

No. 51
JOURNAL OF THE HOUSE

House Chamber, Lansing, Wednesday, June 4, 1997.

2:00 p.m.

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

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

Agee—present	Fitzgerald—present	Kaza—present	Price—present
Alley—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	Raczkowski—present
Bankes—present	Geiger—present	Law—present	Rhead—present
Birkholz—present	Gernaat—present	Leland—present	Richner—present
Bobier—present	Gilmer—present	LeTarte—present	Rison—present
Bodem—present	Gire—present	Llewellyn—present	Rocca—present
Bogardus—present	Godchaux—present	London—present	Schauer—present
Brackenridge—present	Goschka—present	Lowe—present	Schermesser—present
Brater—present	Green—present	Mans—present	Schroer—present
Brewer—present	Griffin—absent	Martinez—present	Scott—present
Brown—present	Gubow—present	Mathieu—present	Scranton—present
Byl—present	Gustafson—present	McBryde—present	Sikkema—present
Callahan—present	Hale—present	McManus—present	Stallworth—present
Cassis—present	Hammerstrom—present	McNutt—present	Tesanovich—present
Cherry—present	Hanley—present	Middaugh—present	Thomas—present
Ciaramitaro—present	Harder—present	Middleton—present	Varga—present
Crissman—present	Hertel—present	Murphy—present	Vaughn—excused
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 Llewellyn, from the 100th District, offered the following invocation:

“Heavenly Father, As we gather together to define civilization for the people of the great state of Michigan—plus all the people here, may all that we do glorify those ideals You brought forward in Your Messenger to the Ages, Jesus Christ. Also, Heavenly Father, please bless and strengthen Mike Vernon and the Detroit Red Wings. Amen.”

Rep. Dobronski moved that Rep. Vaughn be excused from today’s session.
The motion prevailed.

Notices

June 4, 1997

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

Sincerely,
Curtis Hertel
Speaker of the House

The Associate Speaker Pro Tempore called Acting Speaker DeHart to the Chair.

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 4218, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 411a (MCL 750.411a), as amended by 1996 PA 303.

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

Roll Call No. 438

Yeas—104

Agee	Dobronski	Johnson	Price
Alley	Emerson	Kaza	Profit
Anthony	Fitzgerald	Kelly	Prusi
Baade	Frank	Kilpatrick	Quarles
Baird	Freeman	Kukuk	Raczkowski
Bankes	Gagliardi	LaForge	Rhead
Birkholz	Galloway	Law	Richner
Bobier	Geiger	Leland	Rison
Bodem	Gernaat	LeTarte	Rocca
Bogardus	Gilmer	Llewellyn	Schauer
Brackenridge	Gire	London	Schermesser
Brater	Godchaux	Lowe	Schroer
Brewer	Goschka	Mans	Scott
Brown	Green	Martinez	Scranton
Byl	Gubow	Mathieu	Sikkema
Callahan	Hale	McBryde	Stallworth
Cassis	Hammerstrom	McManus	Tesanovich
Cherry	Hanley	McNutt	Thomas

Ciaramitaro	Harder	Middaugh	Varga
Crissman	Hertel	Middleton	Voorhees
Cropsey	Hood	Nye	Walberg
Curtis	Horton	Olshove	Wallace
Dalman	Jansen	Owen	Wetters
DeHart	Jaye	Palamara	Whyman
DeVuyst	Jelinek	Parks	Willard
Dobb	Jellema	Perricone	Wojno

Nays—0

In The Chair: DeHart

The House agreed to the title of the bill.

House Bill No. 4812, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 355b. The bill was read a third time.

The question being on the passage of the bill,

Reps. Raczkowski and Cherry moved to amend the bill as follows:

1. Amend page 1, line 10, after “DISPUTE” by inserting “EXCEPT THAT A SECURITY GUARD MAY LEAVE THE BOUNDARIES OF THE EMPLOYER’S PROPERTY TO PROTECT ANY OTHER LOCATION OF REAL ESTATE OR REAL PROPERTY THAT IS IN IMMINENT DANGER OF BEING DAMAGED AND THAT IS OWNED BY THE EMPLOYER OR UNDER CONTRACT TO THE EMPLOYER AND WHICH IS USED IN THE COURSE OF THE EMPLOYER’S BUSINESS.”.

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

The question being on the passage of the bill,

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

Roll Call No. 439**Yeas—58**

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

Nays—48

Bankes	Fitzgerald	Jellema	Middleton
Birkholz	Galloway	Johnson	Nye
Bobier	Geiger	Kukuk	Oxender
Bodem	Gernaat	Law	Perricone

Brackenridge	Gilmer	LeTarte	Raczkowski
Byl	Godchaux	Llewellyn	Rhead
Cassis	Gustafson	London	Richner
Crissman	Hammerstrom	Lowe	Scranton
Cropsey	Horton	McBryde	Sikkema
Dalman	Jansen	McManus	Voorhees
DeVuyst	Jaye	McNutt	Walberg
Dobb	Jelinek	Middaugh	Whyman

In The Chair: DeHart

The House agreed to the title of the bill.

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

“Mr. Speaker and members of the House:

It is unfair and un-American to say that a single class of individuals: employers, non striking employees and their agents, usually security guards, cannot carry a pistol.

These bills do not prevent strikers and union officials and their agents from carrying a pistol.

A person has a moral, God given right as well as a legal right to defend his family himself and his property.

These bills demonstrate the power organized labor has over Democrats and a few liberal Republicans.

The citizens of Sterling Heights removed from office those City Councilmembers who supported the Detroit News & Free Press strikers, by firing the City Manager who accepted approximately \$800,000 from the newspapers to pay for police over time at the Sterling Heights Detroit News Mound plant.”

Rep. Gagliardi moved that Rep. Hood be excused temporarily from today’s session.

The motion prevailed.

House Bill No. 4810, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

Rep. Llewellyn moved to amend the bill as follows:

1. Amend page 3, line 15, after “HIS OR HER LIFE” by striking out “OR THE LIVES OF OTHERS ARE” and inserting “IS”.

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

The question being on the passage of the bill,

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

Roll Call No. 440

Yeas—57

Agee	Emerson	Kilpatrick	Quarles
Alley	Frank	LaForge	Rison
Anthony	Freeman	Leland	Rocca
Baade	Gagliardi	Mans	Schauer
Baird	Gire	Martinez	Schermesser
Bogardus	Goschka	Mathieu	Schroer
Brater	Green	Murphy	Scott
Brewer	Gubow	Olshove	Tesanovich

Brown	Hale	Owen	Thomas
Callahan	Hanley	Palamara	Varga
Cherry	Harder	Parks	Wallace
Ciaramitaro	Hertel	Price	Wetters
Curtis	Kaza	Profit	Willard
DeHart	Kelly	Prusi	Wojno
Dobronski			

Nays—48

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

In The Chair: DeHart

The House agreed to the title of the bill.

Reps. Anthony, Frank, Gire, Goschka, Gubow, Kaza, Kelly, Owen, Palamara, Prusi, Schermesser, Scott, Varga and Wojno were named co-sponsors of the bill.

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

“Mr. Speaker and members of the House:

It is unfair and un-American to say that a single class of individuals: employers, non striking employees and their agents, usually security guards, cannot carry a pistol.

These bills do not prevent strikers and union officials and their agents from carrying a pistol.

A person has a moral, God given right as well as a legal right to defend his family himself and his property.

These bills demonstrate the power organized labor has over Democrats and a few liberal Republicans.

The citizens of Sterling Heights removed from office those City Councilmembers who supported the Detroit News & Free Press strikers, by firing the City Manager who accepted approximately \$800,000 from the newspapers to pay for police over time at the Sterling Heights Detroit News Mound plant.”

House Bill No. 4289, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 200, 201, 204, 204a, 205, 205a, 206, 207, 210, and 211 (MCL 750.200, 750.201, 750.204, 750.204a, 750.205, 750.205a, 750.206, 750.207, 750.210, and 750.211).

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

Roll Call No. 441**Yeas—102**

Alley	Frank	Kukuk	Profit
Anthony	Freeman	LaForge	Prusi

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

Nays—0

In The Chair: DeHart

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

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

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 200, 201, 204, 204a, 207, 209, and 211a (MCL 750.200, 750.201, 750.204, 750.204a, 750.207, 750.209, and 750.211a) and by adding section 209a; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

Reps. Anthony, Bogardus, DeHart, Kukuk, Leland, Schermesser, Scranton and Wojno were named co-sponsors of the bill.

House Bill No. 4462, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

Rep. Byl moved to amend the bill as follows:

1. Amend page 2, line 3, after "NOT" by striking out the balance of the line through line 6 and inserting "HARASS AN INDIVIDUAL LAWFULLY ENGAGED IN A STRIKE."

The motion was seconded.

Rep. Gagliardi moved to reconsider the vote by which the House seconded the motion by Rep. Byl.

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

The question being on the seconding of the motion by Rep. Byl,

The motion did not prevail.

Rep. Byl moved to amend the bill as follows:

1. Amend page 2, line 5, after “(B)” by striking out “CARRY OR DISPLAY” and inserting “BRANDISH, DISCHARGE, OR THREATEN TO DISCHARGE”.

2. Amend page 2, line 11, after “(B)” by striking out “CARRY OR DISPLAY” and inserting “BRANDISH, DISCHARGE, OR THREATEN TO DISCHARGE”.

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

The question being on the passage of the bill,

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

Roll Call No. 442**Yeas—56**

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

Nays—48

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

In The Chair: DeHart

The House agreed to the title of the bill.

Reps. Anthony, Bogardus, Cherry, Ciaramitaro, DeHart, Gire, Goschka, Kelly, LaForge, Owen, Prusi, Scott, Tesanovich, Wallace, Willard and Wojno were named co-sponsors of the bill.

House Bill No. 4629, entitled

A bill to amend 1964 PA 170, entitled “An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts,” by amending section 7 (MCL 691.1407), as amended by 1996 PA 143.

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

Roll Call No. 443**Yeas—95**

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

Nays—4

Bobier	Godchaux	Middleton	Nye
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In The Chair: DeHart

The House agreed to the title of the bill.

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

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

Rep. Gustafson, under Rule 32(b) made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 443 because of a possible conflict of interest.”

Second Reading of Bills**House Bill No. 4642, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4a (MCL 205.54a), as amended by 1996 PA 435.

The bill was read a second time.

Rep. Gubow moved to amend the bill as follows:

1. Amend page 8, line 21, by striking out all of subdivision (Q) and inserting:

“(Q) THAT IS NATURAL GAS OR NATURAL GAS LIQUIDS EXTRACTED DIRECTLY FROM INTERSTATE PIPELINES BEFORE JANUARY 1, 1998 TO FUEL MACHINERY THAT COMPRESSES OR PUMPS NATURAL GAS OR NATURAL GAS LIQUIDS THROUGH THE INTERSTATE PIPELINE FROM WHICH THE NATURAL GAS OR NATURAL GAS LIQUIDS ARE EXTRACTED. NATURAL GAS EXTRACTED DIRECTLY FROM INTERSTATE PIPELINES IS SUBJECT TO TAX IF EXTRACTED FROM THE PIPELINE BEFORE JANUARY 1, 1998 TO FUEL MACHINERY THAT COMPRESSES OR PUMPS NATURAL GAS OR NATURAL GAS LIQUIDS AFTER JANUARY 1, 1998.”

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

Rep. Profit moved to reconsider the vote by which the House adopted the amendment.

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

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

Rep. Gubow demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 444

Yeas—21

Agee	Emerson	Kelly	Parks
Anthony	Freeman	LaForge	Prusi
Baade	Gire	Leland	Scott
Callahan	Gubow	LeTarte	Voorhees
Ciaramitaro	Hale	Murphy	Willard
DeHart			

Nays—85

Alley	Frank	Kaza	Price
Baird	Gagliardi	Kilpatrick	Profit
Bankes	Galloway	Kukuk	Raczkowski
Birkholz	Geiger	Law	Rhead
Bobier	Gernaat	Llewellyn	Richner
Bodem	Gilmer	London	Rison
Bogardus	Godchaux	Lowe	Rocca
Brackenridge	Goschka	Mans	Schauer
Brater	Green	Martinez	Schermesser
Brewer	Gustafson	Mathieu	Schroer
Brown	Hammerstrom	McBryde	Scranton
Byl	Hanley	McManus	Sikkema
Cassis	Harder	McNutt	Stallworth
Cherry	Hertel	Middaugh	Tesanovich
Crissman	Hood	Middleton	Thomas
Cropsey	Horton	Nye	Varga
Curtis	Jansen	Olshove	Walberg
Dalman	Jaye	Owen	Wallace
DeVuyst	Jelinek	Oxender	Wetters
Dobb	Jellema	Palamara	Whyman
Dobronski	Johnson	Perricone	Wojno
Fitzgerald			

In The Chair: DeHart

Rep. Gubow moved to amend the bill as follows:

1. Amend page 8, line 22, after "PIPELINES," by inserting "OR".
2. Amend page 8, line 23, after "PIPELINES," by striking out "INJECT INTO STORAGE FIELDS, OR REMOVE FROM STORAGE FIELDS,".

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

Rep. Gubow moved to amend the bill as follows:

1. Amend page 8, line 21, after "PURCHASED" by inserting "BEFORE JANUARY 1, 1998".

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

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

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

Senate Bill No. 128, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2882 (MCL 333.2882), as amended by 1996 PA 307.

The bill was read a second time.

Rep. Gubow moved to amend the bill as follows:

1. Amend page 2, line 8, after "IS" by striking out "100" and inserting "110".

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Pending the Third Reading of

House Bill No. 4642, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 1996 PA 435.

Rep. Gagliardi moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

The question being on the motion by Rep. Gagliardi,

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

Rep. Gagliardi moved that consideration of the bill be postponed for the day.

The motion prevailed.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Rison, Hale, Dobronski, Freeman, Jellema, Kelly, Thomas, Hanley, Dalman, Oxender, Parks, Martinez, Goschka, Cherry, Quarles, Gubow, Green, Bodem, Scott, Dobb, Richner, Tesanovich, Bogardus, LaForge, Gire, Schermesser, Anthony, Murphy and Brater offered the following resolution:

House Resolution No. 74.

A resolution honoring Gloria J. Quinney upon the occasion of her retirement.

Success depends on preparation, and without such preparation
there is sure to be failure.

—Confucius

Whereas, It is with great respect that this legislative body is pleased to extend the highest praise to Gloria J. Quinney as she is honored at a retirement celebration on June 20, 1997. Gloria Quinney is bringing to a close twenty-eight years of exemplary service with the Family Independence Agency, and the professionalism and commitment to excellence she has exhibited in her many duties is to be commended; and

Whereas, A graduate of Grambling State University, Ms. Quinney also studied at Western Michigan University and Lansing Community College. Armed with her education and varied experience, she joined the Family Independence Agency, formerly the Department of Social Services, on March 10, 1969, as a case worker, where she remained until May 31, 1997; and

Whereas, Throughout Ms. Quinney's tenure with the Family Independence Agency, she has proven to be the caliber of an employee to whom citizens of all ages have looked to for guidance. She gained respect for her leadership style, and became known for her ability to show compassion at just the right time, when kindness and encouragement were most needed. Indeed, Gloria Quinney has devoted much of her life to helping others in her community; and

Whereas, Ability, commitment, and integrity have been reflected in all of Gloria Quinney's endeavors throughout her years of service. She has made many sacrifices on behalf of the community, willingly and unselfishly. She has attended years of meetings, spent much time listening to clients, and worked cooperatively with her co-workers; and

Whereas, Beyond her official duties, Ms. Quinney has been an active member with various community organizations, such as the Urban League of Flint, the American Society of Public Administrators, Big Brothers/Big Sisters Board of Directors-Flint, Mayor's Task Force on Women's Service, Child and Family Services of Michigan-Board of Directors-Flint, the American Public Welfare Association, Operation PUSH, and many more; and

Whereas, Ms. Quinney has continually set standards of service that epitomize the values and qualities we seek in the men and women who commit themselves to work in state government. Her deep sense of duty, which was exhibited in each task that came her way, showed that, for her, this was much more than a job—it was a commitment to excellence. Her career exemplifies Andrew Carnegie's phrase: "Putting all your eggs in one basket and then watching them grow."; now, therefore, be it

Resolved by the House of Representatives, That we honor and commend Gloria J. Quinney upon the occasion of her retirement from the Family Independence Agency after twenty-eight years of exemplary service. May she know of the high esteem in which the people of the Great Lake State hold her. We are grateful for her hard work; and be it further

Resolved, That a copy of this resolution be transmitted to Gloria Quinney as we extend our best wishes for a healthy and happy retirement.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Messages from the Senate

House Bill No. 4307, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

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

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

House Bill No. 4308, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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

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

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

House Bill No. 4310, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 6a, 11, 17b, 20, 20d, 20i, 24, 26, 31a, 36, 39, 41, 51a, 52, 53a, 54, 56, 57, 58, 61a, 62, 74, 81, 94, 95, 99, 101, 104a, 107, 108, 111,

147, 151, 167, and 169a (MCL 388.1606, 388.1606a, 388.1611, 388.1617b, 388.1620, 388.1620d, 388.1620i, 388.1624, 388.1626, 388.1631a, 388.1636, 388.1639, 388.1641, 388.1651a, 388.1652, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1658, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694, 388.1695, 388.1699, 388.1701, 388.1704a, 388.1707, 388.1708, 388.1711, 388.1747, 388.1751, 388.1767, and 388.1769a), sections 6, 11, 17b, 20, 20d, 24, 31a, 36, 39, 41, 52, 54, 56, 57, 58, 61a, 62, 74, 81, 94, 99, 101, 104a, 111, 147, and 167 as amended and sections 20i, 51a, 53a, 107, 108, and 169a as added by 1996 PA 300, sections 6a, 95, and 151 as amended by 1995 PA 130, and section 26 as amended by 1994 PA 283, and by adding sections 26a, 31b, 67, 68, 94a, 105a, 166d, and 166e; and to repeal acts and parts of acts.

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

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

A bill to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to prescribe penalties; and to repeal certain acts and parts of acts," by amending sections 3, 6, 6a, 11, 13, 17b, 20, 20c, 23, 24, 25, 26, 31a, 36, 39, 41, 51a, 52, 53a, 54, 56, 57, 58, 61a, 62, 74, 81, 94, 99, 101, 107, 111, 124, 147, 151, 167, and 169a (MCL 388.1603, 388.1606, 388.1606a, 388.1611, 388.1613, 388.1617b, 388.1620, 388.1620c, 388.1623, 388.1624, 388.1625, 388.1626, 388.1631a, 388.1636, 388.1639, 388.1641, 388.1651a, 388.1652, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1658, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694, 388.1699, 388.1701, 388.1707, 388.1711, 388.1724, 388.1747, 388.1751, 388.1767, and 388.1769a), sections 3, 6, 11, 13, 17b, 20, 20c, 23, 24, 31a, 36, 39, 41, 52, 54, 56, 57, 58, 61a, 62, 74, 81, 94, 99, 101, 111, 147, and 167 as amended and sections 25, 51a, 53a, 107, and 169a as added by 1996 PA 300, sections 6a, 124, and 151 as amended by 1995 PA 130, and section 26 as amended by 1994 PA 283, and by adding sections 10, 12, 20k, 26a, 31b, 67, 68, 69, 93, 105a, 112, and 166d; and to repeal acts and parts of acts.

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

Senate Bill No. 341, entitled

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending the title and section 3 (MCL 252.303) and by adding section 4a.

The Senate has passed the bill.

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

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, Thursday, May 29:

Senate Bill Nos. 543 544

The Clerk announced that the following bills had been printed and placed upon the files of the members, Tuesday, June 3:

House Bill Nos. 4846 4847 4848 4849 4850 4851 4852 4853 4854 4855 4857 4858

Communications from State Officers

The following communication from the Northwest Michigan Council of Governments was received and read:

May 30, 1997

Enclosed is a summary of the Title IIB Plan for economically disadvantaged youth ages 15-21, developed under the Job Training Partnership Act (JTPA). The program begins July 1, 1997, and operates in the ten county northwest Michigan region.

We welcome your review, comments and suggestions. Thanks you for your interest and continued support of JTPA programs.

Jan Warren, Program Development Coordinator

The communication was referred to the Clerk.

The following communications from the Secretary of State were received and read:

Notices of Filing
Administrative Rules

May 14, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 8:00 a.m. this date, administrative rule (97-5-7) for the Department of Consumer and Industry Services, Director's Office, entitled "*General Industry Safety Standards*", effective 15 days hereafter.

May 14, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 8:00 a.m. this date, administrative rule (97-5-8) for the Department of Consumer and Industry Services, Director's Office, entitled "*General Industry Safety Standards*", effective 15 days hereafter.

May 14, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 8:00 a.m. this date, administrative rule (97-5-9) for the Department of Consumer and Industry Services, Director's Office, entitled "*General Industry Safety Standards*", effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Helen Kruger, Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

Introduction of Bills

Rep. Brewer introduced

House Bill No. 4865, entitled

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

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

Reps. Lowe and Gernaat introduced

House Bill No. 4866, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 821, 822, 8148, and 8152 (MCL 600.821, 600.822, 600.8148, and 600.8152), section 821 as amended by 1996 PA 388, section 822 as amended by 1996 PA 374, and section 8152 as amended by 1990 PA 54.

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

Reps. Kilpatrick and Quarles introduced

House Bill No. 4867, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 1993 PA 325.

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

Reps. McManus, Goschka, McBryde, Brewer, Dalman, Jellema, Rocca, Johnson, Law and Perricone introduced

House Bill No. 4868, entitled

A bill to amend 1965 PA 203, entitled "Michigan law enforcement officers training council act of 1965," (MCL 28.601 to 28.616) by adding section 9a.

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

Reps. Raczkowski, Hammerstrom, Rhead, Jelinek, Green, Cassis, Richner, Thomas, Gustafson, Kukuk, Byl, Birkholz, Law, McBryde, Goschka, Bodem, Geiger, Scranton, Johnson, Jaye, Lowe, Anthony, Varga, Palamara, Stallworth, DeVuyst, Sikkema, McNutt, Alley, Gernaat, Kaza, Murphy, Cropsey, Wetters, Oxender, Perricone, Voorhees and Middaugh introduced

House Bill No. 4869, 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.

Rep. McManus introduced

House Bill No. 4870, entitled

A bill to amend 1968 PA 173, entitled "An act naming certain state buildings," (MCL 19.131 to 19.132) by adding section 3.

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

Reps. Harder, Walberg and Leland introduced

House Bill No. 4871, entitled

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

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

Rep. Harder introduced

House Bill No. 4872, 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 2 (MCL 207.102), as amended by 1992 PA 225.

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

Reps. Alley and Middaugh introduced

House Bill No. 4873, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 503 (MCL 324.503), as amended by 1996 PA 133.

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Judiciary, by Rep. Wallace, Chair, reported

House Bill No. 4210, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 204a, 322, 625b, 625h, 625k, and 625l (MCL 257.204a, 257.322, 257.625b, 257.625h, 257.625k, and 257.625l), section 204a as amended by 1996 PA 102, sections 625b, 625k, and 625l as amended by 1994 PA 450, and section 625h as amended by 1996 PA 59, and by adding sections 622a, 625n, 625o, and 625p.

With the recommendation that the substitute (H-6)* 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 4210 To Report Out:

Yeas: Reps. Wallace, Curtis, Freeman, Kilpatrick, Schauer, Wojno, Nye, Cropsey, Dalman, McNutt,
Nays: Rep. Willard.

The Committee on Judiciary, by Rep. Wallace, Chair, reported

House Bill No. 4529, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending the title and section 27 (MCL 552.627), the title as amended by 1996 PA 25 and section 27 as amended by 1985 PA 210, and by adding sections 5, 5a, and 5b.

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 4529 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Kilpatrick, Schauer, Willard, Wojno, Nye, Cropsey, Dalman, McNutt,

Nays: None.

The Committee on Judiciary, by Rep. Wallace, Chair, reported

House Bill No. 4530, entitled

A bill to amend 1846 RS 84, entitled "Of divorce," by amending sections 15, 16, and 17 (MCL 552.15, 552.16, and 552.17), as amended by 1996 PA 9; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

HB 4530 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Schauer, Willard, Wojno, Nye, Cropsey, Dalman, Law, McNutt,

Nays: None.

The Committee on Judiciary, by Rep. Wallace, Chair, reported

House Bill No. 4531, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 7 (MCL 722.27), as amended by 1996 PA 19; and to repeal acts and parts of acts.

With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 1, line 9, after "section" by striking out "30" and inserting "5B".
2. Amend page 1, line 10, after "MCL" by striking out "552.630" and inserting "552.605B".
3. Amend page 2, line 13, by striking out "30" and inserting "5B".
4. Amend page 2, line 14, after "MCL" by striking out "552.630" and inserting "552.605B".
5. Amend page 5, following line 14, by inserting:

"Enacting section 2. This amendatory act takes effect January 1, 1998." and renumbering the remaining enacting section.

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

Favorable Roll Call

HB 4531 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Kilpatrick, Schauer, Willard, Wojno, Nye, Cropsey, Dalman, Law, McNutt,

Nays: None.

The Committee on Judiciary, by Rep. Wallace, Chair, reported

House Bill No. 4532, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 7, 10, and 11 (MCL 722.717, 722.720, and 722.721), sections 7 and 10 as amended by 1996 PA 18 and section 11 as amended by 1990 PA 244; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

HB 4532 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Kilpatrick, Schauer, Willard, Wojno, Nye, Cropsey, Dalman, Law, McNutt,

Nays: None.

The Committee on Judiciary, by Rep. Wallace, Chair, reported

House Bill No. 4533, entitled

A bill to amend 1968 PA 293, entitled "An act to establish the status of minors; to define the rights and duties of parents; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; and to establish the conditions for emancipation of minors," by amending section 3 (MCL 722.3), as amended by 1996 PA 17; and to repeal acts and parts of acts.

With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 1, line 5, after "section" by striking out "30" and inserting "5B".
2. Amend page 1, line 6, after "MCL" by striking out "552.630" and inserting "552.605B".
3. Amend page 5, following line 12, by inserting:

"Enacting section 2. This amendatory act takes effect January 1, 1998." and renumbering the remaining enacting section.

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

Favorable Roll Call

HB 4533 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Kilpatrick, Schauer, Willard, Wojno, Nye, Cropsey, Dalman, Law, McNutt,

Nays: None.

The Committee on Judiciary, by Rep. Wallace, Chair, reported

House Bill No. 4534, entitled

A bill to amend 1966 PA 138, entitled "The family support act," by amending section 2 (MCL 552.452), as amended by 1996 PA 5; and to repeal acts and parts of acts.

With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 2, line 5, after "section" by striking out "30" and inserting "5B".
2. Amend page 2, line 6, after "MCL" by striking out "552.630" and inserting "552.605B".
3. Amend page 4, following line 14, by inserting:

"SEC. 2B. (1) IN AN ACTION UNDER THIS ACT, UPON MOTION OF A PARTY TO THE ACTION, THE COURT MAY DETERMINE CUSTODY AND PARENTING TIME OF A CHILD AS PROVIDED IN THE CHILD CUSTODY ACT OF 1970, 1970 PA 91, MCL 722.21 TO 722.30. IF THERE IS A DISPUTE BETWEEN THE PARTIES CONCERNING CUSTODY OR PARENTING TIME, THE COURT SHALL IMMEDIATELY ENTER AN ORDER THAT ESTABLISHES SUPPORT AND TEMPORARILY ESTABLISHES CUSTODY OF AND PARENTING TIME WITH THE CHILD. PENDING A HEARING ON OR OTHER RESOLUTION OF THE DISPUTE, THE COURT MAY REFER THE MATTER TO THE FRIEND OF THE COURT FOR A REPORT AND RECOMMENDATION AS PROVIDED IN SECTION 5 OF THE FRIEND OF THE COURT ACT, 1982 PA 294, MCL 552.505.

(2) THE COURT HAS CONTINUING JURISDICTION OVER AN ACTION BROUGHT UNDER THIS ACT TO INCREASE OR DECREASE THE AMOUNT OF CHILD SUPPORT AND TO PROVIDE FOR, CHANGE, AND ENFORCE PROVISIONS OF THE ORDER RELATING TO THE CUSTODY OR SUPPORT OF OR PARENTING TIME WITH THE CHILD.

(3) IN A DISPUTE REGARDING CUSTODY OR PARENTING TIME, THE PROSECUTING ATTORNEY OR AN ATTORNEY APPOINTED BY THE COUNTY OR THE COURT SHALL NOT BE REQUIRED TO REPRESENT EITHER PARTY REGARDING THAT DISPUTE.”.

4. Amend page 4, following line 16, by inserting:

“Enacting section 2. This amendatory act takes effect January 1, 1998.” and renumbering the remaining enacting section.

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

Favorable Roll Call

HB 4534 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Kilpatrick, Schauer, Willard, Wojno, Nye, Cropsey, Dalman, Law, McNutt,

Nays: None.

The Committee on Judiciary, by Rep. Wallace, Chair, reported

Senate Bill No. 342, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 411h and 411i (MCL 750.411h and 750.411i), section 411h as added by 1992 PA 260 and section 411i as added by 1992 PA 261.

With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 6, line 22, after “probation,” by inserting “A CONDITION OF PAROLE,”.

2. Amend page 7, line 13, after the first “THAN” by striking out “20 YEARS OR A FINE OF NOT MORE THAN \$20,000.00” and inserting “10 YEARS OR A FINE OF NOT MORE THAN \$15,000.00”.

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

Favorable Roll Call

SB 342 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Kilpatrick, Schauer, Willard, Wojno, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 3, 1997, at 9:00 a.m.,

Present: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Kilpatrick, Schauer, Willard, Wojno, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner,

Absent: Rep. Vaughn,

Excused: Rep. Vaughn.

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

House Bill No. 4855, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4g (MCL 205.54g), as amended by 1996 PA 576.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4855 To Report Out:

Yeas: Reps. Profit, Quarles, Hanley, Palamara, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton, Whyman,

Nays: Reps. Agee, Freeman, Gubow, Wetters.

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, June 4, 1997, at 9:00 a.m.,

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

Absent: Rep. Wallace,

Excused: Rep. Wallace.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

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).

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

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

Favorable Roll Call

HB 4045 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Gire, Kilpatrick, LaForge, Mans, Schermesser, Wetters, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

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.

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

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

Favorable Roll Call

HB 4046 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Gire, Kilpatrick, LaForge, Mans, Schermesser, Wetters, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

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.

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

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

Favorable Roll Call

HB 4047 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Gire, Kilpatrick, LaForge, Mans, Schermesser, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: Rep. Wetters.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

House Bill No. 4636, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20129a (MCL 324.20129a), as added by 1995 PA 71.

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 3, line 4, after "fund." by striking out the balance of the line through "shall" on line 6 and inserting "THE DEPARTMENT SHALL ANNUALLY".

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

Favorable Roll Call

HB 4636 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Gire, Kilpatrick, LaForge, Mans, Schermesser, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

Senate Bill No. 19, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 32312a.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 19 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Gire, Kilpatrick, LaForge, Mans, Schermesser, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

Senate Bill No. 444, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 72101 (MCL 324.72101), as added by 1995 PA 58, and by adding section 72105a.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 444 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Gire, Kilpatrick, LaForge, Mans, Schermesser, Wetters, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

House Resolution No. 35.

A resolution to encourage the Department of Natural Resources and the Natural Resources Commission to increase efforts to reduce deer crop damage and the number of deer/car accidents.

(For text of resolution, see House Journal No. 32, p. 599.)

With the recommendation that the following amendments be adopted and that the resolution then be adopted.

1. Amend the third Whereas clause, line 2, after "increased." by striking out "While this is an appropriate response to the problem, there must be other initiatives that could address the problems statewide and in specific regions."

2. Amend the first Resolving clause, line 4, after "accidents" by inserting a period and "We encourage the exploration of alternative ideas and the reporting of such ideas for consideration to the Committee on Conservation, Environment and Recreation".

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

Favorable Roll Call

HR 35 To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Gire, Kilpatrick, LaForge, Mans, Schermesser, Wetters, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Alley, Chair of the Committee on Conservation, Environment and Recreation, was received and read:

Meeting held on: Wednesday, June 4, 1997, at 10:30 a.m.,

Present: Reps. Alley, Callahan, Anthony, Brater, Brown, Gire, Kilpatrick, LaForge, Mans, Schermesser, Wetters, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg.

The Committee on Education, by Rep. Gire, Chair, reported

House Bill No. 4234, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1351a (MCL 380.1351a), as amended by 1994 PA 278.

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 4234 To Report Out:

Yeas: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, Kilpatrick, LaForge, Schauer, Scott, Jelinek,

Nays: Reps. Dalman, Crissman, LeTarte, McNutt.

The Committee on Education, by Rep. Gire, Chair, reported

House Bill No. 4827, entitled

A bill to amend 1933 PA 99, entitled "An act to authorize incorporated villages, townships, and cities to enter into contracts and agreements for the purchase of lands, property, or equipment for public purposes; to validate such contracts or agreements heretofore entered into; to provide for the payment of the purchase price thereof; and to prescribe the use of such lands, equipment, and property," by amending the title and sections 1 and 3 (MCL 123.721 and 123.723) and by adding section 1a.

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 4827 To Report Out:

Yeas: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, Kilpatrick, LaForge, Schauer, Scott, Dalman, Crissman, Jelinek, LeTarte, McNutt,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 4, 1997, at 12:00 Noon,

Present: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, Kilpatrick, LaForge, Schauer, Scott, Dalman, Crissman, Jelinek, LeTarte, McNutt, Middleton,

Absent: Rep. Cropsey.

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

Senate Bill No. 166, entitled

A bill to make appropriations for the departments of consumer and industry services and Michigan jobs commission and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

SB 166 To Report Out:

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

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 3, 1997, at 1:00 p.m.,

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

Absent: Rep. Rison,

Excused: Rep. Rison.

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

Senate Bill No. 164, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

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

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

Favorable Roll Call

SB 164 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 4, 1997, at 1:00 p.m.,

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

Absent: Rep. Stallworth.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Olshove, Chair of the Committee on Public Utilities, was received and read:
Meeting held on: Tuesday, June 3, 1997, at 4:30 p.m.,
Present: Reps. Olshove, Thomas, Baade, Dobronski, Hanley, Leland, Profit, Wetters, Dobb, Cassis, Galloway, Kukuk, LeTarte, Middaugh, Raczkowski, Whyman,
Absent: Reps. Alley, Griffin, Gubow, Murphy, Gustafson,
Excused: Reps. Alley, Griffin, Gubow, Murphy, Gustafson.

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, June 4, 1997, at 9:00 a.m.,
Present: Reps. Brater, DeHart, Brown, Freeman, Gire, Crissman, Birkholz, Cropsey, Law.

Rep. Brown moved that the House adjourn.
The motion prevailed, the time being 5:45 p.m.

Acting Speaker DeHart declared the House adjourned until Thursday, June 5, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.