To Report Out:**

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

Nays: Reps. Bobier, Geiger, Godchaux, Jansen, Jellema, McBryde, Oxender.

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

House Concurrent Resolution No. 13.

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

(For text of resolution, see House Journal No. 13, p. 210.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call**HCR 13 To Report Out:**

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

Nays: Reps. Bobier, Geiger, Godchaux, Jansen, Jellema, McBryde, Oxender.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 11, 1997, at 4:50 p.m.,

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

Absent: Reps. Bankes, Johnson,

Excused: Reps. Bankes, Johnson.

The Committee on Commerce, by Rep. Griffin, Chair, reported

House Bill No. 4396, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 28c (MCL 436.28c), as amended by 1992 PA 133.

With the recommendation that the bill pass.

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

Favorable Roll Call**HB 4396 To Report Out:**

Yeas: Reps. Griffin, Olshove, Palamara, Gernaat, Kaza, Kukuk, Rhead, Richner, Walberg,

Nays: Reps. Thomas, Alley, Callahan, Mans, Schermesser, Varga.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 12, 1997, at 9:00 a.m.,

Present: Reps. Griffin, Thomas, Alley, Callahan, Mans, Murphy, Olshove, Palamara, Schermesser, Varga, Gernaat, Jaye, Kaza, Kukuk, Rhead, Richner, Walberg.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

House Bill No. 4356, entitled

A bill to amend 1927 PA 150, entitled "An act to prescribe a privilege tax for the use of the public highways by owners and drivers of motor vehicles by imposing a specific tax upon the sale or use, within the state of Michigan, of motor fuel; to prescribe the manner and the time of paying this tax and the duties of officials and others respecting the payment and collection of this tax; to provide for the licensing of wholesale distributors, certain retail dealers, exporters, and suppliers as defined in this act; to fix a time when this tax and interest and penalties thereon become a lien upon the property of persons, firms, partnerships, associations, or corporations, subject to the payment of this tax; to provide for the enforcement of this lien; to permit the inspection and testing of petroleum products; to provide for certain exemptions and refunds and for the disposition of the proceeds of this tax; and to prescribe penalties for the violation of this act," by amending section 12 (MCL 207.112), as amended by 1996 PA 56.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4356 To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Hanley, Wallace, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Middleton, Whyman,

Nays: None.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

Senate Bill No. 101, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending the title and sections 2, 5, 6, 7, 8, 9, and 12 (MCL 205.422, 205.425, 205.426, 205.427, 205.428, 205.429, and 205.432), section 9 as amended by 1995 PA 118, and by adding sections 5a, 5b, 6a, 6b, and 7a.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 101 To Report Out:

Yeas: Reps. Profit, Quarles, Hanley, Palamara, Wallace, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Middleton, Whyman,

Nays: Reps. Agee, Freeman, Gubow.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Profit, Chair of the Committee on Tax Policy, was received and read:

Meeting held on: Wednesday, March 12, 1997, at 9:00 a.m.,

Present: Reps. Profit, Quarles, Agee, Freeman, Gubow, Hanley, Palamara, Wallace, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Middleton, Whyman,

Absent: Rep. Goschka,

Excused: Rep. Goschka.

The Committee on Consumer Protection, by Rep. Brater, Chair, reported

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.

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

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

Favorable Roll Call

HB 4067 To Report Out:

Yeas: Reps. Brater, DeHart, Brown, Freeman, Gire, Birkholz, Cropsey,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Brater, Chair of the Committee on Consumer Protection, was received and read:

Meeting held on: Wednesday, March 12, 1997, at 9:00 a.m.,

Present: Reps. Brater, DeHart, Brown, Freeman, Gire, Crissman, Birkholz, Cropsey, Law.

The Committee on Senior Citizens and Veterans Affairs, by Rep. Willard, Chair, reported

House Bill No. 4213, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 266.

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

The committee further recommended that the bill and substitute be referred to the Committee on Tax Policy.

Favorable Roll Call

HB 4213 To Report Out:

Yeas: Reps. Willard, Schermesser, Anthony, Baade, DeHart, Lowe, Kaza, Rocca,

Nays: None.

The further recommendation was concurred in and the bill and the substitute were referred to the Committee on Tax Policy.

The Committee on Senior Citizens and Veterans Affairs, by Rep. Willard, Chair, reported

House Bill No. 4323, entitled

A bill to amend 1981 PA 180, entitled "Older Michiganians act," (MCL 400.581 to 400.594) by adding section 6l.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4323 To Report Out:

Yeas: Reps. Willard, Schermesser, Anthony, Baade, DeHart, Lowe, Goschka, Kaza, Rocca,

Nays: None.

The Committee on Senior Citizens and Veterans Affairs, by Rep. Willard, Chair, reported

House Bill No. 4357, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 438.

With the recommendation that the bill pass.

The committee further recommended that the bill be referred to the Committee on Tax Policy.

Favorable Roll Call

HB 4357 To Report Out:

Yeas: Reps. Willard, Schermesser, Anthony, Baade, DeHart, Lowe, Goschka, Rocca,

Nays: None.

The further recommendation was concurred in and the bill was referred to the Committee on Tax Policy.

The Committee on Senior Citizens and Veterans Affairs, by Rep. Willard, Chair, reported

House Bill No. 4463, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 266.

With the recommendation that the bill pass.

The committee further recommended that the bill be referred to the Committee on Tax Policy.

Favorable Roll Call

HB 4463 To Report Out:

Yeas: Reps. Willard, Schermesser, Anthony, Baade, DeHart, Lowe, Kaza, Rocca,

Nays: None.

The further recommendation was concurred in and the bill was referred to the Committee on Tax Policy.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Willard, Chair of the Committee on Senior Citizens and Veterans Affairs, was received and read:

Meeting held on: Wednesday, March 12, 1997, at 12:00 noon,

Present: Reps. Willard, Schermesser, Anthony, Baade, DeHart, Lowe, Goschka, Kaza, Rocca.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 11, 1997, at 4:50 p.m.,

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

Notices

March 10, 1997

Mary Kay Scullion, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Madam Clerk:

Effective immediately, I am authorizing the following committee changes.

Remove Representative Frank Fitzgerald from the Standing Committee on Constitutional and Civil Rights and replace him with Representative John Llewellyn.

If you have any questions, feel free to contact my office.

Sincerely,
REP. CURTIS HERTEL
Speaker of the House

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, March 7:

Senate Bill Nos. 261 262 264 265 266 267 268 269 270 271

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, March 12:

**House Bill Nos. 4451 4452 4453 4454 4455 4456 4457 4458 4459 4460 4461 4462 4463 4464
4465 4466**

The Clerk announced that the following Senate bills had been received on Wednesday, March 12:

Senate Bill Nos. 188 193

Messages from the Governor

The following message from the Governor, approving and signing the following bill at the time designated below, was received and read:

Date: March 12, 1997

Time: 10:18 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4177 (Public Act No. 2, I.E.), being

An act to amend 1964 PA 154, entitled “An act to fix minimum wages for employees within this state; to prohibit wage discrimination; to provide for the administration and enforcement of this act; and to prescribe penalties for the violation of this act,” by amending sections 2, 4, and 4a (MCL 408.382, 408.384, and 408.384a), section 2 as amended by 1980 PA 97.

(Filed with the Secretary of State March 12, 1997, at 10:47 a.m.)

Introduction of Bills

Rep. Profit introduced

House Bill No. 4474, entitled

A bill to amend 1963 PA 181, entitled “Motor carrier safety act of 1963,” by amending the title and sections 1a, 7, 7b, and 7c (MCL 480.11a, 480.17, 480.17b, and 480.17c), the title and sections 1a and 7 as amended and section 7c as added by 1995 PA 265 and section 7b as amended by 1990 PA 339.

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

Reps. Hale, Wallace, Willard, Schauer, Callahan, Hanley, Wojno, Bogardus, DeHart, Vaughn, Quarles, Thomas, Price, Frank, Brewer, Griffin, Dobronski, Harder, Baade, Curtis, Scott, Leland, Goschka, Olshove, Freeman, Gubow, Anthony, Prusi, Emerson, Hood, Parks, Mans, Varga, Brater, Stallworth, Richner, Jelinek, Raczkowski, Birkholz, Middaugh, Alley and Palamara introduced

House Bill No. 4475, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 13101 and 13102 (MCL 333.13101 and 333.13102), as added by 1996 PA 223, and by adding sections 13104, 13105, 13106, 13107, 13108, and 13109.

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

Reps. Baird, Curtis, Wallace, Dobronski, Gire, Hanley, Brater, Profit, Price, Schroer, LaForge, Schauer, Varga, Prusi, Cherry, Parks, DeHart, Quarles, Thomas, Brewer, Leland, Agee, Dobb, Gilmer, Stallworth, Godchaux, Anthony, Scott and Galloway introduced

House Bill No. 4476, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 90a.

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

Reps. DeHart, LaForge, Kelly, Schermesser, Hanley, Brewer, Hale and Parks introduced

House Bill No. 4477, entitled

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending sections 1a, 1b, 1e, 17j, 19, 20d, 20g, and 31 (MCL 38.1a, 38.1b, 38.1e, 38.17j, 38.19, 38.20d, 38.20g, and 38.31), section 1a as amended by 1995

PA 176, section 1b as amended by 1996 PA 33, section 1e as amended by 1996 PA 487, section 17j as amended by 1989 PA 9, section 19 as amended by 1996 PA 521, section 20d as amended by 1996 PA 532, section 20g as amended by 1987 PA 241, and section 31 as amended by 1991 PA 48, and by adding sections 17m and 31a.

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

Reps. DeHart, LaForge, Kelly, Cherry, Schermesser, Hanley, Brewer, Hale and Parks introduced

House Bill No. 4478, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 24 (MCL 38.24).

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

Reps. DeHart, LaForge, Kelly, Schauer, Cherry, Martinez, Goschka, Schermesser, McBryde, Hanley, Brewer, Hale and Parks introduced

House Bill No. 4479, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 41 (MCL 432.41), as amended by 1996 PA 167, and by adding section 41a.

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

Reps. DeHart, Willard, Cherry, Goschka, Schermesser, Bogardus, McBryde, Hanley, Brewer, Hale and Parks introduced

House Bill No. 4480, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20195.

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

Reps. Wetters and LaForge introduced

House Bill No. 4481, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending the title and sections 101, 102, 103, and 105 (MCL 560.101, 560.102, 560.103, and 560.105), as amended by 1996 PA 591; and to repeal acts and parts of acts.

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

Rep. Gubow introduced

House Bill No. 4482, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 368 (MCL 750.368) and by adding sections 217b, 478a, and 478b.

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

Rep. Gubow introduced

House Bill No. 4483, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80101, 80102, 80104, 80113, 80124, 80125, 80131, 80142, 80144, 80146, 80150, 80152, 80154, 80159, 80166, 80167, 80168, 80169, 80170, 80171, 80176, 80180, 80198a, and 80198b (MCL 324.80101, 324.80102, 324.80104, 324.80113, 324.80124, 324.80125, 324.80131, 324.80142, 324.80144, 324.80146, 324.80150, 324.80152, 324.80154, 324.80159, 324.80166, 324.80167, 324.80168, 324.80169, 324.80170, 324.80171, 324.80176, 324.80180, 324.80198a, and 324.80198b), sections 80101, 80102, 80104, 80113, 80124, 80125, 80131, 80144, 80146, 80150, 80152, 80154, 80159, 80166, 80167, 80168, 80169, 80170, 80171, 80198a, and 80198b as added by 1995 PA 58 and sections 80142, 80176, and 80180 as amended by 1996 PA 174, and by adding sections 80168a, 80193a, 80199a, 80199b, 80199c, 80199d, 80199e, 80199f, 80199g, and 80199h; 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. Gubow introduced

House Bill No. 4484, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1e of chapter IV (MCL 764.1e), as added by 1980 PA 506.

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

Rep. Gubow introduced

House Bill No. 4485, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 113, 8313, 8375, 8391, 8511, and 8512, (MCL 600.113, 600.8313, 600.8375, 600.8391, 600.8511, and 600.8512), sections 113 and 8511 as amended by 1996 PA 79 and sections 8313, 8375, and 8512 as amended by 1995 PA 54.

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

Rep. Gubow introduced

House Bill No. 4486, entitled

A bill to amend 1945 PA 246, entitled "An act to authorize township boards to adopt ordinances and regulations to secure the public health, safety and general welfare; to provide for the establishment of a township police department; to provide for policing of townships by certain law enforcement officers and agencies; to provide for the publication of ordinances; to prescribe powers and duties of township boards and certain local and state officers and agencies; to provide sanctions; and to repeal all acts and parts of acts in conflict with the act," by amending section 3 (MCL 41.183), as amended by 1996 PA 34.

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

Rep. Gubow introduced

House Bill No. 4487, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 21 (MCL 42.21), as amended by 1996 PA 36.

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

Rep. Gubow introduced

House Bill No. 4488, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 2 of chapter VI (MCL 66.2), as amended by 1996 PA 41.

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

Rep. Gubow introduced

House Bill No. 4489, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 25a (MCL 78.25a), as amended by 1996 PA 42.

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

Rep. Gubow introduced

House Bill No. 4490, entitled

A bill to amend 1895 PA 215, entitled "The fourth class city act," by amending section 2 of chapter IX (MCL 89.2), as amended by 1996 PA 43.

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

Rep. Gubow introduced

House Bill No. 4491, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4l (MCL 117.4l), as amended by 1996 PA 44.

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

Reps. Profit, Palamara, Willard, Schauer, Scranton, LaForge, Bogardus, Goschka, McBryde, Tesanovich, Cropsey and Lowe introduced

House Bill No. 4492, entitled

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

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

Reps. Profit, Palamara, Willard, Schauer, Scranton, LaForge, Bogardus, Goschka, McBryde, Tesanovich, Cropsey and Lowe introduced

House Bill No. 4493, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 104a (MCL 388.1704a), as amended by 1996 PA 300.

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

Reps. Profit, Palamara, Willard, Schauer, Scranton, LaForge, Bogardus, Goschka, McBryde, Tesanovich, Cropsey and Lowe introduced

House Bill No. 4494, entitled

A bill to amend 1996 PA 160, entitled "Postsecondary enrollment options act," by amending sections 3 and 9 (MCL 388.513 and 388.519) and by adding section 9a.

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

Reps. Brewer, Frank, Hale, Goschka, Baird and Bogardus introduced

House Bill No. 4495, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20165 and 20175 (MCL 333.20165 and 333.20175), section 20165 as amended by 1990 PA 179 and section 20175 as amended by 1993 PA 79, and by adding section 20173.

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

Reps. Brewer, Frank, Hale, Goschka, Baird and Bogardus introduced

House Bill No. 4496, entitled

A bill to amend 1867 PA 2, entitled "An act to enlarge the powers and duties of sheriffs, under and deputy sheriffs," (MCL 51.221) by adding section 2.

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

Reps. Brewer, Frank, Hale, Goschka, Baird and Bogardus introduced

House Bill No. 4497, entitled

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," (MCL 400.701 to 400.737) by adding sections 21a and 34a.

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

Reps. Brewer, Frank, Hale, Goschka, Baird and Bogardus introduced

House Bill No. 4498, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding sections 137a and 137b.

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

Rep. Griffin moved that the House adjourn.
The motion prevailed, the time being 5:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, March 13, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.