

No. 55
JOURNAL OF THE HOUSE

House Chamber, Lansing, Thursday, June 12, 1997.

10:00 a.m.

The House was called to order by the Speaker.

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

Agee—present	Fitzgerald—present	Kaza—present	Price—present
Alley—present	Frank—present	Kelly—present	Profit—present
Anthony—present	Freeman—present	Kilpatrick—present	Prusi—present
Baade—present	Gagliardi—present	Kukuk—present	Quarles—present
Baird—present	Galloway—e/d/s	LaForge—present	Rackowski—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—e/d/s	Martinez—present	Scott—present
Brown—present	Gubow—e/d/s	Mathieu—present	Scranton—present
Byl—present	Gustafson—present	McBryde—present	Sikkema—present
Callahan—present	Hale—present	McManus—present	Stallworth—present
Cassis—present	Hammerstrom—present	McNutt—present	Tesanovich—present
Cherry—present	Hanley—present	Middaugh—present	Thomas—present
Ciaramitaro—present	Harder—present	Middleton—present	Varga—present
Crissman—present	Hertel—present	Murphy—present	Vaughn—present
Cropsey—e/d/s	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—e/d/s	Whyman—present
Dobb—present	Jellema—present	Parks—present	Willard—present
Dobronski—present	Johnson—excused	Perricone—present	Wojno—present
Emerson—present			

e/d/s = entered during session

Miss Raechel Martz, representing the State of Michigan in America's Junior Miss Program in Mobile, Alabama, offered the following invocation:

"Thank you for the opportunity to be here this afternoon. The Be Your Best Self promise declares, 'I want to help improve the world by making good decisions, so I promise to keep morality, integrity, honesty, love, respect and hope in my life.'

Dear Lord, Help each of us to understand the value of these characteristics and their positive effects on our lives. Let us work to share them with the children of our state, so that they may grow to improve their every day experiences. And, bless the distinguished members of our state government, as they weave morality, integrity, honesty, love, respect and hope into the policies they shape and decisions they make for the people of Michigan. Amen."

The Speaker called the Speaker Pro Tempore to the Chair.

Rep. Hammerstrom moved that Rep. Dalman be excused temporarily from today's session.
The motion prevailed.

Reports of Standing Committees

The Speaker laid before the House

Senate Concurrent Resolution No. 13.

A concurrent resolution approving a general form of lease between the State of Michigan and the State Building Authority, relative to furnishings and equipment to be leased to the State of Michigan.

(For text of resolution, see House Journal No. 26, p. 494.)

(The resolution was reported by the Committee on Appropriations on June 5, consideration of which was postponed until June 10 under the rules.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

"Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk's office."

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 463

Yeas—98

Agee	Fitzgerald	Kilpatrick	Profit
Alley	Frank	Kukuk	Prusi
Anthony	Freeman	LaForge	Rackowski
Baade	Gagliardi	Law	Rhead
Baird	Geiger	Leland	Richner
Birkholz	Gernaat	LeTarte	Rison
Bobier	Gilmer	Llewellyn	Rocca
Bodem	Gire	London	Schauer
Bogardus	Godchaux	Lowe	Schermesser
Brackenridge	Goschka	Mans	Schroer
Brater	Green	Martinez	Scott
Brewer	Gustafson	Mathieu	Scranton
Brown	Hale	McBryde	Sikkema
Byl	Hammerstrom	McManus	Tesanovich
Callahan	Hanley	McNutt	Thomas
Cassis	Harder	Middaugh	Varga
Cherry	Hertel	Middleton	Vaughn
Ciaramitaro	Hood	Murphy	Voorhees

Crissman	Horton	Nye	Walberg
Curtis	Jansen	Olshove	Wallace
DeHart	Jaye	Owen	Wetters
DeVuyst	Jelinek	Oxender	Whyman
Dobb	Jellema	Perricone	Willard
Dobronski	Kaza	Price	Wojno
Emerson	Kelly		

Nays—0

In The Chair: Murphy

Rep. Cropsey entered the House Chambers.

Rep. Palamara entered the House Chambers.

Rep. Galloway entered the House Chambers.

The Speaker laid before the House

Senate Concurrent Resolution No. 24.

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

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

(The concurrent resolution was reported by the Committee on House Oversight and Ethics on June 10, consideration of which was postponed until June 12 under the rules.)

The question being on the adoption of the concurrent resolution,

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

Second Reading of Bills

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.

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

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 9, line 16, by striking out all of line 16.

2. Amend page 9, line 18, by striking out all of line 18 and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 23, line 17, by striking out all of section 404.

4. Amend page 29, line 12, by striking out all of section 803.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Jaye moved to amend the bill as follows:

1. Amend page 4, line 8, by striking out “6,313,900” and inserting “6,484,400”.

2. Amend page 9, line 22, by striking out all of line 22 and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 22, line 19, after “services,” by striking out “\$783,500.00” and inserting “\$954,000.00”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Voorhees moved to amend the bill as follows:

1. Amend page 9, following line 22, by inserting:

“Gambling addiction education 20,000”

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 30, following line 7, by inserting:

“Sec. 806. From the funds appropriated in section 101 for gambling addiction education, the department shall disseminate information on treatment for persons with compulsive gambling disorders. The information shall include a telephone number for access to a treatment program or programs for gambling addiction. The department shall coordinate with the lottery commissioner on implementing this section.”.

The motion prevailed and the amendments were 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.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

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.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Rep. Griffin entered the House Chambers.

Second Reading of Bills

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.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Judiciary (for amendments, see House Journal No. 51, p. 1117),

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

Reps. Gubow and Nye moved to amend the bill as follows:

1. Amend page 3, line 14, after “IS” by striking out “2” and inserting “5”.

2. Amend page 7, line 11, after “IS” by striking out “2” and inserting “5”.

The motion prevailed and the amendments were 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.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

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.

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

Roll Call No. 464**Yeas—104**

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

Nays—0

In The Chair: Murphy

Pursuant to Joint Rule 20, the full title of the bill shall read as follows:

“An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The House agreed to the full title of the bill.

Rep. Gubow entered the House Chambers.

The House returned to the consideration of

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.

(The bill was considered earlier today, see today's Journal, p. 1180.)

Rep. Hood moved to amend the bill as follows:

1. Amend page 6, line 22, by striking out “7,507,400” and inserting “7,827,400” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 25, following line 17, by inserting:

“Sec. 552. Of the appropriations in section 101, \$320,000.00 shall be used for food safety inspection activities.”.

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. 465

Yeas—97

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

Nays—4

Goschka	Jaye	Kaza	Whyman
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In The Chair: Murphy

The House agreed to the title of the bill.

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

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 465 because of a possible conflict of interest. I support the appropriations for the Michigan Department of Agriculture contained in Senate Bill 164. However, this budget contains a \$500,000 restricted fund appropriation for Vision 2000. Because a member of my family is intimately in the direction of that program it would be inappropriate for me to cast a vote for this bill on final passage.”

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:

I voted against the Ag Budget because it includes \$170,500 in taxpayer money for equestrian trophy’s and medals. My amendment to transfer this \$170,500 to increase the budget for food quality inspections failed. This taxpayer subsidy of the lifestyles of the rich and famous polo players and equestrian clubs is outrageous. Taxpayers are spending \$376,000 to increase the horse racing payoffs. Taxpayer paid welfare for gamblers is wrong. This budget also includes approximately \$230,000 subsidy for a U.P. fair. The Armada Fair in my district and the Detroit fair do not receive a state subsidy.”

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

“Mr. Speaker and members of the House:

I voted ‘No’ on Senate Bill 164 because the House has once again failed to recognize the legitimate and genuine needs of the Flint River Dike project in Saginaw County. The problem of flooding occurs on an annual basis, and sometimes even more often than that, and it is due almost entirely to improvements made to the Flint River upstream in Genesee County. Frankly, those improvements upstream have caused a major increase in the flow of water downstream, thereby placing a terrible hardship on the 330 families in the Flint River Dike project area in Saginaw County.

As you all know, I fought to the end for this appropriation last year and I have waged the same vigorous campaign for this project again this year. I have fought for the good people of my district for good reason. I believe the state has an obligation to assist in the building and maintenance of dikes on the Flint River, but it has again shirked that responsibility. For the people of my district, I vote “No” on SB 164.”

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

The question being on the motion by Rep. Gagliardi,

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Gagliardi,

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 466

Yeas—57

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

Nays—49

Bankes	Geiger	Jellema	Middleton
Birkholz	Gernaat	Kaza	Nye
Bobier	Gilmer	Kukuk	Oxender
Bodem	Godchaux	Law	Perricone
Brackenridge	Goschka	LeTarte	Rackowski
Byl	Green	Llewellyn	Richner
Cassis	Gustafson	London	Rocca

Crissman	Hammerstrom	Lowe	Scranton
Cropsey	Horton	McBryde	Sikkema
DeVuyst	Jansen	McManus	Voorhees
Dobb	Jaye	McNutt	Walberg
Fitzgerald	Jelinek	Middaugh	Whyman
Galloway			

In The Chair: Murphy

Rep. Gagliardi questioned the presence of a quorum and moved that the roll be called and printed in the Journal. The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

Roll Call No. 467

Yeas—105

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

In The Chair: Murphy

The Speaker resumed the Chair.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

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 bill was received from the Senate on June 4, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 5, see House Journal No. 51, p. 1111.)

The question being on concurring in the adoption of the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 468

Yeas—0

Nays—107

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

In The Chair: Hertel

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Owen, Prusi and Geiger.

The Speaker laid before the House

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 bill was received from the Senate on June 4, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 5, see House Journal No. 51, p. 1111.)

The question being on concurring in the adoption of the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 469

Yeas—24

Bobier	Gilmer	Kaza	McManus
Crissman	Godchaux	Kukuk	Nye
Cropsey	Gustafson	Law	Perricone
DeVuyst	Horton	Llewellyn	Rackowski
Geiger	Jansen	Lowe	Rhead
Gernaat	Jellema	McBryde	Walberg

Nays—82

Agee	Dobronski	Kilpatrick	Richner
Alley	Emerson	LaForge	Rison
Anthony	Fitzgerald	Leland	Rocca
Baade	Frank	LeTarte	Schauer
Baird	Freeman	London	Schermesser
Bankes	Gagliardi	Mans	Schroer
Birkholz	Galloway	Martinez	Scott
Bodem	Gire	Mathieu	Scranton
Bogardus	Goschka	McNutt	Sikkema
Brackenridge	Green	Middaugh	Stallworth
Brater	Griffin	Murphy	Tesanovich
Brewer	Gubow	Olshove	Thomas
Brown	Hale	Owen	Varga
Byl	Hammerstrom	Oxender	Vaughn
Callahan	Hanley	Palamara	Voorhees
Cassis	Harder	Parks	Wallace
Cherry	Hertel	Price	Wetters
Ciaramitaro	Hood	Profit	Whyman
Curtis	Jaye	Prusi	Willard
DeHart	Jelinek	Quarles	Wojno
Dobb	Kelly		

In The Chair: Hertel

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Emerson, Kelly and Oxender.

The Speaker laid before the House

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 bill was received from the Senate on June 4, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 5, see House Journal No. 51, p. 1111.)

The question being on concurring in the adoption of the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 470**Yeas—27**

Bankes	Galloway	Jansen	Middleton
Bobier	Geiger	Kaza	Nye
Bodem	Gilmer	Law	Perricone
Cassis	Godchaux	London	Raczkowski
Crissman	Green	Lowe	Walberg
DeVuyst	Gustafson	McBryde	Whyman
Dobb	Horton	McManus	

Nays—79

Agee	Frank	LaForge	Richner
Alley	Freeman	Leland	Rison
Anthony	Gagliardi	LeTarte	Rocca
Baade	Gernaat	Llewellyn	Schauer
Baird	Gire	Mans	Schermesser
Birkholz	Goschka	Martinez	Schroer
Bogardus	Griffin	Mathieu	Scott
Brackenridge	Gubow	McNutt	Scranton
Brater	Hale	Middaugh	Sikkema
Brown	Hammerstrom	Murphy	Stallworth
Byl	Hanley	Olshove	Tesanovich
Callahan	Harder	Owen	Thomas
Cherry	Hertel	Oxender	Varga
Ciaramitaro	Hood	Palamara	Vaughn
Cropsey	Jaye	Parks	Voorhees
Curtis	Jelinek	Price	Wallace
DeHart	Jellema	Profit	Wetters
Dobronski	Kelly	Prusi	Willard
Emerson	Kilpatrick	Quarles	Wojno
Fitzgerald	Kukuk	Rhead	

In The Chair: Hertel

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Emerson, Kelly and Oxender.

The Speaker laid before the House

House Bill No. 4305, entitled

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

(The bill was received from the Senate on June 10, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 53, p. 1142.)

The question being on concurring in the adoption of the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 471

Yeas—37

Bankes	Goschka	LeTarte	Perricone
Birkholz	Green	Llewellyn	Raczkowski
Bobier	Gustafson	London	Rhead
Brackenridge	Horton	Lowe	Richner
Byl	Jansen	McBryde	Scranton
DeVuyst	Jelinek	McNutt	Sikkema
Fitzgerald	Jellema	Middaugh	Varga
Geiger	Kukuk	Nye	Voorhees
Gernaat	Law	Oxender	Walberg
Gilmer			

Nays—69

Agee	Dobronski	Kaza	Prusi
Alley	Emerson	Kelly	Quarles
Anthony	Frank	Kilpatrick	Rison
Baade	Freeman	LaForge	Rocca
Baird	Gagliardi	Leland	Schauer
Bodem	Galloway	Mans	Schermesser
Bogardus	Gire	Martinez	Schroer
Brater	Godchaux	Mathieu	Scott
Brewer	Griffin	McManus	Stallworth
Brown	Gubow	Middleton	Tesanovich
Callahan	Hale	Murphy	Thomas
Cassis	Hammerstrom	Olshove	Vaughn
Cherry	Hanley	Owen	Wallace
Ciaramitaro	Harder	Palamara	Wetters
Crissman	Hertel	Parks	Whyman
Curtis	Hood	Price	Willard
DeHart	Jaye	Profit	Wojno
Dobb			

In The Chair: Hertel

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Price, Mathieu and McBryde.

The Speaker laid before the House

House Bill No. 4306, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 1998, and to make certain appropriations for those purposes and adjust certain appropriations for those purposes for the fiscal year ending

September 30, 1997; to provide for the expenditure of such appropriations; to create funds; to provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

(The bill was received from the Senate on June 10, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 53, p. 1142.)

The question being on concurring in the adoption of the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 472**Yeas—41**

Bankes	Gernaat	Jellema	Nye
Birkholz	Gilmer	Law	Oxender
Bobier	Godchaux	LeTarte	Perricone
Bodem	Goschka	Llewellyn	Rackowski
Brackenridge	Green	London	Rhead
Byl	Gustafson	Lowe	Richner
Cassis	Hammerstrom	McBryde	Sikkema
Cropsey	Horton	McManus	Voorhees
DeVuyst	Jansen	McNutt	Walberg
Fitzgerald	Jelinek	Middleton	Whyman
Geiger			

Nays—65

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

In The Chair: Hertel

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Ciaramitaro, Emerson and Johnson.

The Speaker laid before the House

House Bill No. 4309, entitled

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

(The bill was received from the Senate on June 10, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 53, p. 1143.)

The question being on concurring in the adoption of the substitute (S-1) made to the bill by the Senate,
The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 473**Yeas—14**

Cassis	Godchaux	LeTarte	Middleton
Crissman	Goschka	Llewellyn	Nye
DeVuyst	Green	McBryde	Rhead
Dobb	Gustafson		

Nays—92

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

In The Chair: Hertel

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Hood, Tesanovich and Gilmer.

Second Reading of Bills**Senate Bill No. 172, entitled**

A bill to make appropriations for the department of military affairs for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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

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

Rep. Brewer moved to amend the bill as follows:

1. Amend page 10, line 5, after “budget” by inserting a comma and “the house and senate appropriations committees, the house and senate fiscal agencies, and the house and senate standing committees having jurisdiction over technology issues,”.

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

Rep. Tesanovich moved that Rep. Agee be excused temporarily from today’s session.
The motion prevailed.

Rep. Geiger moved to amend the bill as follows:

1. Amend page 6, line 13, by striking out all of lines 13 through 22 and inserting:

“EARLY RETIREMENT SAVINGS

Early retirement savings	\$ (326,600)
GROSS APPROPRIATION	(326,600)
Appropriated from:	
Federal revenues:	
Federal revenues.....	(95,100)
Special revenue funds:	
State restricted funds	(92,400)
State general fund/general purpose	\$ (139,100)”

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 10, line 17, after “includes” by striking out “\$579,490.00” and inserting “\$420,200.00”.

3. Amend page 10, line 17, after “and” by striking out “\$2,324,700.00” and inserting “\$746,800.00”.

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

Rep. Geiger demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 474

Yeas—50

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

Nays—54

Alley	Emerson	Leland	Rison
Anthony	Frank	Mans	Schauer

Baade	Freeman	Martinez	Schroer
Baird	Gagliardi	Mathieu	Scott
Bogardus	Gire	Murphy	Stallworth
Brater	Gubow	Olshove	Tesanovich
Brewer	Hale	Owen	Thomas
Brown	Hanley	Palamara	Varga
Callahan	Harder	Parks	Vaughn
Cherry	Hertel	Price	Wallace
Ciaramitaro	Hood	Profit	Wetters
Curtis	Kelly	Prusi	Willard
DeHart	Kilpatrick	Quarles	Wojno
Dobronski	LaForge		

In The Chair: Hertel

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

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

“Civil air patrol - Michigan wing..... 10,000”.

2. Amend page 4, line 10, by striking out “5,028,100” and inserting “5,038,100” and adjusting the subtotals, totals, and section 201 accordingly.

The motion prevailed and the amendments were 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.

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

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

Rep. Gagliardi moved that Rule 49 be suspended.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 172, entitled

A bill to make appropriations for the department of military affairs for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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

Roll Call No. 475

Yeas—92

Alley	Dobronski	Law	Prusi
Anthony	Emerson	Leland	Quarles
Baade	Frank	LeTarte	Raczkowski
Baird	Freeman	London	Rhead
Banks	Gagliardi	Lowe	Richner
Birkholz	Galloway	Mans	Rison
Bobier	Gernaat	Martinez	Schauer
Bodem	Gire	Mathieu	Schermesser
Bogardus	Green	McBryde	Schroer
Brackenridge	Griffin	McManus	Scott
Brater	Gubow	McNutt	Scranton
Brewer	Gustafson	Middaugh	Sikkema
Brown	Hale	Middleton	Stallworth
Byl	Hanley	Murphy	Tesanovich

Callahan	Harder	Nye	Thomas
Cassis	Hertel	Olshove	Varga
Cherry	Hood	Owen	Vaughn
Ciaramitaro	Jansen	Oxender	Voorhees
Crissman	Jelinek	Palamara	Walberg
Curtis	Kelly	Parks	Wallace
DeHart	Kilpatrick	Perricone	Wetters
DeVuyst	Kukuk	Price	Willard
Dobb	LaForge	Profit	Wojno

Nays—14

Cropsey	Godchaux	Jaye	Llewellyn
Fitzgerald	Goschka	Jellema	Rocca
Geiger	Hammerstrom	Kaza	Whyman
Gilmer	Horton		

In The Chair: Hertel

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

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

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

The motion prevailed.

The House agreed to the title as amended.

Reps. Kaza, Cropsey, Jaye, Goschka and Horton, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Another year has passed and we have before the legislature yet another Military Affairs appropriation that ignores the fact that young American fighting men and women have been sent to international regions of conflict where the United States does not have a legitimate national security interest.

More than half a year has passed since the Clinton Administration’s self-imposed Thanksgiving 1996 deadline regarding the withdrawal of U.S. troops in the Bosnia-Herzegovina region of the former Yugoslavia.

It is time that these young American fighting men and women came home to the greatest nation on the face of the earth—the United States of America.

Constituents who have communicated with us on this issue have expressed concern that American troops have been deployed to Bosnia-Herzegovina in the former Yugoslavia.

We respect their concerns.

We do not usually vote on foreign policy issues in the Michigan House of Representatives. We are responsible for appropriating funds for state departments, including the Department of Military Affairs.

We should not abrogate our responsibility as legislators at a time when many of our constituents have grave concerns about U.S. foreign policy in Bosnia.

The geopolitics of the former Yugoslavia are extremely complex and subject to varying interpretations by foreign powers, especially those in Central Europe and the former Soviet Union. This appropriation does not adequately address those geopolitics as they apply to Bosnia with a statement of legislative intent.

The U.S. government has no legitimate national security interests in Bosnia. Yet the Clinton administration has engaged in military intervention in Bosnia. Sarajevo was a flashpoint for World War I early in the 20th Century. It would be a tragic and great mistake if history repeated itself as this century ends.

The Clinton administration’s foreign policy vis-a-vis the former Yugoslavia has been contradictory at best, bizarre at worst.

Initially, the Clinton administration said there was no reason for U.S. troops to be sent to the war-torn land of Bosnia. The Clinton administration supported an arms embargo that prevented Western nations from selling weapons to a people experiencing genocide while secretly and tacitly permitting arms shipments by Iranian extremists whose stated purpose is destruction of the U.S. Later, the Clinton administration reversed itself and committed U.S. troops to Bosnia.

We have too many domestic problems to solve without risking American lives in foreign adventures.
Bring our troops home from Bosnia now.”

Reps. Hammerstrom and Llewellyn, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted “NO” on SB 172, the Military Affairs Budget, because the bill reflects funding levels below the Governor’s recommendation for staffing of the Veteran’s homes. The levels as presented would fail to provide sufficient funding to meet the required staffing standards at levels to handle the current need, and I was unwilling to cut \$1.3 million on the backs of 328 veterans who would be relocated.”

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

The question being on the motion by Rep. Gagliardi,

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Gagliardi,

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 476

Yeas—54

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

Nays—50

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

In The Chair: Hertel

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Agriculture, by Rep. Wetters, Chair, reported

House Resolution No. 76.

A resolution to urge the Commodity Futures Trading Commission and the Chicago Board of Trade to refrain from closing Toledo's point of delivery for agricultural products.

(For text of resolution, see House Journal No. 54, p. 1165.)

With the recommendation that the resolution be adopted.

Favorable Roll Call

HR 76 To Report Out:

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

Nays: None.

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

Rep. Gagliardi moved that Rule 77 be suspended.

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.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 12, 1997, at 8:30 a.m.,

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

Reps. Agee, Anthony, Baade, Birkholz, Bobier, Brackenridge, Brewer, Brown, Callahan, Cherry, DeHart, DeVuyst, Emerson, Frank, Gagliardi, Gernaat, Gire, Gubow, Gustafson, Hammerstrom, Harder, Horton, Kukuk, Leland, Llewellyn, Mans, McBryde, Middaugh, Olshove, Rhead, Rocca, Schauer, Schermesser, Tesanovich, Varga and Voorhees were named co-sponsors of the resolution.

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

Rep. Gagliardi questioned the presence of a quorum and moved that the roll be called and printed in the Journal.

The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

Roll Call No. 477

Yeas—97

Agee	Emerson	Kelly	Prusi
Alley	Fitzgerald	Kukuk	Quarles
Anthony	Frank	LaForge	Rackowski
Baade	Freeman	Law	Rhead
Baird	Gagliardi	Leland	Richner
Bankes	Galloway	LeTarte	Rison
Birkholz	Geiger	Llewellyn	Rocca
Bobier	Gernaat	London	Schauer

Bodem	Gilmer	Lowe	Schermesser
Bogardus	Godchaux	Mans	Schroer
Brackenridge	Goschka	Martinez	Scott
Brater	Green	Mathieu	Scranton
Brewer	Griffin	McBryde	Sikkema
Brown	Gubow	McManus	Stallworth
Byl	Gustafson	McNutt	Tesanovich
Callahan	Hale	Middaugh	Thomas
Cassis	Hammerstrom	Middleton	Varga
Cherry	Hanley	Nye	Voorhees
Crissman	Harder	Olshove	Walberg
Cropsey	Horton	Owen	Wallace
Curtis	Jansen	Oxender	Wetters
DeHart	Jaye	Parks	Whyman
DeVuyst	Jellema	Perricone	Willard
Dobb	Kaza	Price	Wojno
Dobronski			

In The Chair: Gire

Second Reading of Bills

Senate Bill No. 225, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 353d.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Appropriations (for amendments, see House Journal No. 54, p. 1170),

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

The Speaker resumed the Chair.

Reps. Gilmer and Jellema moved to amend the bill as follows:

1. Amend page 1, line 1, after "SEC. 353D." by striking out the balance of the bill and inserting:

"(1) NOTWITHSTANDING SECTION 451, FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1997 ONLY, THERE IS APPROPRIATED THE SUM OF \$100,000,000.00 FROM GENERAL FUND/GENERAL PURPOSE REVENUES TO THE MICHIGAN TRANSPORTATION FUND. THE AMOUNT APPROPRIATED SHALL BE DISTRIBUTED TO THE STATE, COUNTIES AND CITIES AND VILLAGES ACCORDING TO THE FORMULA IN SECTION 10(1)(B) (vi) OF 1951 PA51, MCL 247.660.

(2) FUNDS DISTRIBUTED UNDER THIS SECTION SHALL BE USED ONLY FOR RESURFACING AND REPAIR OF EXISTING ROADS. FUNDS DISTRIBUTED UNDER THIS SECTION SHALL BE CONSIDERED SUPPLEMENTARY TO EXISTING FUNDS AND SHALL NOT BE USED FOR ANY OF THE FOLLOWING:

(A) NEW CONSTRUCTION.

(B) TO SUPPLEMENT OR REPLACE FUNDS FOR ROAD OR BRIDGE PROJECTS IN PROGRESS ON THE EFFECTIVE DATE OF THIS SECTION.

(C) ADMINISTRATIVE COSTS OF THE ROAD AGENCY."

The question being on the adoption of the amendment offered by Reps. Gilmer and Jellema,

Rep. Gilmer demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Gilmer and Jellema,

Point of Order

Rep. Harder requested a ruling of the Chair as to whether or not the amendment offered by Reps. Gilmer and Jellema is germane.

The Chair ruled the amendment is not germane pursuant to House Rule 64. SB 225 is a single section bill to appropriate funds from the Budget Stabilization Fund. The proposed amendment will delete the introduced section from the bill and add a new proposition which is not germane to the subject matter of the bill as it was originally introduced and as it is currently before the House.

Rep. London appealed the decision of the Chair.

The question being, "Shall the judgment of the Chair stand as the judgment of the House?"

The judgment of the Chair stood as the judgment of the House, a majority of the members present and voting, voting therefor, by yeas and nays, as follows:

Roll Call No. 478**Yeas—57**

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

Nays—49

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

In The Chair: Hertel

Reps. Harder and McBryde moved to amend the bill as follows:

1. Amend page 2, line 6, after "THE" by striking out the balance of the sentence and inserting "APPROPRIATE MATERIALS BASED ON ACCEPTED ENGINEERING STANDARDS."

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

Reps. Gilmer and Geiger moved to amend the bill as follows:

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

“(6) FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1997 ONLY, ALL GENERAL FUND-GENERAL PURPOSE BALANCES AT THE FINAL CLOSE OF THE FISCAL YEAR ARE HEREBY APPROPRIATED AND SHALL BE TRANSFERRED TO THE FUND.”.

The question being on the adoption of the amendment offered by Reps. Gilmer and Geiger,

Rep. Gilmer demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Gilmer and Geiger,

Point of Order

Rep. Harder requested a ruling of the Chair as to whether or not the amendment offered by Reps. Gilmer and Geiger is germane.

The Chair ruled the amendment is not germane pursuant to House Rule 64.

Rep. London appealed the decision of the Chair.

The question being, “Shall the judgment of the Chair stand as the judgment of the House?”

The judgment of the Chair stood as the judgment of the House, a majority of the members present and voting, voting therefor, by yeas and nays, as follows:

Roll Call No. 479

Yeas—58

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

Nays—48

Banks	Galloway	Jelinek	Middleton
Birkholz	Geiger	Jellema	Nye
Bobier	Gernaat	Kaza	Oxender
Bodem	Gilmer	Kukuk	Perricone
Brackenridge	Godchaux	Law	Raczkowski
Byl	Goschka	LeTarte	Rhead
Cassis	Green	Llewellyn	Richner

Crissman	Gustafson	London	Rocca
Cropsey	Hammerstrom	Lowe	Scranton
DeVuyst	Horton	McBryde	Sikkema
Dobb	Jansen	McManus	Voorhees
Fitzgerald	Jaye	McNutt	Whyman

In The Chair: Hertel

Rep. Gagliardi questioned the presence of a quorum and moved that the roll be called and printed in the Journal.
 The motion prevailed.
 The roll was called and the Clerk announced that a quorum was present.
 The following is the roll call:

Roll Call No. 480**Yeas—90**

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

In The Chair: Hertel

Rep. Hammerstrom moved to amend the bill as follows:

1. Amend page 2, line 7, after "STANDARDS." by inserting "NOTHING IN THIS ACT SHALL PRECLUDE THE USE OF ANY DEPARTMENT APPROVED CONSTRUCTION METHOD OR MATERIAL."

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

Rep. Oxender moved to amend the bill as follows:

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

"(6) FUNDS APPROPRIATED FROM THE FUND UNDER THIS SECTION SHALL BE REIMBURSED WITH NOT MORE THAN \$69,000,000.00 OF THE EXCESS GENERAL FUND/GENERAL PURPOSE REVENUES IDENTIFIED AT THE MAY, 1997 REVENUE ESTIMATING CONFERENCE. IF LESS REVENUE THAN

\$69,000,000.00 IS ACTUALLY EXPENDED FOR THE PURPOSES OF THIS SECTION, THE AMOUNT OF REIMBURSEMENT TO THE FUND FROM THE EXCESS GENERAL FUND/GENERAL PURPOSE REVENUES SHALL BE DECREASED ACCORDINGLY.”.

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

The demand was supported.

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

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

Roll Call No. 481

Yeas—53

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

Nays—53

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

In The Chair: Hertel

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

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

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

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

Rep. Gagliardi moved that Rule 49 be suspended.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 225, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 353d.

The bill was read a third time.

The question being on the passage of the bill,

After debate,

Rep. Alley demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

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. 482

Yeas—84

Agee	Emerson	Kukuk	Quarles
Alley	Frank	LaForge	Raczkowski
Anthony	Freeman	Law	Rhead
Baade	Gagliardi	Leland	Richner
Baird	Galloway	Llewellyn	Rison
Bankes	Gernaat	Lowe	Rocca
Bodem	Gire	Mans	Schauer
Bogardus	Goschka	Martinez	Schermesser
Brackenridge	Green	Mathieu	Schroer
Brater	Griffin	McManus	Scott
Brewer	Gubow	McNutt	Stallworth
Brown	Hale	Middaugh	Tesanovich
Callahan	Hanley	Middleton	Thomas
Cassis	Harder	Murphy	Varga
Cherry	Hertel	Olshove	Vaughn
Ciaramitaro	Hood	Owen	Voorhees
Crissman	Jaye	Palamara	Wallace
Curtis	Jelinek	Parks	Wetters
DeHart	Kaza	Price	Whyman
Dobb	Kelly	Profit	Willard
Dobronski	Kilpatrick	Prusi	Wojno

Nays—23

Birkholz	Geiger	Jansen	Oxender
Bobier	Gilmer	Jellema	Perricone
Byl	Godchaux	LeTarte	Scranton
Cropsey	Gustafson	London	Sikkema
DeVuyst	Hammerstrom	McBryde	Walberg
Fitzgerald	Horton	Nye	

In The Chair: Hertel

Pursuant to Joint Rule 20, the full title of the bill shall read as follows:

"An act to prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for

the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts.”.

The House agreed to the full 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. Oxender, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted “no” on SB 225 because it is not a solution to our transportation problem. It spends \$69 million from the Budget Stabilization Fund instead of addressing the lack of total funds. I sponsored an amendment to pay the \$69 million from year end funds which failed 53-53. The repayment was necessary to keep the integrity of the state’s credit rating and the Budget Stabilization Fund. I will support if repayment is guaranteed later.”

Rep. McBryde, 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:

Senate Bill 225 as it stands without House Republican amendments being adopted is terrible public policy. All economic indicators would suggest that it is NOT raining in Michigan at this time. Furthermore, the House Fiscal Agency, the Senate Fiscal Agency and the Department of Management and Budget have agreed that there is at least \$130 million in surplus funds in this year’s GF/GP accounts.

Our Budget Stabilization Fund (or “rainy day” fund) is essentially our state’s savings account, while the GF/GP is our state’s checking account. As we have debated our amendments, the majority party has been unwilling to even commit to reimbursing our savings account with surplus moneys in our checking account. Who would do this with their family budget?

What is more, such hasty moves to spend our rainy day savings account could well endanger our state’s credit rating. If, as a result of these actions, our state’s credit rating drops, the cost of borrowing money will increase for every school district and local government in Michigan. I can not in good conscience vote to increase the costs for every school district and local government in the state, especially when we have much better alternatives.”

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

“Mr. Speaker and members of the House:

I voted “NO” on SB 225 because I believe this is the wrong approach. To remove funds from the savings account when there is available money in the General Fund is simply not good policy. We need to provide additional monies for roads, but this approach is a “quick-fix” smoke screen. We must adopt a comprehensive road funding plan that addresses improved efficiencies and a stable source of revenue. This bill does neither.”

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

“Mr. Speaker and members of the House:

I vote no on S.B. 225 because I believe taking money from the Budget Stabilization Fund is inappropriate at this time given Michigan’s strong economy.

This situation differs from previous instances where the BSF was used for specific purposes, not previously provided for in statute.

Given the State of Michigan’s current economic status I believe it would be far better to use increased revenue, as recently identified in the latest consensus revenue estimating conference, to provide a one time appropriation for this road construction season.”

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

“Mr. Speaker and members of the House:

I voted no on Senate Bill 225 for two reasons:

1. A better revenue source is currently available from savings in the current fiscal years budget savings. This source was not acceptable by the Democrats.
2. Taking money from the BSF fund during excellent economic times could damage our bond rating and ultimately hurt all municipal borrowing.”

Reps. Jellema and Byl, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I have been fighting for an increase in transportation funds since I first came to Lansing 2 years ago. I will continue that fight, but I will oppose all attempts to raid the Budget Stabilization Fund in a time of unprecedented prosperity. SB 225 takes \$69 million from that fund, even though there is unspent money in this year’s general budget. Instead of taking \$69 million from a fund set up to help the State meet its obligations in an economic down turn, an amendment was offered which would have put \$100 million from unspent general funds into road repairs. The amendment was ruled by the Chair to be not germane. Another amendment was offered which would have restored the \$69 million to the Budget Stabilization Fund. That amendment was defeated, leaving us with a bill that takes less money than is needed from a source meant for other purposes.”

Rep. DeVuyst, 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:

Today, I cast a “NO” vote on Senate Bill 225 which would provide for a 1 time appropriation out of the rainy day fund to provide for emergency road repair. It is my understanding that the Department of Treasury has an access of funds in the approximate amount of 139 million that could be transferred for emergency road repair.”

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

“Mr. Speaker and members of the House:

On 6/12/97 I voted No on SB 225 because the money that is to be used comes from the Budget Stabilization Fund, which is the savings account of Michigan. There are \$133 million identified in May, 1997, that are available to be used for one time road projects. I believe these are the funds that should be used. If the bill had been amended, which was proposed and defeated, to pay back the BSF from the \$133 million, I could have voted for SB 225.”

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

“Mr. Speaker and members of the House:

I voted “no” on final passage of Senate Bill 225 for several reasons:

1. It is simply poor fiscal management to borrow money and pay interest when there is available cash in the General Fund to pay for much needed road repair during the summer of 1997.
2. I am appalled at the unwillingness of the House Democrats to even make a pledge to repay the money that is borrowed from the Budget Stabilization Fund.
3. This action will assuredly tell Wall Street that we are not serious in Michigan about upgrading the rating of our bonds. Wall Street watches our Rainy Day Fund balances and activity with great interest. On January 31, 1997, *Moody’s Municipal Credit Report* on the State of Michigan concisely described the state’s cash flow problem—“The historically high balance, \$1.1 billion, in the state’s Rainy Day Fund has now become an essential source of alternate liquidity for state cash management. **High balances will have to be increased or the timing of expenditures restructured in order to avoid sizeable growth in future short-term cash flow borrowings.**” (emphasis added)

Michigan needs its Rainy Day Fund for its cash flow needs. This Legislature should not add to the cash flow problem by borrowing \$69 million. We have the money—it is in the General Fund—it has identified by the Revenue Estimating Conference in May of 1997 as being available and unobligated. I can think of no other purpose if this Legislature wants to have an immediate repair program started on our desperately deteriorating highways than to use the state’s General Fund.”

Rep. London, 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:

The reason that I voted against SB 225 is because it is bad public policy. For many years the Legislature and the Governor failed to place money in the BSF. This was due to the tax and spend policy of state government and an economy of high un-employment and jobs not available. Beginning in 1992 however we began to create jobs, lower taxes and deposit pay-in money and interest earned money into the BSF. Currently we have \$1.143 bill. With an annual interest of 69 plus million dollars. This is positive for our cash flow and our borrowing rate on Wall Street. While there is a need to repair our roads and bridges in the state, this is only a drop in the bucket of needed funds. It is easy to take

money out of our savings account and place it into our checking account (Gen. Fund) we haven't gotten the billion plus in the BSF by spending money at will.

According to the last budget estimate we did have some 140 million in our General Fund. I would have supported SB 225 had our amendments been debated and adopted. I remain interested and a working legislator on the road funding situation in Michigan."

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

Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Tuesday, June 17, at 2:00 p.m. The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Gagliardi, McNutt, Dobronski, Baird, Baade, Hale, Dobb, Rocca, Schermesser, Tesanovich, Freeman, Kelly, Raczkowski, Anthony, Gire, Olshove, Horton, Lowe, Llewellyn, Crissman, Bodem, Dalman, Goschka, Kaza, DeHart, Prusi, Parks, Varga, Scott, Oxender, Hanley, Quarles, Cherry, Brater, McBryde, Bogardus, Birkholz, Scranton, Galloway, Voorhees, Mans, Richner and Hood offered the following resolution:

House Resolution No. 79.

A resolution to celebrate the Kincheloe + 20 Festival.

Whereas, On June 28 and June 29, 1997, the people of the Charter Township of Kinross will celebrate the growth of their community since the closing of Kincheloe Air Force Base. The citizens may reflect on their history with pride when honoring the resilience and strength that have characterized the past twenty years. As a result of two decades of community unity, leadership, and perseverance, it is both a sincere pleasure and a distinct privilege to join with the community in commemorating this event; and

Whereas, This milestone will be observed with a festival, bringing together residents, community leaders, and veterans who will pay tribute to the history of the community. Solidarity and vigor have characterized the spirit of the community that developed following the closing of the Kincheloe Air Force Base. Civic leaders, as well as permanent residents, admirably achieved an incredible feat in converting the township from the site of an Air Force Base to a thriving community. The festival will celebrate this achievement, and perpetuate the harmony among residents; and

Whereas, The Kincheloe Plus 20 will also serve to honor the military presence in Kinross Township from 1941 through 1977. The esteemed veterans who gallantly served for the defense of the nation will be welcomed by a series of aircraft flyovers, static displays, parades, and fireworks. Additionally, there will be a myriad of dinners, dances, raffles, craft shows, and the like that will showcase the talent of the community and its residents. The festival will honor and reunite those who served at Kincheloe Air Force Base during its thirty year history, while simultaneously celebrating the outstanding growth of the community in the subsequent two decades; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the celebration of the 20th anniversary of the independent growth of the Charter Township of Kinross. May all township officials, citizens, and veterans know of our sincere congratulations on this notable milestone in the rich history of the community, and of our best wishes for many more such happy events; and be it further

Resolved, That copies of this resolution be transmitted to the organizers of this event as evidence of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. Scott, McNutt, Dobronski, Baird, Baade, Hale, Dobb, Rocca, Kukuk, Schermesser, Tesanovich, Freeman, Kelly, Raczkowski, Anthony, LaForge, Wojno, Gire, Olshove, Lowe, Llewellyn, Crissman, Bodem, Dalman, Goschka, Fitzgerald, Kaza, DeHart, Thomas, Prusi, Parks, Varga, Hanley, Cherry, Brater, McBryde, Callahan, Bogardus, Birkholz, Scranton, Galloway, Voorhees, Mans, Richner, Hood and Willard offered the following resolution:

House Resolution No. 80.

A resolution to commemorate the 75th Anniversary of Hamtramck, Michigan.

Whereas, Much of Michigan's character can be traced to the hard work and enterprise of the men and women who worked together to establish the villages and towns during the pioneer era. As the people of Hamtramck, Michigan, mark 1997 with a host of celebrations to observe their 75th anniversary as a community, we offer this expression of our respect for the community's contributions to the development of the Great Lake State; and

Whereas, The establishment of the township of Hamtramck in 1798 and the village of Hamtramck in 1901 can be traced to the vision and commitment of many individuals. Hamtramck's namesake, Colonel John Francis Hamtramck, was one of the best strategists of the post-Revolutionary Wars, to whom Fort Detroit was surrendered by the British in 1796. The establishment of the Dodge Brothers automobile plant in 1914 preempted a population boom that, for the time period, was the greatest community growth in the United States; and

Whereas, After long holding its title of largest village in the world, Hamtramck was incorporated as a city in 1922. As a city, it retained and even expanded its distinct nationalist features whose origins include Britain, France, Poland, Germany, Central Europe, the Balkans, and the Ukraine. This heritage provides an important cultural cornucopia, an example from which old-fashioned American values originate; now, therefore, be it

Resolved by the House of Representatives, That we commemorate the 75th Anniversary of Hamtramck; and be it further

Resolved, That a copy of this resolution be transmitted to the coordinators of this observance as evidence of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. Wojno, McNutt, Dobronski, Baird, Baade, Hale, Dobb, Rocca, Kukuk, Schermesser, Tesanovich, Freeman, Kelly, Raczkowski, Anthony, LaForge, Gire, Olshove, Lowe, Llewellyn, Crissman, Bodem, Dalman, Goschka, Fitzgerald, Kaza, DeHart, Thomas, Prusi, Parks, Varga, Scott, Hanley, Quarles, Cherry, Brater, McBryde, Callahan, Bogardus, Birkholz, Scranton, Galloway, Voorhees, Mans, Richner, Hood and Willard offered the following resolution:

House Resolution No. 81.

A resolution to commemorate the City of Warren on its 40th Anniversary.

Whereas, It is with great pride that we join with the good people of Warren in celebrating its 40th anniversary. As the residents of the third largest city in the state gather to pay their respects to the memory of those who established this city and to reaffirm their commitment for the future, we commend them and thank them for all that Warren has meant in helping to define the character of our beloved Great Lake State; and

Whereas, Warren has a history almost as old as the State of Michigan. The state was accepted into the Union in 1837, and Warren was first organized under its original name, Hickory Township, in 1837. After World War I, and with Henry Ford's offer to pay his workers \$5 a day, Detroit attracted a flood of people. The streetcar line into the middle of Warren, and enterprising builders who constructed low-cost homes, combined to stimulate tremendous growth through the 1920s. The Township of Warren was incorporated as the City of Warren on October 27, 1956, and began operating as a city on January 1, 1957. The name "Warren" was given to honor General Joseph Warren, one of the first heroes of the Revolutionary War who lost his life in the Battle of Bunker Hill; and

Whereas, Today, Warren is the hub of many technical industries. Warren is home to the General Motors Technical Center which employs more people than any other General Motors site in North America. With a population of 144,864, according to the 1990 census, Warren is the third largest city in the state, behind Detroit and Grand Rapids. In the 1990s, Warren established a multi-ethnic cultural commission to represent the wide diversity of ethnic groups which call Warren home; and

Whereas, The City of Warren over the years has had excellent public school systems. The six public school districts, along with several private and parochial schools, continue to meet the challenges of an ever-increasing technological society. Warren is also home to the Macomb Community College South Campus, which continues to serve as a model of excellence for community colleges across the nation; and

Whereas, The many good citizens of Warren have a rich history of working hard and building a better community for their children. Although the City of Warren today is a far cry from that wilderness territory founded by our forefathers, Warren's past is the foundation of the present and will help to shape a promising future. Even as the third largest city in Michigan, Warren maintains the values of its early history as Warren Township, a village of settlers seeking a friendly place to raise a family; now, therefore, be it

Resolved by the House of Representatives, That we hereby commemorate the 40th anniversary of Warren, Michigan, the city of progress. We commend all those who have coordinated the events marking this observance; and be it further

Resolved, That copies of this resolution be transmitted to the City of Warren as evidence of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. Bogardus and Cherry offered the following resolution:

House Resolution No. 82.

A resolution honoring the 125th Anniversary of Davison United Methodist Church.

Whereas, We are proud to join with the clergy and congregation of Davison United Methodist Church as they celebrate the 125th anniversary of this outstanding organization. This milestone is a reflection of unselfishness and commitment to the common good that is most commendable. While the members of this distinguished organization celebrate 125 years of devotion and service, we offer our thanks for the gifts they have shared within their community and throughout the entire state; and

Whereas, 1872 was the foundation year of the Methodist Episcopal Society in Davison, and the following year the congregation claimed 66 members and real estate at the northeast corner of Third and Main valued at \$3000; and

Whereas, Between 1872 and 1890, construction was completed on the first church—a frame rectangle, complete with a railing across the front for hitching horses and a 1000 pound bell—and a parsonage. By 1915, the membership was 132 persons, and the parsonage had to be moved to allow for remodeling and expansion of the original church. Because of the continuing growth of the congregation, such remodeling and expansion projects occurred again in 1951, 1956, 1960-61, 1970, and 1993. The original church building is now gone the way of the original congregationists, but within the new buildings, the new congregationists continue in the same dedication and spirit as their predecessors. Though the name has changed from The Methodist Episcopal Church to The Methodist Church to The United Methodist Church, the mission has stayed the same: *“to be the body of Christ, carrying out His work in the world”*; and

Whereas, It is with pride and gratitude that we welcome the opportunity to salute the many times and ways in which the clergy and congregation have freely given their time and energies to help whenever and wherever the need arose; and

Whereas, With ceremonies to celebrate its history, the clergy and congregation of the Davison United Methodist Church will remember the years of commitment and the dreams and vision of the many people that brought the group to this point. As they remember and honor their past, they will also look to the future, and to the many ways in which they will continue to reach out in our state; now, therefore, be it

Resolved by the House of Representatives, That the highest praise and admiration be accorded on this 125th anniversary celebration of the Davison United Methodist Church; and be it further

Resolved, That a copy of this resolution be presented to the church as a token of the high esteem in which it is held.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. Willard, Callahan, Ciaramitaro, Mans, Brown, Gire, Kukuk, London, Bogardus and Palamara offered the following resolution:

House Resolution No. 83.

A resolution to urge appropriate federal officials, the United States Army Corps of Engineers, and the International Joint Commission to do what they can to reduce the high water levels of the Great Lakes Basin.

Whereas, Water levels throughout the Great Lakes are at threatening levels. Weather conditions during the winter and the spring have brought levels within inches of records set in 1986. Certain areas of our state are only a storm away from devastating flooding, even though the lakes and connecting rivers have yet to reach their peak water levels; and

Whereas, Residents and communities along the St. Clair River, Lake St. Clair, and the Detroit River are doing all they can to prepare for flooding. Tens of thousands of sandbags are being placed along shorelines and river banks. Volunteers are reenforcing protective berms, and in St. Clair Shores, the city has blocked sanitary sewers and placed pumps at strategic locations. Families and businesses are preparing to move valuables and safeguard their property; and

Whereas, While there are obvious limitations to relief available from dams and water flow adjustments, it is imperative that all steps are taken to bring water levels down to avoid as much damage as possible. Taking every practical action now can save enormous emotional, physical, and financial costs later; now, therefore, be it

Resolved by the House of Representatives, That we urge appropriate federal officials, the United States Army Corps of Engineers, and the International Joint Commission to do what they can to reduce the high water levels of the Great Lakes Basin; and be it further

Resolved, That copies of this resolution be transmitted to appropriate federal officials, the International Joint Commission, and the United States Army Corps of Engineers.

The resolution was referred to the Committee on Conservation, Environment and Recreation.

Reps. Willard, Callahan, Ciaramitaro, Mans, Brown, Gire, Kukuk, London, Bogardus and Palamara offered the following concurrent resolution:

House Concurrent Resolution No. 45.

A concurrent resolution to urge appropriate federal officials, the United States Army Corps of Engineers, and the International Joint Commission to do what they can to reduce the high water levels of the Great Lakes Basin.

Whereas, Water levels throughout the Great Lakes are at threatening levels. Weather conditions during the winter and the spring have brought levels within inches of records set in 1986. Certain areas of our state are only a storm away from devastating flooding, even though the lakes and connecting rivers have yet to reach their peak water levels; and

Whereas, Residents and communities along the St. Clair River, Lake St. Clair, and the Detroit River are doing all they can to prepare for flooding. Tens of thousands of sandbags are being placed along shorelines and river banks. Volunteers are reenforcing protective berms, and in St. Clair Shores, the city has blocked sanitary sewers and placed pumps at strategic locations. Families and businesses are preparing to move valuables and safeguard their property; and

Whereas, While there are obvious limitations to relief available from dams and water flow adjustments, it is imperative that all steps are taken to bring water levels down to avoid as much damage as possible. Taking every practical action now can save enormous emotional, physical, and financial costs later; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge appropriate federal officials, the United States Army Corps of Engineers, and the International Joint Commission to do what they can to reduce the high water levels of the Great Lakes Basin; and be it further

Resolved, That copies of this resolution be transmitted to appropriate federal officials, the International Joint Commission, and the United States Army Corps of Engineers.

The concurrent resolution was referred to the Committee on Conservation, Environment and Recreation.

Reports of Standing Committees

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

House Bill No. 4568, entitled

A bill to amend 1965 PA 233, entitled "An act to regulate the production, transportation, handling, processing, delivery, and sale of grade A milk and milk products; to define grade A milk and milk products and to establish standards and requirements for grade A milk and milk products; to provide for licenses and producer permits and revocation of licenses and producer permits; to impose certain fees; to require certain security arrangements of milk plants to ensure the prompt payment of producers; to prescribe the powers and duties of certain state departments and officers; to provide for certain milk containers and set standards for certain milk containers; to provide for uniform standards and uniform inspection; to provide for certain remedies and penalties; to provide for the transfer of personnel and the rights of transferred personnel; and to repeal certain acts and parts of acts," (MCL 288.21 to 288.29a) by amending the title, as amended by 1993 PA 5, and by adding section 1b.

The committee recommended that the bill be referred to the Committee on Agriculture.

Favorable Roll Call

HB 4568 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Quarles, Scott, Vaughn, Fitzgerald, Rocca, Scranton, Voorhees,
Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Agriculture.

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

House Bill No. 4569, entitled

A bill to amend 1913 PA 222, entitled "Manufacturing milk act," (MCL 288.101 to 288.117) by adding section 2g.

The committee recommended that the bill be referred to the Committee on Agriculture.

Favorable Roll Call

HB 4569 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Quarles, Scott, Vaughn, Fitzgerald, Rocca, Scranton, Voorhees,
Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Agriculture.

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

House Bill No. 4570, entitled

A bill to amend 1955 PA 211, entitled "An act to define butter; to provide for grades of butter; to provide for grade labeling of butter; to provide for grading of butter by licensed graders; and to provide penalties for violations of the provisions of this act," by amending the title and sections 1 and 2 (MCL 288.211 and 288.212).

The committee recommended that the bill be referred to the Committee on Agriculture.

Favorable Roll Call

HB 4570 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Quarles, Scott, Vaughn, Fitzgerald, Rocca, Scranton, Voorhees,
Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Agriculture.

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

House Bill No. 4571, entitled

A bill to amend 1923 PA 30, entitled "An act to define cheese and to regulate the manufacture and sale of same within the limits of the state of Michigan; to provide for labeling and to prescribe a penalty," (MCL 288.281 to 288.284) by adding section 1a.

The committee recommended that the bill be referred to the Committee on Agriculture.

Favorable Roll Call

HB 4571 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Quarles, Scott, Vaughn, Fitzgerald, Rocca, Scranton, Voorhees,
Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Agriculture.

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

House Bill No. 4572, entitled

A bill to amend 1968 PA 298, entitled "Frozen desserts act of 1968," by amending the title and section 2 (MCL 288.322), section 2 as amended by 1982 PA 323, and by adding section 4a.

The committee recommended that the bill be referred to the Committee on Agriculture.

Favorable Roll Call

HB 4572 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Quarles, Scott, Vaughn, Fitzgerald, Rocca, Scranton, Voorhees,
Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Agriculture.

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

House Bill No. 4799, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 310a (MCL 750.310a), as added by 1996 PA 539.

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 4799 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Quarles, Scott, Vaughn, Fitzgerald, Jaye, Rocca, Scranton,
Nays: Rep. Voorhees.

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

House Bill No. 4814, entitled

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

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4814 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Quarles, Scott, Vaughn, Fitzgerald, Rocca, Scranton, Voorhees,
Nays: None.

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

House Bill No. 4840, entitled

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

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4840 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Quarles, Scott, Vaughn, Fitzgerald, Rocca, Scranton, Voorhees,
Nays: None.

The Committee on Regulatory Affairs, by Rep. Varga, Chair, reported

House Bill No. 4850, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 4 (MCL 436.4).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4850 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Quarles, Scott, Vaughn, Fitzgerald, Jaye, Rocca, Scranton,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Varga, Chair of the Committee on Regulatory Affairs, was received and read:

Meeting held on: Thursday, June 12, 1997, at 8:30 a.m.,

Present: Reps. Varga, Wojno, Anthony, Leland, Profit, Quarles, Scott, Vaughn, Fitzgerald, Jaye, Rocca, Scranton, Voorhees,

Absent: Reps. Olshove, Richner,

Excused: Reps. Olshove, Richner.

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

House Bill No. 4029, entitled

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

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

1. Amend page 7, following line 14, by inserting:

"(c) House Bill No. 4620."

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

Favorable Roll Call

HB 4029 To Report Out:

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

Nays: None.

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

House Bill No. 4030, entitled

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

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

1. Amend page 1, line 1, by striking out all of section 307.
2. Amend page 11, following line 10, by inserting:

"(c) House Bill No. 4620."

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

Favorable Roll Call

HB 4030 To Report Out:

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

Nays: None.

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

House Bill No. 4031, entitled

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

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 4031 To Report Out:

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

Nays: None.

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

House Bill No. 4620, entitled

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

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

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

Favorable Roll Call

HB 4620 To Report Out:

Yeas: Reps. Leland, Schermesser, Baade, Brown, Curtis, Mans, Olshove, Scott, Wojno, London, Birkholz, Byl, Green, Middleton,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 11, 1997, at 5:34 p.m.,

Present: Reps. Leland, Schermesser, Baade, Brown, Curtis, Mans, Olshove, Scott, Wojno, London, Birkholz, Byl, Galloway, Gernaat, Green, Middleton,

Absent: Rep. Schauer,

Excused: Rep. Schauer.

Messages from the Senate**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.

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

The House agreed to the full title of the bill.

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

House Bill No. 4603, entitled

A bill to amend 1969 PA 319, entitled "Banking code of 1969," by amending sections 171 and 231 (MCL 487.471 and 487.531), section 171 as amended by 1996 PA 405 and section 231 as amended by 1991 PA 12.

The Senate has passed the bill by a 2/3 vote, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title of the bill.

The House agreed to the full title of the bill.

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

Senate Bill No. 113, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 136b (MCL 750.136b), as added by 1988 PA 251.

The Senate has passed the bill.

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

Senate Bill No. 165, entitled

A bill to make appropriations for a capital outlay program for the fiscal year ending September 30, 1998, to implement the appropriations within the budgetary process; to make appropriations for planning and construction at state agencies; to make appropriations for state building authority rent and insurance; to make a grant for state building authority rent; to provide for the acquisition of land and buildings; to provide for the elimination of fire hazards; to provide for special maintenance, remodeling and addition, alteration, renovation, demolition, and other projects; to provide for elimination of occupational safety and health hazards; to provide for the award and implementation of contracts; to provide for the purchase of furnishings and equipment relative to occupancy of a project; to provide for certain advances from the general fund; to prescribe powers and duties of certain state officers and agencies; to require certain reports, plans, and agreements; to provide for leases; to provide for transfers; to prescribe standards and September 30, 1998 conditions relating to the appropriations; and to provide for the expenditure of appropriations.

The Senate has passed the bill.

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

Senate Bill No. 345, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending sections 105 and 109 (MCL 560.105 and 560.109), section 105 as amended and section 109 as added by 1996 PA 591, and by adding sections 109a and 109b.

The Senate has passed the bill.

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

Senate Bill No. 415, entitled

A bill to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide

remedies and penalties for the violation of this act,” by amending section 39 of chapter X (MCL 710.39), as amended by 1996 PA 409.

The Senate has passed the bill.

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

Senate Bill No. 521, entitled

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 9 (MCL 207.559), as amended by 1996 PA 513.

The Senate has passed the bill.

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

Senate Bill No. 526, 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.

The Senate has passed the bill.

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

Senate Bill No. 532, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of the department of social services and adoption facilitators; to provide penalties; and to repeal certain acts and parts of acts,” by amending section 5 (MCL 722.115), as amended by 1995 PA 81, and by adding sections 5b, 5c, and 5d.

The Senate has passed the bill.

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

Senate Bill No. 543, entitled

A bill to amend 1935 PA 220, entitled “An act to provide family home care for children committed to the care of the state, to create the Michigan children’s institute under the control of the Michigan social welfare commission, to prescribe the powers and duties thereof, and to provide penalties for violations of certain provisions of this act,” by amending section 4 (MCL 400.204).

The Senate has passed the bill.

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

Senate Bill No. 544, entitled

A bill to amend 1994 PA 203, entitled “Foster care and adoption services act,” by amending section 2 (MCL 722.952) and by adding sections 4a and 4b.

The Senate has passed the bill.

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

Senate Bill No. 566, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 321 (MCL 600.321), as amended by 1990 PA 277.

The Senate has passed the bill.

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

Senate Bill No. 580, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 621 (MCL 418.621), as amended by 1994 PA 271.

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 32.

A concurrent resolution to increase the total project cost of the Wayne State University Undergraduate Library project.

Whereas, The Wayne State University Undergraduate Library project was authorized with a total cost of \$35,000,000 in 1993 PA 19; and

Whereas, Senate Concurrent Resolution No. 520 of 1994 reduced the total project cost to \$32,000,000; and

Whereas, Wayne State University has requested that the total project cost be increased to \$33,000,000; and

Whereas, Wayne State University has agreed to fund the increase in project cost of \$1,000,000, with the state commitment remaining at \$26,000,000 and the State Building Authority share remaining at \$25,999,900; and

Whereas, Pursuant to Section 246 of 1984 PA 431, being MCL § 18.1246, the release of funds for construction may not occur until a total project cost has been established in an appropriation act or revised by concurrent resolution; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Michigan Legislature recognizes the need to increase the total authorized cost for the Wayne State University Undergraduate Library to an amount not to exceed \$33,000,000 (State Building Authority share \$25,999,900, State General Fund/General Purpose share \$100, Wayne State University share \$7,000,000) and that the Legislature intends to continue to appropriate funds for construction, subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That a copy of this resolution be transmitted to the director of the Department of Management and Budget and Wayne State University.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 33.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Jackson Parole Camp.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site of the Department of Corrections Jackson Parole Camp located in Jackson County (the "Facility") is currently owned by the State; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the State pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the total cost of the Department of Corrections Jackson Parole Camp shall not exceed \$9,263,400, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$9,140,000, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be \$950,000 as certified by the appraiser; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That by hereby approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 34.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections State Prison of Southern Michigan Reorganization (Phase I).

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site of the Department of Corrections State Prison of Southern Michigan Reorganization (Phase I)(the "Facility") is currently owned by the State; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the State pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the total cost of the Department of Corrections State Prison of Southern Michigan Reorganization (Phase I) shall not exceed \$75,500,000, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$73,500,000, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be \$7,660,000 as certified by the appraiser; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That by hereby approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 35.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Western Michigan University relative to the Western Michigan University Power Plant Renovation.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Control of Western Michigan University (the "University"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the University may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Power Plant Renovation (the "Facility") is currently owned by the University; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the University pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the University has been prepared providing for the leasing of the Facility by the Authority to the State and the University (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the total cost of the Western Michigan University Power Plant Renovation shall not exceed \$24,114,000, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$21,499,000, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other construction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the University and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be \$2,240,000 as certified by the appraiser; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the University, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this resolution be transmitted to the Governor, the Secretary of State, the Authority, the University, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following Senate bills had been received on Thursday, June 12:

Senate Bill Nos. 345 526 580 581

Introduction of Bills

Reps. Alley, McBryde, Hale, Profit, Hanley, Martinez, Schermesser, LaForge, Bogardus, Goschka, Frank, Cherry, Schroer, Gubow, Bodem, Gernaat and Ciaramitaro introduced

House Bill No. 4907, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21528. The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Raczkowski, Kukuk, Scranton, Richner, Lowe, Jellema, Martinez, DeHart, Goschka, Dobb, Bodem, Crissman, Whyman, McBryde, McManus, Rocca, Jansen, DeVuyst, Geiger, Horton, Green, Middaugh, Cropsey, McNutt, Olshove, Tesanovich, Varga, Murphy, Leland, Schermesser, Harder, Jaye and Perricone introduced

House Bill No. 4908, entitled

A bill to amend 1961 PA 236, entitled "Revised judiciary act of 1961," by amending section 8401 (MCL 600.8401), as amended by 1991 PA 192.

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

Reps. Raczkowski, Kukuk, Richner, Walberg, Lowe, Jellema, DeHart, Goschka, Jelinek, Dobb, Dobronski, Bodem, Hammerstrom, Crissman, Cassis, Whyman, McBryde, McManus, Nye, Rocca, Jansen, Kaza, Jaye, Stallworth, Wojno, Prusi, McNutt, Middaugh, Cropsey, Wetters, Curtis, Frank, Hale, Olshove, Tesanovich, Varga, Murphy, Leland, DeVuyst, Harder, Schermesser, Voorhees, Perricone and Green introduced

House Bill No. 4909, entitled

A bill to amend 1993 PA 330, entitled "State real estate transfer tax act," by amending section 6 (MCL 207.526), as amended by 1994 PA 255.

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

Reps. Profit, Perricone and Palamara introduced

House Bill No. 4910, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 52 (MCL 208.52).

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

Rep. Profit introduced

House Bill No. 4911, entitled

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

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

Rep. Profit introduced

House Bill No. 4912, entitled

A bill to amend 1984 PA 118, entitled "The prisoner reimbursement to the county act," by amending section 7 (MCL 801.87), as amended by 1996 PA 544.

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

Rep. Profit introduced

House Bill No. 4913, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6013 (MCL 600.6013), as amended by 1993 PA 78.

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

Rep. Profit introduced

House Bill No. 4914, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1344 (MCL 600.1344), as amended by 1982 PA 226.

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

Reps. Profit, Brater and Galloway introduced

House Bill No. 4915, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," (MCL 38.2101 to 38.2670) by adding section 512.

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

Rep. Profit introduced

House Bill No. 4916, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 18 (MCL 436.18), as amended by 1994 PA 185.

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

Reps. Nye, Gubow and Walberg introduced

House Bill No. 4917, 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; and to repeal acts and parts of acts.

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

Reps. Nye, Gubow and Walberg introduced

House Bill No. 4918, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," (MCL 290.641 to 290.650d) by adding section 5a.

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

Reps. Schroer, Goschka, Anthony, Hanley, LaForge, Richner, Brater, Wojno, Cherry, Hammerstrom and Hale introduced

House Bill No. 4919, entitled

A bill to designate an official amphibian of this state.

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

Reps. Jelinek, Raczkowski, Brackenridge and Goschka introduced

House Bill No. 4920, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 1606 (MCL 324.1606), as added by 1995 PA 60.

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

Reps. Brater, Anthony, Varga, Hale, Dobronski, Schermesser, Hanley, Goschka, Parks, DeHart, Schroer, Cherry, Schauer, Brewer and McBryde introduced

House Bill No. 4921, entitled

A bill to require employers to allow an employee to receive certain telephone calls; to prescribe certain powers and duties of the department of consumer and industry services; and to prescribe penalties.

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

Reps. Brater, Anthony, Dobronski, Schermesser, Hanley, Martinez, Hale, Goschka, Bogardus, Parks, DeHart, Schroer, Wojno, Cherry and Brewer introduced

House Bill No. 4922, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11130 (MCL 324.11130).

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

Reps. Brater, Varga, Godchaux, Dobronski, Schermesser, Hanley, Martinez, Goschka, Parks, Richner and Wojno introduced

House Bill No. 4923, entitled

A bill to designate an official wildflower of this state.

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

Reps. Nye, Gubow and Walberg introduced

House Joint Resolution X, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 8 of article IX, to provide for an increase in the sales tax for transportation purposes.

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

By unanimous consent the House returned to the order of

Messages from the Governor

The following messages from the Governor, approving and signing the following bills at the times designated below, were received and read:

Date: June 11, 1997

Time: 12:30 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4162 (Public Act No. 15, I.E.), being

An act to designate an official mammal of this state.

(Filed with the Secretary of State June 11, 1997, at 3:50 p.m.)

Date: June 11, 1997

Time: 12:40 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4102 (Public Act No. 16), being

An act to regulate the manufacturing and assembling of public playground equipment; and to provide penalties.

(Filed with the Secretary of State June 11, 1997, at 3:52 p.m.)

Date: June 11, 1997

Time: 11:05 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4242 (Public Act No. 17, I.E.), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 16901 and 16903 (MCL 324.16901 and 324.16903), section 16901 as amended by 1995 PA 268, and by adding sections 16903a, 16904a, 16908a, and 16910.

(Filed with the Secretary of State June 11, 1997, at 3:54 p.m.)

Date: June 11, 1997

Time: 11:35 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4034 (Public Act No. 18, I.E.), being

An act to amend 1931 PA 285, entitled “An act to provide for city, village and municipal planning; the creation, organization, powers and duties of planning commissions; the regulation and subdivision of land; and to provide penalties for violation of the provisions of this act,” by amending sections 1 and 3 (MCL 125.31 and 125.33), section 3 as amended by 1986 PA 5.

(Filed with the Secretary of State, June 11, 1997, at 3:56 p.m.)

Rep. Crissman moved that the House adjourn.
The motion prevailed, the time being 4:45 p.m.

The Speaker declared the House adjourned until Tuesday, June 17, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

