

No. 29
JOURNAL OF THE HOUSE

House Chamber, Lansing, Tuesday, April 15, 1997.

2:00 p.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—present	Geiger—present	Law—present	Rhead—present
Birkholz—present	Gernaat—present	Leland—present	Richner—present
Bobier—present	Gilmer—e/d/s	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—excused	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

The Rev. Delano Bowman, Pastor, Bethel A.M.E. Church, Saginaw, and the uncle of Rep. Derrick Hale, offered the following invocation:

“God of our weary years, God of our silent tears, Thou who has granted unto this nation the democratic idea by which our destiny may be fashioned. We thank Thee that Thou has blessed our land to survive the infectious climate of confusion and uncertainty, helplessness and irresponsibility by preserving among us enlightened and concerned citizens who cherish their heritage and who have purpose in their hearts to extend it.

We thank Thee for like-minded leaders whom Thou has raised up to guide our Republic. Now, we pray that Thou would grant those whom we have entrusted with the authority of our government to be responsible, wise, courageous, and strong and to guide us—the people—to expect of them and to support them in all wise legislation and in a faithful administration. May we all prosper under equal law. Defend our liberties, God, and grant us a sense of our responsibility. Allow us to achieve unity of purpose among us and grant unto us a victory of faith and the ideals to which we are committed as a nation. Strengthen us with honor and grant us peace. Provide us, O God, with the strength and spiritual substance for performance with might—a task with which our common life yet confronts us. Amen.”

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

Notices

April 15, 1997

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

Sincerely,
Curtis Hertel
Speaker of the House

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

The Speaker laid before the House
House Concurrent Resolution No. 25.

A concurrent resolution to disapprove Executive Order 1997-2 on executive reorganization.

(For text of resolution, see House Journal No. 23, p. 412.)

(For amendment, see House Journal No. 27, p. 519.)

(The concurrent resolution was reported by the Committee on Appropriations on April 9, with amendment, consideration of which was postponed until April 10 under the rules.)

The question being on the adoption of the proposed amendment recommended by the Committee,
The amendment was adopted.

The question being on the adoption of the concurrent resolution,
Rep. Mathieu demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the concurrent resolution,
After debate,

Rep. Griffin 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 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. 159**Yeas—61**

Agee	Frank	LaForge	Rison
Alley	Freeman	Leland	Schauer
Anthony	Gagliardi	Martinez	Schermesser
Baade	Gire	Mathieu	Schroer
Baird	Goschka	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	Jaye	Prusi	Whyman
DeHart	Kelly	Quarles	Willard
Dobronski	Kilpatrick	Rhead	Wojno
Emerson			

Nays—44

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

In The Chair: Hertel

Third Reading of Bills**House Bill No. 4386, entitled**

A bill to amend 1968 PA 317, entitled "An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts," by amending section 3 (MCL 15.323), as amended by 1984 PA 184.

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

Roll Call No. 160**Yeas—105**

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

Bobier	Gernaat	Leland	Rison
Bodem	Gire	LeTarte	Rocca
Bogardus	Godchaux	Llewellyn	Schauer
Brackenridge	Goschka	London	Schermesser
Brater	Green	Lowe	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	Walberg
Curtis	Horton	Olshove	Wallace
Dalman	Jansen	Oxender	Wetters
DeHart	Jaye	Palamara	Whyman
DeVuyst	Jelinek	Parks	Willard
Dobb	Jellema	Perricone	Wojno
Dobronski			

Nays—1

Voorhees

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 amend 1968 PA 317, entitled "An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts," by amending sections 3 and 8 (MCL 15.323 and 15.328), section 3 as amended by 1984 PA 184.

The motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 4520, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 17h (MCL 436.17h), as amended by 1996 PA 379.

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

Roll Call No. 161**Yeas—81**

Agee	Dobb	Kaza	Prusi
Alley	Dobronski	Kelly	Quarles
Anthony	Emerson	Kilpatrick	Rackowski
Baade	Frank	LaForge	Richner
Baird	Freeman	Law	Rison
Bankes	Gagliardi	Leland	Rocca
Birkholz	Galloway	LeTarte	Schauer
Bobier	Gire	Martinez	Schermesser

Bodem	Godchaux	Mathieu	Schroer
Bogardus	Griffin	McBryde	Scott
Brackenridge	Gubow	McManus	Scranton
Brater	Gustafson	McNutt	Stallworth
Brewer	Hale	Middaugh	Tesanovich
Brown	Hammerstrom	Murphy	Thomas
Callahan	Hanley	Olshove	Varga
Cassis	Harder	Oxender	Vaughn
Cherry	Hertel	Palamara	Wallace
Ciaramitaro	Hood	Parks	Wetters
Crissman	Jelinek	Price	Willard
Curtis	Johnson	Profit	Wojno
DeHart			

Nays—26

Byl	Goschka	Llewellyn	Perricone
Cropsey	Green	London	Rhead
Dalman	Horton	Lowe	Sikkema
DeVuyst	Jansen	Middleton	Voorhees
Fitzgerald	Jaye	Nye	Walberg
Geiger	Jellema	Owen	Whyman
Gernaat	Kukuk		

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

House Bill No. 4117, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8 (MCL 722.628), as amended by 1988 PA 372.

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

Roll Call No. 162**Yeas—105**

Agee	Fitzgerald	Kaza	Profit
Alley	Frank	Kelly	Prusi
Anthony	Freeman	Kilpatrick	Quarles
Baird	Gagliardi	Kukuk	Rackowski
Banks	Galloway	LaForge	Rhead
Birkholz	Geiger	Law	Richner
Bobier	Gernaat	Leland	Rison
Bodem	Gire	LeTarte	Rocca
Bogardus	Godchaux	Llewellyn	Schauer
Brackenridge	Goschka	London	Schermesser
Brater	Green	Lowe	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	Perricone	Willard
Dobronski	Johnson	Price	Wojno
Emerson			

Nays—0

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4066, entitled

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

(The bill was read a second time and postponed for the day on April 10, see House Journal No. 28, p. 527.)

The question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Education,

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

Rep. Dalman moved to amend the bill as follows:

1. Amend page 3, line 3, after "(2)" by inserting "SUBJECT TO SUBSECTION (8)."

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

"(8) A PERSON WHO IS A LOBBYIST OR LOBBYIST AGENT, AS DEFINED UNDER 1978 PA 472, MCL 4.411 TO 4.431, IS INELIGIBLE TO BE APPOINTED TO OR TO SERVE ON THE COUNCIL."

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 2, following line 13, by inserting:

"SEC. 1290. (1) IF A CHILD IS ENROLLED IN A NONPUBLIC SCHOOL OR IS BEING HOME SCHOOLED AND IF THE NONPUBLIC SCHOOL OR HOME SCHOOL DOES NOT OFFER A PARTICULAR INTERSCHOLASTIC ATHLETIC TEAM OR PROGRAM, OR A PARTICULAR VOCAL OR INSTRUMENTAL MUSIC PROGRAM, THAT IS OFFERED BY A SCHOOL OF THE SCHOOL DISTRICT IN WHICH THE CHILD RESIDES, THEN THAT SCHOOL DISTRICT SHALL ALLOW THE CHILD TO PARTICIPATE IN THAT INTERSCHOLASTIC ATHLETIC TEAM OR PROGRAM OR VOCAL OR INSTRUMENTAL MUSIC PROGRAM ON THE SAME BASIS AS PUPILS OF THE SCHOOL DISTRICT SCHOOL.

(2) A SCHOOL DISTRICT SHALL NOT BELONG TO, OR PERMIT A SCHOOL OPERATED BY THE SCHOOL DISTRICT TO BELONG TO, AN INTERSCHOLASTIC ATHLETIC ASSOCIATION OR LEAGUE, OR ANY KIND OF INTERSCHOLASTIC MUSICAL ASSOCIATION, THAT HAS A RULE PROHIBITING OR INTERFERING WITH THE ABILITY OF A CHILD WHO RESIDES IN THE SCHOOL DISTRICT TO PARTICIPATE IN AN INTERSCHOLASTIC ATHLETIC TEAM OR PROGRAM OR VOCAL OR INSTRUMENTAL MUSIC PROGRAM AS DESCRIBED IN SUBSECTION (1). THIS SUBSECTION DOES NOT APPLY TO A RULE ESTABLISHING AGE REQUIREMENTS FOR PARTICIPATION.

(3) IF A SCHOOL DISTRICT CHARGES A FEE FOR PUPILS OF THE SCHOOL DISTRICT TO PARTICIPATE IN AN INTERSCHOLASTIC ATHLETIC TEAM OR PROGRAM OR VOCAL OR INSTRUMENTAL MUSIC PROGRAM, THE SCHOOL DISTRICT MAY CHARGE THE SAME FEE TO A CHILD WHO PARTICIPATES IN THE TEAM OR PROGRAM AS DESCRIBED IN SUBSECTION (1)."

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

After debate,

Rep. Griffin 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 adoption of the amendment offered by Rep. Jaye,

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

Roll Call No. 163

Yeas—48

Birkholz	Geiger	Kaza	Raczkowski
Bodem	Gernaat	Kukuk	Rhead
Brater	Goschka	LaForge	Richner
Brewer	Green	Llewellyn	Rocca
Byl	Gustafson	London	Schroer
Cassis	Hammerstrom	Lowe	Scranton
Crissman	Harder	McBryde	Sikkema
Cropsey	Hertel	McManus	Voorhees
Curtis	Horton	McNutt	Walberg
DeVuyst	Jansen	Middaugh	Whyman
Fitzgerald	Jaye	Nye	Willard
Frank	Johnson	Perricone	Wojno

Nays—57

Agee	Dobb	Jellema	Price
Alley	Dobronski	Kelly	Profit
Anthony	Emerson	Kilpatrick	Prusi
Baade	Freeman	Leland	Quarles
Baird	Gagliardi	LeTarte	Rison
Banks	Galloway	Martinez	Schauer
Bobier	Gire	Mathieu	Schermesser
Bogardus	Godchaux	Middleton	Scott
Brackenridge	Griffin	Murphy	Stallworth
Brown	Gubow	Olshove	Tesanovich
Callahan	Hale	Owen	Thomas
Cherry	Hanley	Oxender	Vaughn
Ciaramitaro	Hood	Palamara	Wallace
Dalman	Jelinek	Parks	Wetters
DeHart			

In The Chair: Hertel

Rep. LeTarte moved to amend the bill as follows:

1. Amend page 4, following line 26, following subsection (8), by inserting:

“(9) THIS PART DOES NOT DIMINISH THE RESPONSIBILITY OR AUTHORITY OF ANY ELECTED BOARD.”.

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

Rep. LeTarte demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 164**Yeas—107**

Agee	Emerson	Kaza	Profit
Alley	Fitzgerald	Kelly	Prusi
Anthony	Frank	Kilpatrick	Quarles
Baade	Freeman	Kukuk	Raczkowski
Baird	Gagliardi	LaForge	Rhead
Bankes	Galloway	Law	Richner
Birkholz	Geiger	Leland	Rison
Bobier	Gernaat	LeTarte	Rocca
Bodem	Gire	Llewellyn	Schauer
Bogardus	Godchaux	London	Schermesser
Brackenridge	Goschka	Lowe	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
Dalman	Jansen	Oxender	Wetters
DeHart	Jaye	Palamara	Whyman
DeVuyst	Jelinek	Parks	Willard
Dobb	Jellema	Perricone	Wojno
Dobronski	Johnson	Price	

Nays—0

In The Chair: Hertel

Rep. Voorhees moved to amend the bill as follows:

1. Amend page 2, line 10, after "OF" by striking out "MICHIGAN JOBS COMMISSION" and inserting "EDUCATION".
2. Amend page 2, line 21, after "DEPARTMENT" by striking out "OF MICHIGAN JOBS COMMISSION".
3. Amend page 2, line 25, after "BOARD" by striking out the balance of the line through "DEPARTMENT" on line 26.
4. Amend page 4, line 21, after "THE" by striking out the balance of the line through "BOARD," on line 22 and inserting "STATE BOARD".

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

Rep. Voorhees demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 165**Yeas—96**

Agee	Dobronski	Kaza	Prusi
Anthony	Emerson	Kelly	Raczkowski
Baade	Fitzgerald	Kilpatrick	Rhead
Baird	Frank	Kukuk	Richner
Bankes	Freeman	LaForge	Rison
Birkholz	Gagliardi	Law	Rocca

Bobier	Galloway	Leland	Schauer
Bodem	Geiger	London	Schermesser
Bogardus	Gernaat	Lowe	Schroer
Brackenridge	Gire	Martinez	Scott
Brater	Goschka	Mathieu	Scranton
Brewer	Green	McBryde	Sikkema
Brown	Griffin	McManus	Stallworth
Byl	Gubow	McNutt	Tesanovich
Callahan	Hale	Middaugh	Thomas
Cassis	Hammerstrom	Middleton	Varga
Cherry	Hanley	Murphy	Vaughn
Ciaramitaro	Harder	Nye	Voorhees
Crissman	Hertel	Olshove	Walberg
Cropsey	Hood	Owen	Wallace
Curtis	Horton	Parks	Wetters
DeHart	Jansen	Perricone	Whyman
DeVuyst	Jaye	Price	Willard
Dobb	Jelinek	Profit	Wojno

Nays—8

Dalman	Gustafson	Johnson	Llewellyn
Godchaux	Jellema	LeTarte	Oxender

In The Chair: Hertel

Rep. LaForge moved to amend the bill as follows:

1. Amend page 5, line 2, after “AND” by inserting a comma and “SUBJECT TO SUBSECTION (6),”.
2. Amend page 8, following line 10, by inserting:

“(6) BEFORE IMPLEMENTING THE SYSTEM DEVELOPED UNDER SUBSECTION (1), THE COUNCIL SHALL SUBMIT THE PLAN FOR THE SYSTEM TO THE STATE BOARD FOR APPROVAL. THE COUNCIL SHALL NOT IMPLEMENT ANY PART OF THE SYSTEM THAT IS NOT APPROVED BY THE STATE BOARD.”.

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

Rep. LaForge demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 166**Yeas—105**

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

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

Nays—0

In The Chair: Hertel

Reps. Cropsey and Wetters moved to amend the bill as follows:

1. Amend page 10, line 26, after "PUPIL" by inserting "WHO IS IN AT LEAST GRADE 11".

2. Amend page 10, following line 27, by inserting:

"SEC. 1656. THIS PART DOES NOT APPLY TO PUPILS WHO ARE NOT IN AT LEAST GRADE 11.".

The question being on the adoption of the amendments offered by Reps. Cropsey and Wetters,

Rep. Wetters demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Cropsey and Wetters,

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

Roll Call No. 167**Yeas—63**

Anthony	Geiger	Llewellyn	Rackowski
Bankes	Gernaat	London	Rhead
Birkholz	Goschka	Lowe	Richner
Bodem	Green	Mathieu	Rocca
Brackenridge	Gustafson	McBryde	Schermesser
Brater	Harder	McManus	Schroer
Brewer	Hood	Middaugh	Scott
Brown	Horton	Middleton	Sikkema
Cassis	Jansen	Nye	Tesanovich
Crissman	Jaye	Olshove	Varga
Cropsey	Johnson	Owen	Vaughn
Curtis	Kaza	Palamara	Voorhees
DeHart	Kukuk	Parks	Wetters
Frank	LaForge	Perricone	Whyman
Freeman	Law	Prusi	Willard
Gagliardi	Leland	Quarles	

Nays—37

Baird	Dobronski	Jelinek	Price
Bobier	Fitzgerald	Jellema	Rison
Bogardus	Galloway	Kelly	Schauer
Byl	Gire	Kilpatrick	Scranton
Callahan	Godchaux	LeTarte	Stallworth
Cherry	Gubow	Martinez	Thomas
Ciaramitaro	Hale	McNutt	Walberg

Dalman
DeVuyst
Dobb

Hammerstrom
Hanley

Murphy
Oxender

Wallace
Wojno

In The Chair: Hertel

Rep. McNutt moved to amend the bill as follows:

1. Amend page 3, line 3, after "OF" by striking out "21" and inserting "23".
2. Amend page 4, following line 2, by inserting:

"(D) THE GOVERNOR SHALL APPOINT 2 PARENTS WHO ARE ADVOCATES FOR THE INTERESTS OF PARENTS OF PUBLIC SCHOOL PUPILS." and relettering the remaining subdivision.

3. Amend page 4, line 11, after "(B)," by striking out "AND (C)" and inserting "(C), AND (D)".

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

Rep. Voorhees moved to amend the bill as follows:

1. Amend page 6, line 24, after "PLAN." by inserting "BEFORE A REGIONAL CAREER PREPARATION PLAN IS IMPLEMENTED WITHIN A SCHOOL DISTRICT, THE BOARD OF THE SCHOOL DISTRICT SHALL APPROVE THE PLAN BY BOARD-ADOPTED RESOLUTION."

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

Rep. Voorhees demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 168

Yeas—103

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

Nays—0

In The Chair: Hertel

Rep. Oxender 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

House Bill No. 4066, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

Rep. Oxender moved that consideration of the bill be postponed until the next legislative session day.

The motion prevailed.

Second Reading of Bills

House Bill No. 4436, entitled

A bill to co-designate a part of Michigan state highway M-85 as Matt McNeely boulevard; and to prescribe the duties of the state transportation department.

The bill was read a second time.

Rep. Varga 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.

—

Rep. Harder moved that Rep. Leland be excused temporarily from today's session.
 The motion prevailed.

Rep. Wallace moved that Rep. Dobronski be excused temporarily from today's session.
 The motion prevailed.

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

House Bill No. 4436, entitled

A bill to co-designate a part of Michigan state highway M-85 as Matt McNeely boulevard; and to prescribe the duties of the state transportation department.

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

Roll Call No. 169

Yeas—98

Agee	Dobb	Kilpatrick	Quarles
Alley	Emerson	Kukuk	Rackowski
Anthony	Fitzgerald	LaForge	Rhead
Baade	Frank	Law	Richner
Baird	Freeman	LeTarte	Rison
Banks	Gagliardi	Llewellyn	Rocca
Birkholz	Galloway	London	Schauer
Bobier	Geiger	Lowe	Schermesser
Bodem	Gernaat	Martinez	Schroer

Bogardus	Gire	Mathieu	Scott
Brackenridge	Godchaux	McBryde	Scranton
Brater	Green	McManus	Sikkema
Brewer	Griffin	Middaugh	Stallworth
Brown	Gubow	Middleton	Tesanovich
Byl	Hale	Murphy	Thomas
Callahan	Hammerstrom	Olshove	Varga
Cassis	Hanley	Owen	Vaughn
Cherry	Harder	Oxender	Voorhees
Ciaramitaro	Hertel	Palamara	Walberg
Crissman	Hood	Parks	Wallace
Cropsey	Jansen	Perricone	Wetters
Curtis	Jelinek	Price	Whyman
Dalman	Jellema	Profit	Willard
DeHart	Johnson	Prusi	Wojno
DeVuyst	Kelly		

Nays—7

Goschka	Horton	Kaza	Nye
Gustafson	Jaye	McNutt	

In The Chair: Hertel

The House agreed to the title of the bill.

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

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

Notices

Rep. Jaye moved that the Committee on Tax Policy be discharged from further consideration of **House Joint Resolution E**.

(For first notice see House Journal No. 28, p. 533.)

The question being on the motion by Rep. Jaye,

Rep. Jaye moved that consideration of the motion be postponed until the next legislative session day.

The motion prevailed.

Rep. Gilmer entered the House Chambers.

The Speaker called Acting Speaker DeHart to the Chair.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Alley, Baade, Gire, Wetters, Freeman, Kaza, McBryde, Dalman, Baird, Richner, Mans, DeHart, Kelly, Anthony, Green, Brater, Tesanovich, Cherry, Bodem, LaForge, Raczkowski and Bogardus offered the following resolution:

House Resolution No. 31.

A resolution to memorialize the Congress of the United States to enact the McCain-Feingold Bipartisan Campaign Reform Act.

Whereas, In recent years, the dramatic rise in the costs of political campaigns has raised serious concerns across this country. The need to raise staggering amounts of money to run for public office comes with risks to public belief in

our system of self-government. When candidates spend millions of dollars on election campaigns, the integrity of the process is threatened. It is now commonplace for congressional campaigns to be so expensive that fund raising becomes, in effect, another full-time job; and

Whereas, The citizens of this country have the right to know that the men and women they elect to office are making policy decisions based on information and beliefs and not financial considerations. Without faith in the system, citizen participation will fall to levels that cannot sustain our democracy; and

Whereas, In the face of growing concerns, the 104th Congress considered, but did not enact, legislation to bring new standards to campaign finance. The McCain-Feingold Bipartisan Campaign Reform Act is under consideration again. It seeks to limit spending in return for free prime-time television, to ban unregulated "soft money," to encourage candidates to raise the majority of campaign money from the candidate's home state, and to minimize the influence of money at the expense of the influence of the people; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the McCain-Feingold Bipartisan Campaign Reform Act; and be it further

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

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

Reps. Lowe, Llewellyn, Hammerstrom, Whyman, Kaza, Walberg, Cropsey, Green, Horton, McManus, Goschka, McBryde, Dalman, Bodem, Raczkowski, Jaye, Middleton, McNutt, Tesanovich, London, Prusi, Voorhees, Gernaat, Kukuk and Jansen offered the following resolution:

House Resolution No. 32.

A resolution to affirm support of individual property rights in Stupak-Thrall v. United States.

Whereas, Recognition of the rights of property owners is found throughout our legal system. These rights are central to the operation of free enterprise as well as the actions of individual citizens. Under our federal system, states are charged with the responsibility to regulate activities as a power entrusted to them by the United States Constitution; and

Whereas, A recent court case, Stupak-Thrall v. United States, has raised serious questions concerning the ability of the federal government to ignore the rights of states to regulate the uses of privately owned property within a state's borders. In this case, the federal government has exercised control, which has upset the balance of state-federal authority. This has the potential to limit severely Michigan's ability to regulate the activities and monitor the rights of the Michigan residents living adjacent to the 3.5 million acres of federal land within Michigan's borders; and

Whereas, In 1987, with the enactment by Congress of the Michigan Wilderness Act, an area of land that surrounds tracts of privately owned property became part of the Sylvania Wilderness Area. For property owners living on the shores of Crooked Lake in Gogebic County, the United States Forest Service began enforcement of restrictions that took away the rights of the private owners. The Forest Service prohibited certain activities altogether and required permits for other activities. The effect of the restrictions was to abolish many specific property rights for owners; and

Whereas, Pursuit of judicial relief in this matter has proven elusive. Actions in federal court have not reversed Forest Service authority that ignores all riparian rights granted in state law, including fishing and swimming. The result of the United States Supreme Court's actions in declining to review the case is a serious threat to all property rights; now, therefore, be it

Resolved by the House of Representatives, That we affirm support of individual property rights in Stupak-Thrall v. United States; and be it further

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

The resolution was referred to the Committee on Forestry and Mineral Rights.

Reps. Mans, Gire, Callahan, Brown, Wojno, Thomas, Schauer, Bogardus, Rison, Quarles, Frank, Agee, Emerson, Parks, Mathieu, Brater, Price, Prusi, Goschka, Baade, DeHart, Kelly, Anthony, Freeman, Green, Tesanovich, Cherry, Bodem, Harder, Wetters, LaForge, Kaza, Kukuk, Raczkowski and Bogardus offered the following concurrent resolution:

House Concurrent Resolution No. 34.

A concurrent resolution to create a special committee to study and make recommendations regarding Michigan's campaign finance laws.

Whereas, Trust and integrity are the cornerstone of democracy. The people must believe that the men and women they elect to represent them will be acting on the basis of information, knowledge, and commitment to the common good of society and fairness. This trust and integrity should not be compromised by financial obligations; and

Whereas, In recent years, dramatic escalations in the costs of campaigns has caused great concern. It has become routine for the costs of certain campaigns to exceed by many times the salary paid for the elective offices. The need for more and more money brings a host of problems and results in people becoming increasingly cynical about elections; and

Whereas, The issue of campaign finance reform is difficult to resolve. Attempts at public financing, controlling levels of certain contributions, and requirements for reporting have proven to be of only limited effectiveness. Any effective solution will have to come from a truly bipartisan effort and discussions outside of the standing committee process; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That there be created a special committee to study and make recommendations regarding Michigan's campaign finance laws. The special committee will consist of eight members, two from each caucus in each house, with the members for each of the respective caucuses selected by the Speaker and by the Minority Leader of the House of Representatives and by the Majority Leader and by the Minority Leader of the Senate. The committee will report its recommendations to the legislature by September 30, 1997.

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

Reps. Lowe, Whyman, Hammerstrom, Llewellyn, Kaza, Walberg, Cropsey, Green, Horton, McManus, Goschka, Gernaat, McBryde, Dalman, Bodem, Raczkowski, Jaye, Middleton, McNutt, Tesanovich, Prusi, London, Voorhees, Kukuk and Jansen offered the following concurrent resolution:

House Concurrent Resolution No. 35.

A concurrent resolution to affirm support of individual property rights in Stupak-Thrall v. United States.

Whereas, Recognition of the rights of property owners is found throughout our legal system. These rights are central to the operation of free enterprise as well as the actions of individual citizens. Under our federal system, states are charged with the responsibility to regulate activities as a power entrusted to them by the United States Constitution; and

Whereas, A recent court case, Stupak-Thrall v. United States, has raised serious questions concerning the ability of the federal government to ignore the rights of states to regulate the uses of privately owned property within a state's borders. In this case, the federal government has exercised control, which has upset the balance of state-federal authority. This has the potential to limit severely Michigan's ability to regulate the activities and monitor the rights of the Michigan residents living adjacent to the 3.5 million acres of federal land within Michigan's borders; and

Whereas, In 1987, with the enactment by Congress of the Michigan Wilderness Act, an area of land that surrounds tracts of privately owned property became part of the Sylvania Wilderness Area. For property owners living on the shores of Crooked Lake in Gogebic County, the United States Forest Service began enforcement of restrictions that took away the rights of the private owners. The Forest Service prohibited certain activities altogether and required permits for other activities. The effect of the restrictions was to abolish many specific property rights for owners; and

Whereas, Pursuit of judicial relief in this matter has proven elusive. Actions in federal court have not reversed Forest Service authority that ignores all riparian rights granted in state law, including fishing and swimming. The result of the United States Supreme Court's actions in declining to review the case is a serious threat to all property rights; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we affirm support of individual property rights in Stupak-Thrall v. United States; and be it further

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

The concurrent resolution was referred to the Committee on Forestry and Mineral Rights.

Reports of Standing Committees

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

House Bill No. 4454, entitled

A bill to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.

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 4454 To Report Out:

Yeas: Reps. Varga, Wojno, Leland, Olshove, Quarles, Scott, Vaughn, Fitzgerald, Jaye, Richner, Rocca, 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, April 10, 1997, at 8:30 a.m.,

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

Absent: Reps. Anthony, Profit, Scranton,

Excused: Reps. Anthony, Profit, Scranton.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Resolution No. 30.

A resolution to urge the Civil Service Commission to reject the proposed change to Civil Service rules that would exempt from review personal service contracts of less than \$500,000.

(For text of resolution, see House Journal No. 27, p. 517.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

HR 30 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno,

Nays: Reps. Richner, Voorhees.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Concurrent Resolution No. 32.

A concurrent resolution to urge the Civil Service Commission to reject the proposed change to Civil Service rules that would exempt from review personal service contracts of less than \$500,000.

(For text of resolution, see House Journal No. 27, p. 518.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

HCR 32 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno,

Nays: Reps. Perricone, Richner.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

Senate Concurrent Resolution No. 28.

A concurrent resolution to dissolve the K. I. Sawyer Base Conversion Authority.

(For text of resolution, see House Journal No. 26, p. 496.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

SCR 28 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno, Gustafson, DeVuyst, Fitzgerald, Perricone, Richner, Voorhees,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gagliardi, Chair of the Committee on House Oversight and Ethics, was received and read:

Meeting held on: Monday, April 14, 1997, at 2:00 p.m.,

Present: Reps. Gagliardi, Cherry, Agee, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno, Gustafson, DeVuyst, Fitzgerald, Perricone, Richner, Voorhees,

Absent: Reps. Brewer, Goschka,

Excused: Reps. Brewer, Goschka.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 33, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 3 and 6a (MCL 722.23 and 722.26a), section 3 as amended by 1993 PA 259 and section 6a as added by 1980 PA 434, and by adding sections 11 and 12.

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

Favorable Roll Call

SB 33 To Report Out:

Yeas: Reps. LaForge, Scott, Gire, London, McManus,

Nays: None.

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaForge, Chair of the Committee on Human Services and Children, was received and read:

Meeting held on: Tuesday, April 15, 1997, at 9:00 a.m.,

Present: Reps. LaForge, Scott, Bogardus, Gire, Horton, Jaye, London, McManus,

Absent: Rep. Schauer,

Excused: Rep. Schauer.

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

House Bill No. 4403, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 328 (MCL 257.328), as amended by 1995 PA 287.

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 4403 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Kilpatrick, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner,

Nays: None.

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

House Bill No. 4404, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 33, 35, and 39 (MCL 552.633, 552.635, and 552.639), sections 33 and 35 as amended by 1996 PA 336.

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 4404 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Kilpatrick, Schauer, Willard, Nye, Cropsey, Dalman, Fitzgerald, McNutt, Richner,
Nays: None.

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

House Bill No. 4474, entitled

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

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

Favorable Roll Call

HB 4474 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Kilpatrick, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt,
Nays: None.

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 15, 1997, at 9:00 a.m.,

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

Absent: Reps. Vaughn, Wojno,

Excused: Reps. Vaughn, Wojno.

The Committee on Labor and Occupational Safety, by Rep. Murphy, Chair, reported

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).

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

1. Amend page 2, line 20, after "INDIVIDUAL" by striking out "FOR PERFORMING" and inserting "WHO HAS PERFORMED".

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

Favorable Roll Call

HB 4501 To Report Out:

Yeas: Reps. Murphy, Cherry, Agee, Bogardus, Callahan, Freeman, Schermesser,
Nays: Reps. Byl, Llewellyn, Raczkowski, Rhead.

The Committee on Labor and Occupational Safety, by Rep. Murphy, Chair, reported

House Resolution No. 26.

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

(For text of resolution, see House Journal No. 21, p. 361.)

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

1. Amend the title, line 2, after "of" by inserting "permanent".
2. Amend the third Whereas clause, line 2, after "Hiring" by inserting "permanent".
3. Amend the first Resolving clause, line 3, after "of" by inserting "permanent".

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

Favorable Roll Call

HR 26 To Report Out:

Yeas: Reps. Murphy, Cherry, Agee, Bogardus, Callahan, Freeman, Schermesser,
Nays: Reps. Byl, Llewellyn, Raczkowski, Rhead.

The Committee on Labor and Occupational Safety, by Rep. Murphy, Chair, reported

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.

(For text of resolution, see House Journal No. 22, p. 382.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

HR 28 To Report Out:

Yeas: Reps. Murphy, Cherry, Agee, Bogardus, Callahan, Freeman, Schermesser, Byl, Llewellyn, Raczkowski, Rhead,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Murphy, Chair of the Committee on Labor and Occupational Safety, was received and read:

Meeting held on: Tuesday, April 15, 1997, at 9:00 a.m.,

Present: Reps. Murphy, Cherry, Agee, Bogardus, Callahan, Freeman, Schermesser, Byl, Llewellyn, Raczkowski, Rhead.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Dobronski, Chair of the Committee on Local Government, was received and read:

Meeting held on: Tuesday, April 15, 1997, at 9:00 a.m.,

Present: Reps. Dobronski, Brater, Brewer, Callahan, Brackenridge, Birkholz, Crissman,

Absent: Reps. Mans, Hammerstrom,

Excused: Reps. Mans, Hammerstrom.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kilpatrick, Chair of the Committee on Marine Affairs and Port Development, was received and read:

Meeting held on: Tuesday, April 15, 1997, at 12:00 Noon,

Present: Reps. Kilpatrick, Anthony, Olshove, Varga, Schermesser, Kukuk, Bodem, Galloway,

Absent: Rep. Rhead.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Brewer, Chair of the Committee on Advanced Technology and Computer Development, was received and read:

Meeting held on: Tuesday, April 15, 1997, at 12:30 p.m.,

Present: Reps. Brewer, Brown, Anthony, Baird, Quarles, Kaza, Hammerstrom, Whyman,

Absent: Rep. Walberg,

Excused: Rep. Walberg.

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, Friday, April 11:

House Bill Nos.	4542	4543	4544	4545	4546	4547	4548	4549	4550	4551	4552	4553	4554	4555
	4556	4557	4558	4559	4560	4561	4562	4563	4564	4565	4566	4567	4568	4569
	4570	4571	4572	4573	4574	4575	4576	4577	4578	4579	4580	4581	4582	4583
	4584	4585												
House Joint Resolution	Q													

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, April 14:

House Bill Nos.	4586	4587	4588	4589	4590	4591	4592	4593	4594	4595	4596	4597	4598	4599
	4600	4601	4602	4603	4604	4605	4606	4607	4608	4609				

The Clerk announced that the following bills had been printed and placed upon the files of the members, Tuesday, April 15:

House Bill Nos.	4610	4611	4612	4613	4614	4615
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Communications from State Officers

The following communication from the West Central Michigan Employment & Training Consortium was received and read:

March 31, 1997

On behalf of the West Central Michigan Workforce Development Board (WDB) and Local Elected Officials (LEO), it is my pleasure to share this initial summary of Job training Plans with you. This summary updates funding expected to be available from the federal Job Training Partnership Act for a range of programs operated in the West Central area.

As you know, local Workforce Development Boards (WDB) and Local Elected Officials (LEO) are working with a variety of partners on the development of an Integrated "No Wrong Door" delivery system to be operated under the statewide Michigan Works! name. Michigan Works! West Central covers the five county area which includes Lake, Mason, Mecosta, Newaygo, and Osceola counties.

All programs will be operated from July 1, 1997 through June 30, 1998, with the exception of the JTPA Title IIB Summer Youth Employment & Training Program with operational dates from when school is out for the summer until September 30, 1997. Work in preparation for this program has already begun.

The Title II activities serve economically disadvantaged youth and adults with a variety of training activities, from basic training, to skill training in a school and training with a private business. Title III activities serve dislocated workers, those who have lost their jobs due to a permanent layoff or the closing of a business.

As part of the ongoing development of the Michigan Works! system, Request for Proposals (RFP) have been issued soliciting bidders for these programs and activities. The WDB/LEO have determined all adult activities will be operated together, and all youth activities will be operated together on not less than a county basis. This will keep services unified in operation and easily identified by job seeking and employer customers of the system in each county.

If you wish to make comments, or desire additional information on the planned activities, please contact Michigan Works! West Central at (616) 796-4891.

Thank you for your continued interest and support of Job Training activities in this area.

Paul J. Griffith
Executive Director

The communication was referred to the Clerk.

The following communication from the Oakland County Employment and Training Division was received and read:

April 7, 1997

In accordance with Section 105(a)(1) of the Job Training Partnership Act (JTPA), the Balance of Oakland County Michigan Works! Agency's Workforce Development Board and Chief Elected Official are submitting for your review and comment the enclosed summaries of the following documents:

1. the JTPA Title IIA Biennial Job Training Plan, which covers the period of July 1, 1997 through June 30, 1998;
2. the JTPA Title IIC Biennial Job Training Plan, which covers the period of July 1, 1997 through June 30, 1998;
3. the JTPA Title III Biennial Job Training Plan, which covers the period of July 1, 1997 through June 30, 1998;

4. the JTPA Title IIA 5% Job Training Plan, which covers the period of July 1, 1997 through June 30, 1998; and
 5. the JTPA Title IIB Job Training Plan, which covers the period of October 1, 1996 through September 30, 1997.
 Thank you for your consideration of these summaries. If you have any comments, please address them, in writing, to the following name and address:

Mr. John Almstadt, Manager
 Employment and Training Division
 1200 N. Telegraph Road, Dept. #437
 Pontiac, Michigan 48341-0437.

Sincerely,
 John Almstadt, Manager
 Employment & Training Division

The communication was referred to the Clerk.

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

April 9, 1997

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

- Title IIA Job Training Plan #97-00
- Title IIA 5% Job Training Plan #97-00
- Title IIB Job Training Plan #97-00
- Title IIC Job Training Plan #97-00
- Title III Job Training Plan #97-00

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

Please feel free to direct your questions to Tim Vanaman.

Ralph F. Loeschner
 President

The communication was referred to the Clerk.

The following communication from the South Central Michigan Works! was received and read:

April 11, 1997

In accordance with sections 105(a)(1) and (a)(2) of the Job Training Partnership Act (JTPA), enclosed please find South Central Michigan Works! Title IIA, Title IIC and Title III plans for review and comment.

If you have any questions, please contact me at our toll free number 1-888-MI WORKS extension 108. Thank you.

Sincerely,
 Scott A. Menzel
 Executive Director

The communication was referred to the Clerk.

The following communication from the Thumb Area Employment Training Consortium was received and read:

Pursuant to Job Training Partnership Act (JTPA) Regulations, Section 105(a) (1), (a) (2) of the Act, the Thumb Area - Michigan Works! Agency posts the following for public knowledge:

I. Summary of current JTPA Title IIA Biennial Job Training Plan for Program Year 1997 (07/01/97 to 06/30/98):

Administration	\$ 100,000
Direct Training	500,000
Training Support	<u>100,000</u>
TOTAL	\$ 700,000

II. Summary of current Economic Dislocation and Worker Adjustment Assistance Act (EDWAAA) Title III Local Job Training Plan for Program Year 1997 (07/01/97 to 06/30/98):

Administration	\$ 100,000
Basic Readjustment Services	40,000
Retraining Services	500,000
Supportive Support	<u>60,000</u>
TOTAL	\$ 700,000

III. Summary of current JTPA Title IIC Job Training Plan for Program Year 1997 (07/01/97 to 06/30/98):

Administration	\$ 21,458
Direct Training	100,000
Training Support	<u>10,000</u>
TOTAL	\$ 131,458

IV. Summary of current JTPA Title IIB Job Training Plan for Program Year 1997 (10/01/96 to 09/30/97):

Administration	\$ 112,753
Direct Training	660,000
Training Support	<u>N/A</u>
TOTAL	\$ 772,753

The plans may be viewed between 9:00 a.m. and 4:00 p.m. Monday through Friday at:

THUMB AREA - MICHIGAN WORKS!

Employment Training Consortium
Community Alliance
3270 Wilson Street
Marlette, MI 48453.

Should alternative formats of the plan be required (e.g. large print, computer disk, or audio tape) please call (517) 635-3561 at least one week in advance of the need. The facility is accessible to mobility impaired individuals by using the grounds level entrance. Accessible parking is also available.

Copies of complete plans are available by written request.

The communication was referred to the Clerk.

The following communication from the Department of Transportation was received and read:

April 4, 1997

I am pleased to provide the Michigan Department of Transportation's report on transportation accessibility for senior and handicapper citizens for Fiscal Year 1996.

The report is being forwarded to the Legislature for their information pursuant to Section 10e(21) of Act 51 of Public Acts of 1951, as amended.

Sincerely,
Robert A. Welke
Director

The communication was referred to the Clerk.

The following communications from the Auditor General were received and read:

April 11, 1997

Enclosed is a copy of the following audit report and/or executive digest:

Performance Audit of Schoolcraft College
April 1997

April 11, 1997

Enclosed is a copy of the following audit report and/or executive digest:

Performance Audit of the Single Business Tax Division
Department of Treasury

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The communications were referred to the Clerk and the accompanying reports referred to the Committee on House Oversight and Ethics.

Introduction of Bills

Reps. Griffin and Perricone introduced

House Bill No. 4616, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27 (MCL 211.27), as amended by 1994 PA 415.

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

Reps. Stallworth, Parks and Hale introduced

House Bill No. 4617, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 4 (MCL 208.4), as amended by 1995 PA 285.

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

Reps. Stallworth, Bogardus, Schauer, DeHart, Hale and Parks introduced

House Bill No. 4618, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21525.

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

Reps. Gire, Law, Freeman, Hanley, Martinez, Bobier, Bogardus and Dobronski introduced

House Bill No. 4619, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17745 (MCL 333.17745), as amended by 1996 PA 355.

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

Rep. Martinez introduced

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.

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

Reps. Schauer, LaForge, Thomas, Rison, Bogardus, Hale, Vaughn, Kilpatrick, Stallworth, Scott, Brater, Price, Parks, Murphy, Martinez, Scranton and Birkholz introduced

House Bill No. 4621, entitled

A bill to make supplemental appropriations for certain departments for the fiscal year ending September 30, 1997; to provide for the expenditure of the appropriations; and to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees.

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

Rep. Bogardus introduced

House Bill No. 4622, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 112f.

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

Reps. Kaza, Perricone, Whyman, Lowe, Cropsey, Raczkowski, Goschka, Jaye, Middaugh, Kukuk, Brewer and Walberg introduced

House Bill No. 4623, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4p.

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

Reps. Freeman, Leland, Bogardus, Hale, Schermesser, Wojno, Brown, Cherry, Gubow, Goschka and Schauer introduced

House Bill No. 4624, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21714.

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

Reps. Freeman, Leland, Bogardus, Hale, Schermesser, Wojno, Brown, Cherry, Gubow, Goschka and Schauer introduced

House Bill No. 4625, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21714a.

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

Reps. Anthony, Prusi, Martinez, Kelly, Wetters, McManus and Griffin introduced

House Bill No. 4626, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending sections 2aa, 31, and 31b (MCL 436.2aa, 436.31, and 436.31b), as amended by 1996 PA 440.

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

Reps. Brater, Baird, Varga, Hanley, Dobronski, Mans, Martinez, Brewer, Schauer, Murphy, Parks, Freeman, Gubow, Profit, Ciaramitaro and Price introduced

House Bill No. 4627, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 776.22) by adding section 85 to chapter VII.

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

Reps. Brater, Baird, Varga, Dobronski, Mans, Hanley, Martinez, Brewer, Schauer, Murphy, Parks, Freeman, Gubow, Profit, Ciaramitaro and Price introduced

House Bill No. 4628, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 208 (MCL 330.1208), as amended by 1995 PA 290.

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

Reps. Cropsey, Brewer, Kaza, Hammerstrom, Brackenridge, Hanley, Fitzgerald, Llewellyn, Freeman, Lowe, McBryde, Schroer, Oxender, McManus, Dalman, Goschka, Willard, Raczkowski, Baird, Martinez and Perricone introduced

House Bill No. 4629, entitled

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

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

Reps. Fitzgerald, Martinez, Freeman, Willard, Gire, Schauer, McBryde, Schroer, Bobier, Dalman, LaForge, Baade, Byl, Gubow, Brater and Jellema introduced

House Bill No. 4630, entitled

A bill to repeal section 14 of 1993 PA 327, entitled "Tobacco products tax act," (MCL 205.434).

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

Reps. Dalman, Nye, McBryde, Cropsey, Jelinek, Curtis, McNutt, Gernaat, Goschka, Horton, Jansen, Olshove, Varga, Kukuk and Gustafson introduced

House Bill No. 4631, entitled

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages, for the requiring of a civil license in order to marry, and the due registration of the same, and to provide a penalty for the violation of the provisions of the same," by amending sections 3 and 3a (MCL 551.103 and 551.103a), section 3 as amended by 1984 PA 346 and section 3a as amended by 1989 PA 270, and by adding sections 2a and 2b.

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

Reps. Lowe, Gernaat, McManus, Cropsey, McBryde, Whyman, Goschka, Raczkowski and Perricone introduced

House Bill No. 4632, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for

injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," by amending section 5 (MCL 691.1405).

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

Reps. LeTarte, Middleton, Middaugh, Hammerstrom, McManus, Rhead, Fitzgerald, Cassis, Brackenridge, McNutt, Gilmer, Geiger, Goschka, Crissman, London, Gernaat, Griffin, Baade, McBryde, Oxender, Jelinek, Walberg, Emerson, Martinez, Prusi, Mans, Schauer, Cherry, Baird, Agee, Gagliardi, Raczkowski, Richner, DeVuyst, Scranton, Sikkema, Dalman, Lowe, Jellema, Godchaux, Galloway, Bobier, Llewellyn, Tesanovich, Perricone and Bodem introduced

House Bill No. 4633, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 21106 (MCL 324.21106) and by adding section 21308b and part 216; and to repeal acts and parts of acts.

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

Reps. McManus, Goschka, Jelinek, Law, Horton and Gernaat introduced

House Bill No. 4634, entitled

A bill to authorize an award of damages for harm caused by a false or misleading statement of fact relating to a food product.

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

Reps. Bankes, Brackenridge, Dobb, Hammerstrom, Bodem, Baade, Lowe, McBryde, Martinez, McManus, Dalman, Oxender, Goschka, Bogardus, Richner and Perricone introduced

House Bill No. 4635, 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 sections 2 and 3 (MCL 28.292 and 28.293), section 2 as amended by 1996 PA 204.

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

Rep. Middaugh introduced

House Bill No. 4636, entitled

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

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

Rep. Callahan moved that the House adjourn.

The motion prevailed, the time being 5:30 p.m.

Acting Speaker DeHart declared the House adjourned until Wednesday, April 16, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

