

No. 22

JOURNAL OF THE HOUSE

House Chamber, Lansing, Thursday, March 13, 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—present	LaForge—present	Raczkowski—present
Bankes—excused	Geiger—present	Law—present	Rhead—present
Birkholz—present	Gernaat—present	Leland—present	Richner—present
Bobier—present	Gilmer—present	LeTarte—present	Rison—present
Bodem—present	Gire—present	Llewellyn—present	Rocca—present
Bogardus—present	Godchaux—present	London—present	Schauer—present
Brackenridge—present	Goschka—present	Lowe—present	Schermesser—present
Brater—present	Green—present	Mans—present	Schroer—present
Brewer—present	Griffin—present	Martinez—present	Scott—present
Brown—present	Gubow—present	Mathieu—present	Scranton—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—present	Hood—present	Nye—present	Voorhees—present
Curtis—present	Horton—present	Olshove—present	Walberg—present
Dalman—present	Jansen—present	Owen—present	Wallace—present
DeHart—present	Jaye—present	Oxender—present	Wetters—present
DeVuyst—present	Jelinek—present	Palamara—present	Whyman—present
Dobb—present	Jellema—present	Parks—present	Willard—present
Dobronski—present	Johnson—present	Perricone—present	Wojno—present
Emerson—present			

e/d/s = entered during session

Rep. David Galloway, from the 44th District, offered the following invocation:

“Dear Lord, Thank You for this opportunity to serve the people of the state of Michigan in every capacity that we can. Give us wisdom today, Lord, and we pray that You will help us use our wisdom and intelligence to make the right decisions. Amen.”

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

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

Notices

March 13, 1997

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

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

Sincerely,
Curtis Hertel
Speaker of the House

Rep. Anthony moved that Rep. Emerson be granted an excuse from the balance of today’s session.
The motion prevailed.

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

House Bill No. 4222, entitled

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

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

Roll Call No. 97

Yeas—105

Agee	Frank	Kaza	Price
Alley	Freeman	Kelly	Profit
Anthony	Gagliardi	Kilpatrick	Prusi
Baade	Galloway	Kukuk	Raczkowski
Baird	Geiger	LaForge	Rhead
Birkholz	Gernaat	Law	Richner
Bobier	Gilmer	LeTarte	Rison
Bodem	Gire	Llewellyn	Rocca

Bogardus	Godchaux	London	Schauer
Brackenridge	Goschka	Lowe	Schermesser
Brater	Green	Mans	Schroer
Brewer	Griffin	Martinez	Scott
Brown	Gubow	Mathieu	Scranton
Byl	Gustafson	McBryde	Sikkema
Callahan	Hale	McManus	Stallworth
Cassis	Hammerstrom	McNutt	Tesanovich
Cherry	Hanley	Middaugh	Thomas
Ciaramitaro	Harder	Middleton	Varga
Crissman	Hertel	Murphy	Vaughn
Cropsey	Hood	Nye	Voorhees
Curtis	Horton	Olshove	Walberg
Dalman	Jansen	Owen	Wallace
DeHart	Jaye	Oxender	Wetters
DeVuyst	Jelinek	Palamara	Whyman
Dobb	Jellema	Parks	Willard
Dobronski	Johnson	Perricone	Wojno
Fitzgerald			

Nays—0

In The Chair: Gire

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

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

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending the title and section 18 (MCL 552.518), the title as amended by 1996 PA 366 and section 18 as amended by 1996 PA 144.

The motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 4091, entitled

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

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

Roll Call No. 98**Yeas—106**

Agee	Freeman	Kilpatrick	Profit
Alley	Gagliardi	Kukuk	Prusi
Anthony	Galloway	LaForge	Quarles
Baade	Geiger	Law	Rackowski
Baird	Gernaat	Leland	Rhead
Birkholz	Gilmer	LeTarte	Richner
Bobier	Gire	Llewellyn	Rison
Bogardus	Godchaux	London	Rocca
Brackenridge	Goschka	Lowe	Schauer
Brater	Green	Mans	Schermesser
Brewer	Griffin	Martinez	Schroer
Brown	Gubow	Mathieu	Scott
Byl	Gustafson	McBryde	Scranton

Callahan	Hale	McManus	Sikkema
Cassis	Hammerstrom	McNutt	Stallworth
Cherry	Hanley	Middaugh	Tesanovich
Ciaramitaro	Harder	Middleton	Thomas
Crissman	Hertel	Murphy	Varga
Cropsey	Hood	Nye	Vaughn
Curtis	Horton	Olshove	Voorhees
Dalman	Jansen	Owen	Walberg
DeHart	Jaye	Oxender	Wallace
DeVuyst	Jelinek	Palamara	Wetters
Dobb	Jellema	Parks	Whyman
Dobronski	Johnson	Perricone	Willard
Fitzgerald	Kaza	Price	Wojno
Frank	Kelly		

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

Reps. Baade, Baird, Birkholz, Bodem, Bogardus, Brown, Cassis, Cherry, Crissman, Dalman, Dobb, Dobronski, Gilmer, Gire, Goschka, Gubow, Hale, Harder, Horton, Jellema, Kaza, Kelly, Kukuk, Law, London, Mans, McBryde, Middaugh, Nye, Olshove, Perricone, Raczkowski, Richner, Scott, Scranton, Sikkema, Tesanovich, Varga, Vaughn, Voorhees and Wallace were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4392, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21052a.

The bill was read a second time.

Rep. Hammerstrom moved to amend the bill as follows:

1. Amend page 1, line 2, after "FROM" by inserting "ADVOCATING ON BEHALF OF AN ENROLLEE FOR APPROPRIATE MEDICAL TREATMENT OPTIONS PURSUANT TO THE GRIEVANCE PROCEDURE IN SECTION 21034 OR 21035 OR FROM".

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

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

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

House Bill No. 4393, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 501b.

The bill was read a second time.

Rep. Hammerstrom moved to amend the bill as follows:

1. Amend page 1, line 2, after "FROM" by inserting "ADVOCATING ON BEHALF OF A SUBSCRIBER FOR APPROPRIATE MEDICAL TREATMENT OPTIONS PURSUANT TO THE GRIEVANCE PROCEDURE IN SECTION 404 OR FROM".

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

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

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

House Bill No. 4394, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3407a.

The bill was read a second time.

Rep. Hammerstrom moved to amend the bill as follows:

1. Amend page 1, line 2, after "FROM" by inserting "ADVOCATING ON BEHALF OF AN INSURED FOR APPROPRIATE MEDICAL TREATMENT OPTIONS PURSUANT TO THE GRIEVANCE PROCEDURE IN SECTION 2213 OR FROM".

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

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

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Concurrent Resolution No. 9.

A concurrent resolution to memorialize the Congress of the United States to preserve Medicaid.

(For text of resolution, see House Journal No. 8, p. 125.)

(The concurrent resolution was reported by the Committee on House Oversight and Ethics on March 11, consideration of which was postponed until March 12 under the rules.)

The question being on the adoption of the concurrent resolution,

Rep. Walberg moved to amend the concurrent resolution as follows:

1. Amend the title, line 1, after "memorialize" by inserting "the President and".

2. Amend the third Whereas clause, line 7, after "poverty;" by inserting "and

Whereas, Decisions on Medicaid represent significant public policy choices. Recipients, taxpayers, and the general public deserve consideration of those choices in an environment free from partisan attacks and misleading accusations. Senior citizens and other vulnerable members of society who depend on Medicaid deserve better than callous and cynical attempts to stir up fear and anxiety about the future for short-term political gain. We call upon members of both parties in Congress and in the federal administration to conduct this debate according to high standards of decorum and truthfulness;"

3. Amend the first Resolving clause, line 2, after "memorialize" by inserting "the President and".

4. Amend the second Resolving clause, line 1, after "to" by inserting "the President of the United States,".

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

Rep. Jansen moved to amend the concurrent resolution as follows:

1. Amend the fourth Whereas clause, line 7, after "truthfulness;" by inserting "and

Whereas, The National Governors' Association (NGA), in testimony presented to the United States Senate on March 11, 1997, has put forth specific recommendations with regard to the consideration of Medicaid in budget discussions. The starting point for the work of the Governors' Association was that sound Medicaid policies to better serve our citizens should determine decisions, not budgetary politics. The NGA's recommendations include strong opposition to a unilateral cap on Medicaid spending, which would shift the burdens of finance to the states. The governors, who speak as the executives of units of government far closer to the people affected, also oppose the proposed cuts in the Disproportionate Share Program. The governors are committed to continuing the state role in distributing funds as part of the overall health care infrastructure of the states. These and other concerns of the National Governors' Association need to be addressed in all Medicaid discussions;"

2. Amend the resolution, following the first Resolving clause, by inserting:

"Resolved, That we call on the President and the Congress to heed the recommendations of the National Governors' Association on Medicaid, especially as the recommendations oppose any unilateral cap that would shift burdens to the states and oppose large cuts to the Disproportionate Share Hospital Program; and be it further".

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

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 99**Yeas—51**

Birkholz	Geiger	Johnson	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
Dalman	Horton	McBryde	Sikkema
DeVuyst	Jansen	McManus	Voorhees
Dobb	Jaye	McNutt	Walberg
Fitzgerald	Jelinek	Middaugh	Whyman
Galloway	Jellema	Middleton	

Nays—54

Agee	Frank	Leland	Rison
Anthony	Freeman	Mans	Schauer
Baade	Gagliardi	Martinez	Schermesser
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	LaForge		

In The Chair: Gire

The question being on the adoption of the concurrent resolution,
Rep. Voorhees moved that consideration of the concurrent resolution be postponed temporarily.
The motion prevailed.

The Speaker laid before the House

House Resolution No. 10.

A resolution to memorialize the Congress of the United States to preserve Medicaid.

(For text of resolution, see House Journal No. 7, p. 118.)

(The resolution was reported by the Committee on House Oversight and Ethics on March 11, consideration of which was postponed until March 12 under the rules.)

The question being on the adoption of the resolution,

Rep. Walberg moved to amend the resolution as follows:

1. Amend the title, line 1, after "memorialize" by inserting "the President and".
2. Amend the third Whereas clause, line 7, after "poverty;" by inserting "and

Whereas, Decisions on Medicaid represent significant public policy choices. Recipients, taxpayers, and the general public deserve consideration of those choices in an environment free from partisan attacks and misleading accusations. Senior citizens and other vulnerable members of society who depend on Medicaid deserve better than callous and cynical attempts to stir up fear and anxiety about the future for short-term political gain. We call upon members of both

parties in Congress and in the federal administration to conduct this debate according to high standards of decorum and truthfulness;”.

3. Amend the first Resolving clause, line 1, after “memorialize” by inserting “the President and”.

4. Amend the second Resolving clause, line 1, after “to” by inserting “the President of the United States,”.

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

Rep. Jansen moved to amend the resolution as follows:

1. Amend the fourth Whereas clause, line 7, following “truthfulness;” by inserting “and

Whereas, The National Governors’ Association (NGA), in testimony presented to the United States Senate on March 11, 1997, has put forth specific recommendations with regard to the consideration of Medicaid in budget discussions. The starting point for the work of the Governors’ Association was that sound Medicaid policies to better serve our citizens should determine decisions, not budgetary politics. The NGA’s recommendations include strong opposition to a unilateral cap on Medicaid spending, which would shift the burdens of finance to the states. The governors, who speak as the executives of units of government far closer to the people affected, also oppose the proposed cuts in the Disproportionate Share Program. The governors are committed to continuing the state role in distributing funds as part of the overall health care infrastructure of the states. These and other concerns of the National Governors’ Association need to be addressed in all Medicaid discussions;”.

2. Amend the resolution, following the first Resolving clause, by inserting:

“Resolved, That we call on the President and the Congress to heed the recommendations of the National Governors’ Association on Medicaid, especially as the recommendations oppose any unilateral cap that would shift burdens to the states and oppose large cuts to the Disproportionate Share Hospital Program; and be it further”.

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

Rep. Jansen demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 100

Yeas—51

Birkholz	Geiger	Johnson	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
Dalman	Horton	McBryde	Sikkema
DeVuyst	Jansen	McManus	Voorhees
Dobb	Jaye	McNutt	Walberg
Fitzgerald	Jelinek	Middaugh	Whyman
Galloway	Jellema	Middleton	

Nays—55

Agee	Frank	Leland	Schauer
Alley	Freeman	Mans	Schermesser
Anthony	Gagliardi	Martinez	Schroer
Baade	Gire	Mathieu	Scott
Baird	Griffin	Murphy	Stallworth
Bogardus	Gubow	Olshove	Tesanovich
Brater	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	Rison	

In The Chair: Gire

The question being on the adoption of the resolution,
Rep. Voorhees moved that consideration of the resolution be postponed temporarily.
The motion prevailed.

The Speaker laid before the House
House Resolution No. 19.

A resolution to memorialize the Congress of the United States to protect Medicaid during considerations of the federal budget.

(For text of resolution, see House Journal No. 16, p. 246.)

(The resolution was reported by the Committee on House Oversight and Ethics on March 11, consideration of which was postponed until March 12 under the rules.)

The question being on the adoption of the resolution,

Rep. Walberg moved to amend the resolution as follows:

1. Amend the title, line 1, after “memorialize” by inserting “the President and”.

2. Amend the third Whereas clause, line 9, after “Medicaid” by striking out “now, therefore, be it” and inserting “and

Whereas, Decisions on Medicaid represent significant public policy choices. Recipients, taxpayers, and the general public deserve consideration of those choices in an environment free from partisan attacks and misleading accusations. Senior citizens and other vulnerable members of society who depend on Medicaid deserve better than callous and cynical attempts to stir up fear and anxiety about the future for short-term political gain. We call upon members of both parties in Congress and in the federal administration to conduct this debate according to high standards of decorum and truthfulness; now, therefore, be it”.

3. Amend the first Resolving clause, line 1, after “memorialize” by inserting “the President and”.

4. Amend the second Resolving clause, line 1, after “to” by inserting “the President of the United States.”.

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

Rep. Kaza demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 101

Yeas—105

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

Cherry	Harder	Middaugh	Thomas
Crissman	Hertel	Middleton	Varga
Cropsey	Hood	Murphy	Vaughn
Curtis	Horton	Nye	Voorhees
Dalman	Jansen	Olshove	Walberg
DeHart	Jaye	Owen	Wallace
DeVuyst	Jelinek	Oxender	Wetters
Dobb	Jellema	Palamara	Whyman
Dobronski	Johnson	Parks	Willard
Fitzgerald	Kaza	Perricone	Wojno
Frank			

Nays—0

In The Chair: Gire

Rep. Jansen moved to amend the resolution as follows:

1. Amend the third Whereas clause, line 9, after “Medicaid;” by inserting “and

Whereas, The National Governors’ Association (NGA), in testimony presented to the United States Senate on March 11, 1997, has put forth specific recommendations with regard to the consideration of Medicaid in budget discussions. The starting point for the work of the Governors’ Association was that sound Medicaid policies to better serve our citizens should determine decisions, not budgetary politics. The NGA’s recommendations include strong opposition to a unilateral cap on Medicaid spending, which would shift the burdens of finance to the states. The governors, who speak as the executives of units of government far closer to the people affected, also oppose the proposed cuts in the Disproportionate Share Program. The governors are committed to continuing the state role in distributing funds as part of the overall health care infrastructure of the states. These and other concerns of the National Governors’ Association need to be addressed in all Medicaid discussions;”.

2. Amend the resolution, following the first Resolving clause, by inserting:

“Resolved, That we call on the President and the Congress to heed the recommendations of the National Governors’ Association on Medicaid, especially as the recommendations oppose any unilateral cap that would shift burdens to the states and oppose large cuts to the Disproportionate Share Hospital Program; and be it further”.

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

Rep. Jansen demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 102**Yeas—51**

Birkholz	Geiger	Johnson	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
Dalman	Horton	McBryde	Sikkema
DeVuyst	Jansen	McManus	Voorhees
Dobb	Jaye	McNutt	Walberg
Fitzgerald	Jelinek	Middaugh	Whyman
Galloway	Jellema	Middleton	

Nays—55

Agee	Frank	Leland	Schauer
Alley	Freeman	Mans	Schermesser
Anthony	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	LaForge	Rison	

In The Chair: Gire

Reps. Voorhees and Goschka moved to amend the resolution as follows:

1. Amend the fourth Whereas clause, line 9, after “truthfulness;” by inserting “and

Whereas, Medicaid dollars are being used to fund school-based services and, in so doing, have been needlessly expended on audiometers, minibuses, and computers systems. Medicaid dollars should not be expended on school-based health services;”.

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

The question being on the adoption of the resolution,

The resolution was adopted.

—

Rep. Anthony moved that Rep. Agee be granted a temporary excuse from today’s session.

The motion prevailed.

The House returned to the consideration of

House Concurrent Resolution No. 9.

A concurrent resolution to memorialize the Congress of the United States to preserve Medicaid.

(The concurrent resolution was considered earlier today, see today’s Journal, p. 375.)

Reps. Voorhees and Goschka moved to amend the concurrent resolution as follows:

1. Amend the fourth Whereas clause, line 9, after “truthfulness;” by inserting “and

Whereas, Medicaid dollars are being used to fund school-based services and, in so doing, have been needlessly expended on audiometers, minibuses, and computers systems. Medicaid dollars should not be expended on school-based health services;”.

The question being on the adoption of the amendment offered by Reps. Voorhees and Goschka,

Rep. Voorhees demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Voorhees and Goschka,

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

Roll Call No. 103**Yeas—29**

Birkholz	Green	London	Rocca
Bodem	Horton	Lowe	Scranton

Cassis	Jansen	McBryde	Sikkema
Cropsey	Jaye	McManus	Vaughn
Dalman	Jellema	Middaugh	Voorhees
DeVuyst	Kukuk	Perricone	Walberg
Gernaat	LeTarte	Rhead	Whyman
Goschka			

Nays—75

Alley	Frank	Kelly	Profit
Anthony	Freeman	Kilpatrick	Prusi
Baade	Gagliardi	LaForge	Quarles
Baird	Galloway	Law	Raczkowski
Bobier	Gilmer	Leland	Richner
Bogardus	Gire	Llewellyn	Rison
Brackenridge	Godchaux	Mans	Schauer
Brater	Griffin	Martinez	Schermesser
Brewer	Gubow	Mathieu	Schroer
Brown	Gustafson	McNutt	Scott
Byl	Hale	Middleton	Stallworth
Callahan	Hammerstrom	Murphy	Tesanovich
Cherry	Hanley	Nye	Thomas
Crissman	Harder	Olshove	Varga
Curtis	Hertel	Owen	Wallace
DeHart	Hood	Oxender	Wetters
Dobb	Jelinek	Palamara	Willard
Dobronski	Johnson	Parks	Wojno
Fitzgerald	Kaza	Price	

In The Chair: Gire

The question being on the adoption of the concurrent resolution,
The concurrent resolution was adopted.

The House returned to the consideration of

House Resolution No. 10.

A resolution to memorialize the Congress of the United States to preserve Medicaid.

(The resolution was considered earlier today, see today's Journal, p. 376.)

Reps. Voorhees and Goschka moved to amend the resolution as follows:

1. Amend the fourth Whereas clause, line 9, after "truthfulness;" by inserting "and

Whereas, Medicaid dollars are being used to fund school-based services and, in so doing, have been needlessly expended on audiometers, minibuses, and computers systems. Medicaid dollars should not be expended on school-based health services;"

The question being on the adoption of the amendment offered by Reps. Voorhees and Goschka,

Rep. Goschka demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Voorhees and Goschka,

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

Roll Call No. 104**Yeas—26**

Birkholz	Green	London	Rocca
Cropsey	Horton	Lowe	Scranton
Dalman	Jansen	McBryde	Sikkema

DeVuyst
Geiger
Gernaat
Goschka

Jaye
Jellema
Kukuk
LeTarte

McManus
Perricone
Rhead

Voorhees
Walberg
Whyman

Nays—80

Alley
Anthony
Baade
Baird
Bobier
Bodem
Bogardus
Brackenridge
Brater
Brewer
Brown
Byl
Callahan
Cassis
Cherry
Ciaramitaro
Crissman
Curtis
DeHart
Dobb

Dobronski
Fitzgerald
Frank
Freeman
Gagliardi
Galloway
Gilmer
Gire
Godchaux
Griffin
Gubow
Gustafson
Hale
Hammerstrom
Hanley
Harder
Hertel
Hood
Jelinek
Johnson

Kaza
Kelly
Kilpatrick
LaForge
Law
Leland
Llewellyn
Mans
Martinez
Mathieu
McNutt
Middaugh
Middleton
Murphy
Nye
Olshove
Owen
Oxender
Palamara
Parks

Price
Profit
Prusi
Quarles
Raczkowski
Richner
Rison
Schauer
Schermesser
Schroer
Scott
Stallworth
Tesanovich
Thomas
Varga
Vaughn
Wallace
Wetters
Willard
Wojno

In The Chair: Gire

The question being on the adoption of the resolution,
The resolution was adopted.

The Speaker resumed the Chair.

Second Reading of Bills

Senate Bill No. 101, entitled

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

The bill was read a second time.

Rep. Profit moved that the bill be re-referred to the Committee on Tax Policy.

The motion prevailed and the bill was re-referred to the Committee on Tax Policy.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Schermesser, Freeman, Wallace, Murphy, Varga, Hale, Wojno, Callahan, Mans, Scott, Price, Parks, LaForge, Hanley, Brater, DeHart, Palamara, Owen, Mathieu, Anthony, Bogardus, Prusi, Agee, Tesanovich, Kelly, Brown, Thomas, Schauer, Kilpatrick, Rison, Griffin, Cherry, Willard, Kaza, Dobronski, Goschka, Gubow, Jelinek, Olshove, Leland, Ciaramitaro, Baird, Vaughn, Baade, Martinez, Wetters and Hood offered the following resolution:

House Resolution No. 28.

A resolution to express support for the Detroit newspaper strikers in their attempt to return to work to end the strike and to urge Gannett and Knight-Ridder to accept their unconditional offer to return.

Whereas, The nineteen-month-old Detroit News and Detroit Free Press strike began on July 13, 1995, and currently stands as the longest labor dispute in the United States; and

Whereas, The quality of information disseminated to the state of Michigan and the image of Southeastern Michigan have suffered as the result of this strike; and

Whereas, Concluding in an October 1996 hearing, the federal government, through the National Labor Relations Board, charged the Detroit Newspaper Agency with numerous violations of federal labor law; and

Whereas, On February 15, 1997, the six striking unions presented Gannett Company, Inc. and Knight-Ridder, Inc., the owners of the Detroit newspapers, with an “unconditional offer to return to work”; and

Whereas, The Detroit newspapers have issued a conditional acceptance of the strikers’ unconditional offer in which strikers will only be hired to fill open positions, with the remaining strikers being placed on a preferential hiring list; and

Whereas, The form of the Detroit newspapers’ conditional acceptance may constitute a lockout under the National Labor Relations Act; and

Whereas, On February 19, 1997, Detroit Mayor Dennis W. Archer called for the United States Secretary of Labor to assist both parties in bringing to closure the nineteen-month Detroit newspaper strike. On February 21, 1997, the Detroit City Council called on the Detroit newspapers to return the strikers to their jobs; now, therefore, be it

Resolved by the House of Representatives, That we join with Detroit Mayor Archer and the Detroit City Council to express our absolute and unequivocal support for the strikers in making their “unconditional offer to return to work”; and be it further

Resolved, That we call upon and strongly urge Gannett Company, Inc. and Knight-Ridder, Inc., to accept the unconditional offer for all of the nearly 2,000 strikers to return to work immediately; and be it further

Resolved, That copies of this resolution be transmitted to negotiators in the Detroit newspaper strike.

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

Rep. Martinez offered the following resolution:

House Resolution No. 29.

A resolution to commemorate the One Hundred and Fiftieth Anniversary of the selection of the City of Lansing as the permanent Capital of the State of Michigan.

Whereas, On January 26, 1835, the Legislative Council of the Territory of Michigan, under the provisions of the Ordinance of 1787, which created the Territory, passed legislation for the election of delegates to a convention to draft a constitution for the State of Michigan. The convention convened in Detroit on May 11, 1835. The delegates devoted considerable time to the question of where to locate the capital city, the seat of government for the new State. After considering Detroit, Ann Arbor and other locations, all of whom had strong delegations in the convention, the delegates agreed that designating a permanent capital was premature, given the rapid development occurring in the wilderness parts of the State. The convention then added a provision which declared:

“The seat of Government for this State shall be Detroit, or at such place or places as may be prescribed by law, until the year eighteen hundred and forty seven, when it shall be permanently located by the legislature.”

; and

Whereas, The constitution was adopted by the convention on June 24, 1835, and approved by the electors on October 5 and 6, 1835, by an overwhelming margin, and the State of Michigan was subsequently admitted to the Union on January 26, 1837; and

Whereas, From 1837 through 1846 there were numerous attempts to relocate the Temporary Capital to Marshall, Ann Arbor, and other sites in the State; and

Whereas, When the Legislature convened in Detroit in 1847, it immediately began to wrestle with the question of selecting the permanent location of Michigan’s Seat of Government. Proposals and petitions were submitted urging the Legislature to consider the following sites for the Capital City:

Albion, Ann Arbor, Bellevue, Charlotte, Corunna, Detroit, DeWitt, Eaton Rapids, Flint, Jackson, Lansing Township, Marshall, Onondaga and Owosso

During the ensuing debate, Legislators also offered other sites for consideration, including:

Battle Creek, Byron, Caledonia Township (Shiawassee County), Calhoun County, Copper Harbor, Dexter, Eaton County, Grand Blanc, Grand Rapids, Ingham Township (Ingham County), Ionia County, Jackson, Jackson County, Kalamazoo, Lyons, Pontiac, Saginaw City, Shiawassee County, Utica and Washtenaw County

The debate raged for weeks before a majority of the members of the House and Senate came to an agreement. After they came to agreement, certain that they had made an error, several members tried to have other locations reconsidered. No other location could capture the vote of a majority of the members of the House and Senate. On March 16, 1847, Governor William L. Greenly signed a one section, one sentence bill, which provided:

“Be it enacted by the Senate and the House of Representatives of the State of Michigan , That the seat of Government of this State, shall be in the Township of Lansing and the County of Ingham.”

; and

Whereas, 1997 marks the sesquicentennial of the decision to designate Lansing Township as the permanent seat of Government of this great State; now, therefore, be it

Resolved by the House of Representatives, That the Michigan House of Representatives commemorates and commends this historic event, the selection of Lansing as the permanent Capital of the State of Michigan.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Alley, Anthony, Baade, Baird, Birkholz, Bobier, Bodem, Bogardus, Brater, Brown, Byl, Callahan, Cassis, Cherry, Ciaramitaro, Crissman, Curtis, Dalman, DeHart, DeVuyst, Dobb, Dobronski, Fitzgerald, Freeman, Gagliardi, Geiger, Goschka, Gubow, Gustafson, Hale, Hammerstrom, Hanley, Harder, Hertel, Hood, Jansen, Jelinek, Jellema, Kilpatrick, Kukuk, LaForge, Law, Leland, LeTarte, Llewellyn, London, Mans, Mathieu, McBryde, McNutt, Murphy, Olshove, Parks, Perricone, Price, Prusi, Quarles, Richner, Rison, Rocca, Schauer, Schermesser, Schroer, Scott, Scranton, Sikkema, Tesanovich, Varga, Vaughn, Wallace and Wojno were named co-sponsors of the resolution.

Rep. Martinez offered the following concurrent resolution:

House Concurrent Resolution No. 24.

A concurrent resolution to commemorate the One Hundred and Fiftieth Anniversary of the selection of the City of Lansing as the permanent Capital of the State of Michigan.

Whereas, On January 26, 1835, the Legislative Council of the Territory of Michigan, under the provisions of the Ordinance of 1787, which created the Territory, passed legislation for the election of delegates to a convention to draft a constitution for the State of Michigan. The convention convened in Detroit on May 11, 1835. The delegates devoted considerable time to the question of where to locate the capital city, the seat of government for the new State. After considering Detroit, Ann Arbor and other locations, all of whom had strong delegations in the convention, the delegates agreed that designating a permanent capital was premature, given the rapid development occurring in the wilderness parts of the State. The convention then added a provision which declared:

“The seat of Government for this State shall be Detroit, or at such place or places as may be prescribed by law, until the year eighteen hundred and forty seven, when it shall be permanently located by the legislature.”

; and

Whereas, The constitution was adopted by the convention on June 24, 1835, and approved by the electors on October 5 and 6, 1835, by an overwhelming margin, and the State of Michigan was subsequently admitted to the Union on January 26, 1837; and

Whereas, From 1837 through 1846 there were numerous attempts to relocate the Temporary Capital to Marshall, Ann Arbor, and other sites in the State; and

Whereas, When the Legislature convened in Detroit in 1847, it immediately began to wrestle with the question of selecting the permanent location of Michigan’s Seat of Government. Proposals and petitions were submitted urging the Legislature to consider the following sites for the Capital City:

Albion, Ann Arbor, Bellevue, Charlotte, Corunna, Detroit, DeWitt, Eaton Rapids, Flint, Jackson, Lansing Township, Marshall, Onondaga and Owosso

During the ensuing debate, Legislators also offered other sites for consideration, including:

Battle Creek, Byron, Caledonia Township (Shiawassee County), Calhoun County, Copper Harbor, Dexter, Eaton County, Grand Blanc, Grand Rapids, Ingham Township (Ingham County), Ionia County, Jackson, Jackson County, Kalamazoo, Lyons, Pontiac, Saginaw City, Shiawassee County, Utica and Washtenaw County

The debate raged for weeks before a majority of the members of the House and Senate came to an agreement. After they came to agreement, certain that they had made an error, several members tried to have other locations reconsidered. No other location could capture the vote of a majority of the members of the House and Senate. On March 16, 1847, Governor William L. Greenly signed a one section, one sentence bill, which provided:

“Be it enacted by the Senate and the House of Representatives of the State of Michigan, That the seat of Government of this State, shall be in the Township of Lansing and the County of Ingham.”

; and

Whereas, 1997 marks the sesquicentennial of the decision to designate Lansing Township as the permanent seat of Government of this great State; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Michigan Legislature commemorates and commends this historic event, the selection of Lansing as the permanent Capital of the State of Michigan.

Pending the reference of the concurrent resolution to a committee,

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

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Reps. Anthony, Baade, Baird, Birkholz, Bobier, Bodem, Bogardus, Brown, Byl, Callahan, Cherry, Ciaramitaro, Crissman, Cropsey, Curtis, Dalman, DeVuyst, Dobb, Dobronski, Fitzgerald, Frank, Freeman, Gagliardi, Geiger, Gernaat, Gilmer, Gire, Goschka, Gubow, Gustafson, Hale, Hammerstrom, Hanley, Harder, Hood, Jansen, Jelinek, Jellema, Kelly, Kilpatrick, Kukuk, Law, Leland, LeTarte, Llewellyn, London, Mans, Mathieu, McBryde, McNutt, Olshove, Owen, Oxender, Palamara, Parks, Perricone, Price, Prusi, Quarles, Richner, Rison, Rocca, Schauer, Schermesser, Schroer, Scott, Scranton, Sikkema, Varga, Vaughn, Wallace and Wojno were named co-sponsors of the concurrent resolution.

Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Tuesday, March 18, at 2:00 p.m. The motion prevailed.

The Speaker called Acting Speaker DeHart to the Chair.

Notices

Mary Kay Scullion
Clerk of the House of Representatives
9th Floor, Olds Plaza Building
P.O. Box 30014
Lansing, MI 48909
Dear Ms. Scullion,

On review, I realize that my "no vote" explanation which was submitted on roll call No. 58 and entered into the Journal of the House No. 17, page 260, may violate the spirit if not the letter of Standing Rule 28 of the House Rules. Therefore, I request that you exercise your authority under Standing Rule 17 to replace the words: "Representative A.T. Frank" with the words "the Representative from the ninety-sixth district".

Thank you for your attention to this matter.

Mike Goschka

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Tuesday, March 11:

Senate Bill Nos. 272 273 274 275 276 277 278 279 280 281
Senate Joint Resolution H

The Clerk announced that the following bill had been printed and placed upon the files of the members, Thursday, March 13:

House Bill No. 4481

The Clerk announced that the following Senate bills had been received on Thursday, March 13:

Senate Bill Nos. 5 19 51 57

Introduction of Bills

Reps. Profit, Wallace, Baird, Schroer, Martinez, Gubow, Freeman, Brater, Vaughn, Richner, Raczkowski, Birkholz, Rhead, Cropsey, Dalman, Curtis, Kilpatrick and Llewellyn introduced

House Bill No. 4499, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," (MCL 28.721 to 28.732) by adding section 8a. The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Palamara, Price, Gilmer, Schauer, Martinez, Gire, LaForge, Bogardus, Goschka, Thomas, Profit, McBryde, Hanley, Hale, Schermesser, Brewer, Mathieu, Mans, Jaye, Wojno, Olshove, Hammerstrom, Schroer, Law, Griffin, Leland, Murphy, Hood, Owen, Gubow, Freeman, Agee, Rhead and Llewellyn introduced

House Bill No. 4500, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," (MCL 450.2101 to 450.3192) by adding sections 871, 872, 873, 874, 875, 876, 877, and 878.

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

Reps. Rison, Willard, Freeman, Wallace, Bogardus, Brewer, Tesanovich, LaForge, Brown, Schauer, Thomas, Griffin, Hale, Wojno, Schermesser, Leland, Callahan, Hanley, Agee, Kilpatrick, Price, Schroer, Curtis, Gubow, Brater, Parks, Varga, Hood, Prusi, Scott, DeHart, Cherry, Kelly, Vaughn, Emerson, Gagliardi, Anthony, Mathieu, Ciaramitaro, Harder, Dobronski, Baade, Baird and Martinez introduced

House Bill No. 4501, entitled

A bill to amend 1939 PA 176, entitled "An act to create a commission relative to labor disputes, and to prescribe its powers and duties; to provide for the mediation and arbitration of labor disputes, and the holding of elections thereon; to regulate the conduct of parties to labor disputes and to require the parties to follow certain procedures; to regulate and limit the right to strike and picket; to protect the rights and privileges of employees, including the right to organize and engage in lawful concerted activities; to protect the rights and privileges of employers; to make certain acts unlawful; and to prescribe means of enforcement and penalties for violations of this act," by amending section 16 (MCL 423.16).

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

Reps. Thomas, Leland, Hanley, Schermesser, Varga, Murphy, Cherry, Parks, Bogardus, Quarles, Hale, Kelly, Goschka, Martinez, Scott, LaForge, Dobronski, Wojno, DeHart, Anthony, Prusi, Kilpatrick, Tesanovich, Ciaramitaro, Callahan, Stallworth, Gubow and Rison introduced

House Bill No. 4502, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending section 10 (MCL 423.210).

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

Reps. Brackenridge, Dobronski, Hammerstrom, Voorhees, Kukuk, Jellema, Baade and Birkholz introduced

House Bill No. 4503, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending sections 10b and 11 (MCL 46.10b and 46.11), section 10b as amended by 1996 PA 40 and section 11 as amended by 1996 PA 396; and to repeal acts and parts of acts.

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

Reps. Kukuk, Gustafson, Rocca, Kaza, Sikkema, Cassis, Richner, Green, Bodem, Dobb, Lowe, London, Gernaat, Jaye, Raczkowski, Oxender and Perricone introduced

House Bill No. 4504, entitled

A bill to amend 1931 PA 246, entitled "An act to provide for the construction, repair, and maintenance of pavements, sidewalks, and elevated structures on or along public roads and highways; to provide for the levying of taxes and of special assessments; to authorize the borrowing of money and the issuance of bonds; to prescribe the powers and duties of certain state and local agencies and officers; to validate actions taken, special assessments levied, and bonds issued; and to provide for the lighting of certain roads, highways, and bridges," by amending section 20 (MCL 41.290), as added by 1989 PA 80.

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

Reps. Kukuk, Gustafson, Rocca, Kaza, Sikkema, Cassis, Richner, Green, Bodem, Dobb, Lowe, London, Jaye, Gernaat, Raczkowski, Oxender and Perricone introduced

House Bill No. 4505, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the

equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts," by amending section 1 (MCL 41.801), as amended by 1989 PA 81.

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

Reps. Kukuk, Gustafson, Rocca, Kaza, Lowe, Sikkema, Cassis, Richner, Green, Bodem, Dobb, London, Gernaat, Raczkowski, Oxender, Jaye and Perricone introduced

House Bill No. 4506, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 44c. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Kukuk, Gustafson, Rocca, Dobb, Kaza, Lowe, Sikkema, Cassis, Richner, Green, Bodem, Gernaat, London, Raczkowski, Oxender, Jaye and Perricone introduced

House Bill No. 4507, entitled

A bill to amend 1954 PA 188, entitled "An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds," by amending sections 5 and 15b (MCL 41.725 and 41.735b), section 5 as amended by 1986 PA 180.

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

Reps. Kukuk, Gustafson, Rocca, Dobb, Kaza, Lowe, Sikkema, Cassis, Richner, Green, Bodem, Gernaat, London, Raczkowski, Oxender, Jaye and Perricone introduced

House Bill No. 4508, entitled

A bill to amend 1923 PA 116, entitled "Township and village public improvement and public service act," by amending section 4 (MCL 41.414), as amended by 1989 PA 82.

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

Reps. Dobb, Galloway, Hammerstrom, Whyman, Green, Brackenridge, Wetters, Middaugh, Rhead, Crissman, Raczkowski, Bodem, Freeman, Profit, Martinez, Kukuk, Walberg, Gustafson, Cassis, McBryde, Baade, Jellema, Agee, Goschka, Middleton, Olshove, Wallace, Wojno, Hanley, London, DeVuyst, Law, Palamara, Gernaat, Llewellyn and Perricone introduced

House Bill No. 4509, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 8.

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

Rep. Kukuk introduced

House Joint Resolution N, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 3 of article IX and adding section 37 to article IX, to levy special assessments on the taxable value of the property assessed.

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

House Bill No. 4381, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending sections 102, 105, 108, 109, and 261 (MCL 560.102, 560.105, 560.108, 560.109, and 560.261), sections 102 and 105 as amended and sections 108 and 109 as added by 1996 PA 591.

With the recommendation that the substitute (H-5)* 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 4381 To Report Out:

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

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

Senate Bill No. 93, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 102 (MCL 560.102), as amended by 1996 PA 591.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 93 To Report Out:

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, March 13, 1997, at 8:30 a.m.,

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

The Committee on Public Retirement, by Rep. DeHart, Chair, reported

House Bill No. 4243, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 504a, 506, 514a, and 516 (MCL 380.504a, 380.506, 380.514a, and 380.516), sections 504a and 514a as amended by 1995 PA 289, section 506 as added by 1993 PA 362, and section 516 as added by 1994 PA 416.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4243 To Report Out:

Yeas: Reps. DeHart, Dobronski, Griffin, Mans, Jelinek, LeTarte,
Nays: Reps. Rhead, Dobb.

The Committee on Public Retirement, by Rep. DeHart, Chair, reported

House Bill No. 4324, entitled

A bill to amend 1978 PA 325, entitled "An act to provide for a suggestion awards program; and to prescribe the duties of the department of civil service," by amending sections 1, 2, 3, and 4 (MCL 38.1161, 38.1162, 38.1163, and 38.1164).

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4324 To Report Out:

Yeas: Reps. DeHart, Brewer, Dobronski, Griffin, Rhead, LeTarte,
Nays: None.

The Committee on Public Retirement, by Rep. DeHart, Chair, reported

Senate Bill No. 127, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 19f (MCL 38.19f), as added by 1996 PA 487.

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

SB 127 To Report Out:

Yeas: Reps. DeHart, Dobronski, Griffin, Mans, Rhead, Dobb, Jelinek, LeTarte,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. DeHart, Chair of the Committee on Public Retirement, was received and read:

Meeting held on: Thursday, March 13, 1997, at 8:30 a.m.,

Present: Reps. DeHart, Brewer, Dobronski, Griffin, Mans, Rhead, Dobb, Jelinek, LeTarte.

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

House Bill No. 4017, entitled

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

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

1. Amend page 1, line 5, after "FIGHTERS" by inserting "IF AUTHORIZED BY THE CHIEF OF AN ORGANIZED FIRE DEPARTMENT".

2. Amend page 1, line 5, after "or" by striking out the balance of the subdivision and inserting "privately owned motor vehicles of volunteer OR PAID MEMBERS OF A LIFE SUPPORT AGENCY LICENSED BY THE DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES IF AUTHORIZED BY THE LIFE SUPPORT AGENCY.".

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

Favorable Roll Call

HB 4017 To Report Out:

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

Nays: None.

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

House Bill No. 4076, entitled

A bill to amend 1974 PA 300, entitled "Motor vehicle service and repair act," (MCL 257.1301 to 257.1340) by adding section 18a.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4076 To Report Out:

Yeas: Reps. Leland, Schermesser, Baade, Brown, Mans, Olshove, Schauer, Scott, Wojno, London, Birkholz, Byl, Galloway, Gernaat, 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, March 12, 1997, at 4:15 p.m.,

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

Absent: Rep. Curtis,

Excused: Rep. Curtis.

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

House Bill No. 4101, entitled

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

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4101 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Olshove, Quarles, Scott, Fitzgerald, Richner, Rocca, Scranton, Voorhees,

Nays: None.

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

House Bill No. 4102, entitled

A bill to regulate the manufacturing and assembling of public playground equipment; and to provide penalties.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4102 To Report Out:

Yeas: Reps. Varga, Wojno, Anthony, Leland, Olshove, Quarles, Scott, Fitzgerald, Jaye, Richner, Rocca, Scranton, Voorhees,

Nays: None.

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

House Bill No. 4235, entitled

A bill to amend 1974 PA 269, entitled "Franchise investment law," by amending section 27 (MCL 445.1527), as amended by 1984 PA 92.

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 4235 To Report Out:

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

Nays: None.

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

House Bill No. 4352, entitled

A bill to amend 1996 PA 480, entitled "An act to make appropriations for the judicial branch for the fiscal year ending September 30, 1997; to make appropriations to various state departments for the fiscal year ending September 30,

1997; to make appropriations for a capital outlay program for fiscal years ending September 30, 1997; to implement the appropriations within the budgetary process; to make appropriations for planning and construction at state agencies, universities, and community colleges; 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 require certain reports, plans, and agreements; to provide for leases; to provide for transfers; to prescribe standards and conditions relating to the appropriations; to provide for the acquisition of land and the development of public recreation facilities; to provide for the powers and duties of certain state agencies, employees, and officials; and to provide for the expenditure of the appropriations," by amending section 1829.

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 4352 To Report Out:

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

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, March 13, 1997, at 8:30 a.m.,

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, March 13, 1997, at 8:30 a.m.,

Present: Reps. Freeman, Mans, Agee, Callahan, Galloway, Nye,

Absent: Reps. DeHart, Jaye, Perricone,

Excused: Reps. DeHart, Jaye, Perricone.

Notices

Public Hearing

Committee on Human Services and Children

Place: Wayne County Community College Eastern Campus, Room E-106, Detroit, Michigan

Time: 1:00 p.m.

Date: Friday, March 21, 1997

Rep. LaForge

Chair

Agenda: Public input on Welfare Reform and Administrative Rules
any and/or all business properly before this committee.

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 5, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11151 (MCL 324.11151).

The Senate has passed the bill.

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

Senate Bill No. 19, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 51, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40113a (MCL 324.40113a), as added by 1996 PA 377.

The Senate has passed the bill.

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

Senate Bill No. 57, entitled

A bill to amend 1893 PA 118, entitled "An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith," by amending section 42 (MCL 800.42), as added by 1989 PA 168, and by adding section 44.

The Senate has passed the bill.

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

Senate Bill No. 188, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 43b.

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. 193, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 32 (MCL 432.32), as amended by 1996 PA 13.

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.

Rep. Nye moved that the House adjourn.

The motion prevailed, the time being 1:40 p.m.

Acting Speaker DeHart declared the House adjourned until Tuesday, March 18, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.