

No. 32
JOURNAL OF THE HOUSE

House Chamber, Lansing, Tuesday, April 22, 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—e/d/s	Fitzgerald—present	Kaza—present	Price—present
Alley—present	Frank—present	Kelly—present	Profit—present
Anthony—present	Freeman—present	Kilpatrick—present	Prusi—present
Baade—excused	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—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—excused	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 Gubow, from the 35th District, offered the following invocation:

“Last night began the eight-day observance of the Jewish holiday of Passover. During this celebration of freedom, Jews around the world retell the story of their journey from slavery to freedom. In that spirit, let each of us do all we can to provide hope, opportunity and equal justice for all people. Amen.”

Rep. Dobronski moved that Reps. Hood and Baade be excused from today’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 4443, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1306. Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Education,

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

Rep. McNutt moved to amend the bill as follows:

1. Amend page 1, line 10, after “LAW,” by striking out the balance of the line through “MORE” on line 11 and inserting “ALL”.

2. Amend page 3, line 7, after “(5)” by striking out the balance of the line through “3128.1772.” on line 12 and inserting “TO BE ELIGIBLE FOR A THIRD GRADE GUARANTEE PROGRAM GRANT DESCRIBED IN THIS SECTION, THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY OPERATING AN AT-RISK SCHOOL SHALL AGREE TO PROVIDE ALL OF THE SERVICES AND PROGRAMS UNDER SUBSECTION (2) TO PUPILS IN GRADES K TO 3 IN THE AT-RISK SCHOOL; SHALL AGREE TO PROVIDE THOSE SERVICES AND PROGRAMS USING AT LEAST THE FUNDING RECEIVED BY THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY PURSUANT TO THIS SECTION, AND THE FUNDING RECEIVED BY THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY UNDER SECTION 31A OF THE STATE SCHOOL AID ACT OF 1979, 1979 PA 94, MCL 388.1631A, FOR AT-RISK PUPILS IN GRADES K TO 3 IN THE AT-RISK SCHOOL; AND SHALL APPLY TO THE DEPARTMENT FOR THE GRANT AS PRESCRIBED IN THE STATE SCHOOL AID ACT OF 1979, 1979 PA 94, MCL 388.1601 TO 388.1772.”.

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

Rep. McNutt demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 183

Yeas—52

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

Nays—50

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

In The Chair: Hertel

Rep. Brown moved to amend the bill as follows:

1. Amend page 2, following line 21, by inserting:

“(G) TEACHER TRAINING IN READING DISORDERS DESIGNED TO ENABLE TEACHERS TO RECOGNIZE AND DIAGNOSE READING DISORDERS IN CHILDREN IN THE EARLY ELEMENTARY GRADES.

(H) DEVELOPMENT AND IMPLEMENTATION OF SPECIALIZED INSTRUCTIONAL PROGRAMS FOR PUPILS DIAGNOSED WITH READING DISORDERS.”.

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

Rep. Brown demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 184**Yeas—73**

Alley	Emerson	Law	Quarles
Anthony	Fitzgerald	Leland	Raczkowski
Baird	Frank	LeTarte	Richner
Bankes	Freeman	London	Rison
Birkholz	Gagliardi	Mans	Schauer
Bodem	Galloway	Martinez	Schermesser
Bogardus	Gire	Mathieu	Schroer
Brackenridge	Goschka	McBryde	Scranton
Brater	Griffin	Middaugh	Stallworth
Brewer	Gubow	Middleton	Tesanovich
Brown	Gustafson	Olshove	Thomas
Callahan	Hale	Owen	Varga
Cherry	Hanley	Oxender	Vaughn
Ciaramitaro	Harder	Palamara	Voorhees
Crissman	Hertel	Parks	Wallace
Curtis	Johnson	Price	Wetters
DeHart	Kelly	Profit	Willard
Dobb	LaForge	Prusi	Wojno
Dobronski			

Nays—28

Bobier	Godchaux	Jellema	Nye
Byl	Green	Kaza	Perricone

Cassis	Hammerstrom	Kukuk	Rhead
Dalman	Horton	Llewellyn	Rocca
DeVuyst	Jansen	Lowe	Sikkema
Geiger	Jaye	McManus	Walberg
Gernaat	Jelinek	McNutt	Whyman

In The Chair: Hertel

Rep. Cropsey moved that consideration of the bill be postponed temporarily.
The motion prevailed.

Rep. Agee entered the House Chambers.

Rep. Gilmer entered the House Chambers.

House Bill No. 4052, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 27 (MCL 38.27), as amended by 1987 PA 241, and by adding sections 48a and 48b.

The bill was read a second time.

Rep. Anthony 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. 4478, entitled

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

The bill was read a second time.

Rep. Jaye moved to amend the bill as follows:

1. Amend page 1, line 6, after "SECTION" by striking out "20(4) OR (5)" and inserting "20(5)".

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

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

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

The House returned to the consideration of

House Bill No. 4443, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1306. (The bill was considered earlier today, see today's Journal, p. 592.)

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 3, following line 22, by inserting:

"(7) THE DEPARTMENT SHALL NOT AWARD A GRANT PURSUANT TO THIS SECTION FOR A READING PROGRAM UNLESS THE PROGRAM INCLUDES A PHONICS-BASED APPROACH." and renumbering the remaining subsection.

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

Rep. Schroer demanded the yeas and nays.

The demand was supported.

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

After debate,

Rep. Kilpatrick 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. Cropsey,

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

Roll Call No. 185**Yeas—43**

Banks	Gernaat	Law	Perricone
Bobier	Goschka	Llewellyn	Raczkowski
Bodem	Green	London	Rhead
Brewer	Gustafson	Lowe	Rocca
Brown	Horton	McBryde	Scranton
Cropsey	Jansen	McManus	Sikkema
Curtis	Jaye	McNutt	Thomas
DeVuyst	Johnson	Middaugh	Voorhees
Fitzgerald	Kaza	Middleton	Walberg
Galloway	Kilpatrick	Nye	Whyman
Geiger	Kukuk	Olshove	

Nays—61

Agee	Dobb	Jelinek	Profit
Alley	Dobronski	Jellema	Prusi
Anthony	Emerson	Kelly	Quarles
Baird	Frank	LaForge	Schauer
Birkholz	Freeman	Leland	Schermesser
Bogardus	Gagliardi	LeTarte	Schroer
Brackenridge	Gilmer	Mans	Scott
Brater	Gire	Martinez	Stallworth
Byl	Godchaux	Mathieu	Tesanovich
Callahan	Gubow	Murphy	Varga
Cassis	Hale	Owen	Vaughn
Cherry	Hammerstrom	Oxender	Wallace
Ciaramitaro	Hanley	Palamara	Wetters
Crissman	Harder	Parks	Willard
Dalman	Hertel	Price	Wojno
DeHart			

In The Chair: Hertel

Rep. Brewer 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. 4443, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1306.

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

Roll Call No. 186**Yeas—55**

Agee	Frank	Leland	Rocca
Anthony	Freeman	Mans	Schauer

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

Nays—52

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

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.

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

“Mr. Speaker and members of the House:

I voted against HB 4443 because I believe this is a back door approach to reinstating categoricals and thus undermining one of the best provisions of Proposal A. Instead of providing funding for only a few schools who meet very specific mandated requirements, we should allocate the funds to all schools to provide reading programs for “at risk” students.”

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

“Mr. Speaker and members of the House:

Control of public education should rest with parents, teachers, administrators and elected school board members at the local level, not with Lansing or Washington.

This legislation would impose a new mandate on local school districts. It betrays a fundamental distrust of parents, teachers, administrators, elected school board members and the principle of local control of public education.”

Rep. Gagliardi moved that **House Bill No. 4478** be placed on its immediate passage.
The motion prevailed, a majority of the members voting therefor.

House Bill No. 4478, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 24 (MCL 38.24).
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 187

Yeas—80

Agee	DeHart	Kelly	Profit
Alley	DeVuyst	Kilpatrick	Prusi
Anthony	Dobb	LaForge	Quarles
Baird	Dobronski	Law	Rhead
Banks	Frank	Leland	Rison
Birkholz	Freeman	LeTarte	Rocca
Bobier	Gagliardi	Mans	Schauer
Bodem	Galloway	Martinez	Schermesser
Bogardus	Gilmer	Mathieu	Schroer
Brackenridge	Gire	McManus	Scott
Brater	Griffin	McNutt	Scranton
Brewer	Gubow	Middaugh	Stallworth
Brown	Hale	Middleton	Tesanovich
Byl	Hammerstrom	Murphy	Thomas
Callahan	Hanley	Olshove	Vaughn
Cassis	Harder	Owen	Voorhees
Cherry	Hertel	Oxender	Wallace
Ciaramitaro	Jelinek	Palamara	Wetters
Crissman	Jellema	Parks	Willard
Curtis	Johnson	Price	Wojno

Nays—25

Cropsey	Green	Kukuk	Perricone
Dalman	Gustafson	Llewellyn	Raczkowski
Fitzgerald	Horton	London	Richner
Geiger	Jansen	Lowe	Sikkema
Gernaat	Jaye	McBryde	Walberg
Godchaux	Kaza	Nye	Whyman
Goschka			

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.

Rep. Frank moved that Rep. Brewer be excused temporarily from today's session.
The motion prevailed.

Rep. Gagliardi moved that Reps. Baird and Martinez be excused temporarily from today's session.
The motion prevailed.

Rep. Gagliardi moved that **House Bill No. 4052** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4052, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 27 (MCL 38.27), as amended by 1987 PA 241, and by adding sections 48a and 48b.

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

Roll Call No. 188

Yeas—56

Agee	Emerson	Kilpatrick	Rocca
Anthony	Frank	Kukuk	Schauer
Birkholz	Gagliardi	Leland	Schermesser
Bodem	Gire	Mans	Scott
Bogardus	Goschka	Murphy	Scranton
Brater	Griffin	Olshove	Stallworth
Brown	Gubow	Owen	Tesanovich
Callahan	Hale	Palamara	Thomas
Cherry	Hanley	Parks	Varga
Ciaramitaro	Harder	Price	Vaughn
Curtis	Hertel	Profit	Wallace
DeHart	Jelinek	Prusi	Wetters
DeVuyst	Kaza	Quarles	Willard
Dobronski	Kelly	Rison	Wojno

Nays—44

Bankes	Geiger	Johnson	Nye
Bobier	Gernaat	Law	Oxender
Brackenridge	Gilmer	LeTarte	Perricone
Byl	Godchaux	Llewellyn	Rackowski
Cassis	Green	London	Rhead
Crissman	Gustafson	Lowe	Richner
Cropey	Hammerstrom	McBryde	Schroer
Dalman	Horton	McManus	Sikkema
Dobb	Jansen	McNutt	Voorhees
Fitzgerald	Jaye	Middaugh	Walberg
Galloway	Jellema	Middleton	Whyman

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.

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

"Mr. Speaker and members of the House:

The reason I voted no on the bill is that I asked the sponsor how much it would cost and how many conservation officers would be impacted. He could not answer my question. This bill moved all the way in one day. I didn't have time to get my answers elsewhere."

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. DeVuyst, Geiger, McBryde, Horton, Llewellyn, Dalman, Cropsey, Lowe, Rhead, Oxender, Goschka, Raczkowski, Gernaat, Bodem, Green, Voorhees, Fitzgerald, McManus, Jelinek and Wetters offered the following resolution:

House Resolution No. 35.

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

Whereas, Over the past several years, Michigan's large deer population has resulted in more crop damage and a growing number of accidents on the state's roads. In the fall of 1996, it was estimated that the state's deer population was between 1.8 and 2 million; and

Whereas, According to records of the Department of State Police, the number of deer/car accidents in Michigan more than doubled in the ten-year period from 1985 to 1995. This increase, from 28,968 accidents in 1985 to 62,502 in 1995, also reflects a shift in patterns of development in the state; and

Whereas, In response to the size of the deer population and the related traffic safety and crop losses, hunting was increased. While this is an appropriate response to the problem, there must be other initiatives that could address the problems statewide and in specific regions. The costs to safety and agriculture argue for stronger efforts; now, therefore, be it

Resolved by the House of Representatives, That we encourage the Department of Natural Resources and the Natural Resources Commission to increase efforts to reduce deer crop damage and the number of deer/car accidents; and be it further

Resolved, That copies of this resolution be transmitted to the Natural Resources Commission and the Department of Natural Resources.

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

Reps. Wojno, Murphy, Olshove, Jelinek, Bogardus and Richner offered the following resolution:

House Resolution No. 36.

A resolution to urge the Michigan Aeronautics Commission to oppose a proposal to expand the Detroit City Airport.

Whereas, The Michigan Aeronautics Commission is presently considering a proposal to expand the Detroit City Airport. The expansion includes a planned runway lengthening to increase the traffic capacity available through the facility; and

Whereas, Individually and collectively through a study committee, several local communities and groups have expressed their opposition to the proposed airport expansion. Compelling arguments against expanding the airport include legitimate concerns over the increased noise in the area, little need for the increased capacity, and taxpayer costs that cannot be justified; and

Whereas, With Detroit Metropolitan Airport's expansion, the Detroit area is well served with airport capacity. Increases proposed at City Airport will not be significant enough to warrant the expenditure of somewhere between \$100 and \$145 million, as estimates indicate; and

Whereas, The plans for Detroit City Airport are ambitious and a major commitment for the area. In addition to the financial commitment, which would include the costs for relocating a portion of Van Dyke Avenue, the proposal entails environmental issues, especially increased noise. To take on a task like this, it must be clear that the benefits are worth the expenditures and the impact on the community. In this instance, with ample airport resources in the area, the project should not be undertaken; now, therefore, be it

Resolved by the House of Representatives, That we urge the Michigan Aeronautics Commission to oppose a proposal to expand the Detroit City Airport; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Aeronautics Commission.

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

Reps. Wojno, Olshove, Murphy, Jelinek, Bogardus and Richner offered the following concurrent resolution:

House Concurrent Resolution No. 36.

A concurrent resolution to urge the Michigan Aeronautics Commission to oppose a proposal to expand the Detroit City Airport.

Whereas, The Michigan Aeronautics Commission is presently considering a proposal to expand the Detroit City Airport. The expansion includes a planned runway lengthening to increase the traffic capacity available through the facility; and

Whereas, Individually and collectively through a study committee, several local communities and groups have expressed their opposition to the proposed airport expansion. Compelling arguments against expanding the airport include legitimate concerns over the increased noise in the area, little need for the increased capacity, and taxpayer costs that cannot be justified; and

Whereas, With Detroit Metropolitan Airport's expansion, the Detroit area is well served with airport capacity. Increases proposed at City Airport will not be significant enough to warrant the expenditure of somewhere between \$100 and \$145 million, as estimates indicate; and

Whereas, The plans for Detroit City Airport are ambitious and a major commitment for the area. In addition to the financial commitment, which would include the costs for relocating a portion of Van Dyke Avenue, the proposal entails environmental issues, especially increased noise. To take on a task like this, it must be clear that the benefits are worth the expenditures and the impact on the community. In this instance, with ample airport resources in the area, the project should not be undertaken; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Michigan Aeronautics Commission to oppose a proposal to expand the Detroit City Airport; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Aeronautics Commission.

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

Reports of Standing Committees

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

House Bill No. 4299, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), as amended by 1996 PA 300.

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 4299 To Report Out:

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

Nays: None.

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

House Bill No. 4309, entitled

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

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

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

Favorable Roll Call

HB 4309 To Report Out:

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

Nays: Reps. Bankes, Bobier, Godchaux, Jansen, Johnson, Oxender.

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

House Bill No. 4310, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 11, 13, 17b, 18, 20, 24, 26, 31a, 36, 39, 41, 51a, 52, 53a, 54, 56, 57, 58, 61a, 62, 74, 81, 94, 99, 101, 104a, 107, 108, 111, 124, 147, 151, 163, 167, and 169a (MCL 388.1603, 388.1606, 388.1611, 388.1613, 388.1617b, 388.1618, 388.1620, 388.1624, 388.1626, 388.1631a, 388.1636, 388.1639, 388.1641, 388.1651a, 388.1652, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1658, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694, 388.1699, 388.1701, 388.1704a, 388.1707, 388.1708, 388.1711, 388.1724, 388.1747, 388.1751, 388.1763, 388.1767, and 388.1769a), sections 3, 6, 11, 13, 17b, 18, 20, 24, 31a, 36, 39, 41, 52, 54, 56, 57, 58, 61a, 62, 74, 81, 94, 99, 101, 104a, 111, 124, 147, 163, and 167 as amended and sections 51a, 53a, 107, 108, and 169a as added by 1996 PA 300, section 26 as amended by 1994 PA 283, and section 151 as amended by 1995 PA 130, and by adding sections 17d, 20g, 20j, 26a, 61b, 61c, and 61d; 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 4310 To Report Out:

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hood, Chair of the Committee on Appropriations, was received and read:
Meeting held on: Thursday, April 17, 1997, at 11:15 a.m.,

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

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

House Bill No. 4097, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57i.
With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 1, line 2, after "EACH" by striking out "RECIPIENT" and inserting "GRANTEE".
2. Amend page 1, line 3, after "OF" by striking out "TRANSITIONAL".
3. Amend page 1, line 3, after "SERVICES" by inserting "AND TRANSITIONAL MEDICAID".

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

Favorable Roll Call

HB 4097 To Report Out:

Yeas: Reps. LaForge, Scott, Bogardus, Gire, Schauer, Horton, London, McManus,
Nays: Rep. Jaye.

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 22, 1997, at 9:00 a.m.,

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

The Committee on Local Government, by Rep. Dobronski, Chair, reported

House Bill No. 4146, entitled

A bill to amend 1982 PA 455, entitled "The library privacy act," by amending section 2 (MCL 397.602).
With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4146 To Report Out:

Yeas: Reps. Dobronski, Mans, Brewer, Callahan, Brackenridge, Crissman,
Nays: None.

The Committee on Local Government, by Rep. Dobronski, Chair, reported

House Bill No. 4448, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 758, 759, and 759b (MCL 168.758, 168.759, and 168.759b), section 758 as amended by 1996 PA 207 and section 759 as amended by 1995 PA 261.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.
The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

HB 4448 To Report Out:

Yeas: Reps. Dobronski, Mans, Brater, Brewer, Callahan, Brackenridge, Birkholz, Crissman, Hammerstrom,
Nays: None.

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 22, 1997, at 9:00 a.m.,
Present: Reps. Dobronski, Mans, Brater, Brewer, Callahan, Brackenridge, Birkholz, Crissman, Hammerstrom.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

House Bill No. 4450, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2815 (MCL 333.2815), as amended by 1985 PA 20.

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

1. Amend page 2, line 1, after "blank" by inserting a comma and "INCLUDING, BUT NOT LIMITED TO, A FORM OR BLANK IN AN ELECTRONIC FORMAT,".

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

Favorable Roll Call

HB 4450 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Llewellyn,
Raczkowski, Rocca, Scranton,
Nays: None.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

House Bill No. 4620, entitled

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

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

Favorable Roll Call

HB 4620 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Llewellyn,
Raczkowski, Rocca, Scranton,
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. Palamara, Chair of the Committee on Health Policy, was received and read:
Meeting held on: Tuesday, April 22, 1997, at 10:30 a.m.,
Present: Reps. Palamara, Schauer, Gire, Griffin, Gubow, Murphy, Profit, Thomas, Wojno, Hammerstrom, Crissman,
Law, Llewellyn, Raczkowski, Rocca, Scranton,
Absent: Rep. Leland,
Excused: Rep. Leland.

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 21, 1997, at 2:00 p.m.,
 Present: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Kilpatrick, Varga, Wallace, Wojno, Gustafson, DeVuyst, Fitzgerald, Goschka, Richner, Voorhees,
 Absent: Reps. Hanley, Perricone,
 Excused: Reps. Hanley, Perricone.

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 22, 1997, at 9:00 a.m.,
 Present: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Kilpatrick, Schauer, Vaughn, Wojno, Nye, Cropsey, Dalman, Law, McNutt, Richner,
 Absent: Reps. Willard, Fitzgerald,
 Excused: Reps. Willard, Fitzgerald.

Messages from the Senate**House Bill No. 4142, entitled**

A bill to amend 1846 RS 14, entitled "Of county officers," by amending sections 113, 114, and 117 (MCL 55.113, 55.114, and 55.117).

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4143, entitled

A bill to amend 1969 PA 57, entitled "Uniform recognition of acknowledgments act," by amending section 2 (MCL 565.262).

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

The House agreed to the full title of the bill.

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

Notices

Public Hearing

Committee on Consumer Protection

Date: Thursday, April 24, 1997

Time: 6:00 - 8:00 p.m.

Place: Pennfield High School, 8587 Q Dr. N., Battle Creek, MI
 Cafetorium

Rep. Liz Brater
 Chair

Agenda: Tainted Strawberries
 any and/or all business properly before this committee.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, April 21:

House Bill Nos.	4616	4617	4618	4619	4620	4621	4622	4623	4624	4625	4626	4627	4628	4629
	4630	4631	4632	4633	4634	4635	4636							

The Clerk announced that the following bills had been printed and placed upon the files of the members, Tuesday, April 22:

House Bill Nos. 4637 4638 4639 4640 4641 4642 4643 4644 4645 4646 4647

The Clerk announced that the following Senate bills had been received on Tuesday, April 22:

Senate Bill Nos. 133 227 228

Messages from the Governor

The following message from the Governor was received April 17, 1997 and read:

EXECUTIVE ORDER 1997-7

Department of Military Affairs

Department of Military and Veterans Affairs

Executive Reorganization

WHEREAS, Article V, Section 1, of the Constitution of the State of Michigan of 1963 vests the executive power in the Governor; and

WHEREAS, Article V, Section 2, of the Constitution of the State of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

WHEREAS, the Michigan Department of Military Affairs was created by Act No. 380 of the Public Acts of 1965, as amended, being Section 16.225 et seq. of the Michigan Compiled Laws; and

WHEREAS, the Department of Military Affairs, in addition to its traditional mission of administering the Michigan National Guard, is responsible for all state programs supporting veterans' services; and

WHEREAS, the Director of the Department of Military Affairs administers the Grand Rapids Home for Veterans, the D.J. Jacobetti Home for Veterans Trust Fund and grants to veterans service organizations from the State of Michigan; and

WHEREAS, it is important to recognize that the Department of Military Affairs has dual missions of being prepared for active service and supporting and maintaining veterans services.

NOW, THEREFORE, I, John Engler, Governor of the State of Michigan, pursuant to the powers vested in me by the Constitution of the State of Michigan of 1963 and the laws of the State of Michigan, and in recognition of the Department's dual missions of readiness and veterans' services, do hereby order the following:

The Department of Military Affairs is hereby renamed the Department of Military and Veterans Affairs.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the State of Michigan of 1963, the provisions of this Executive Order shall become effective 60 days after filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 17th day of April, in the Year of our Lord, One Thousand Nine Hundred Ninety-Seven.

John Engler

Governor

By the Governor:

Candice S. Miller

Secretary of State

The message was referred to the Clerk.

Communications from State Officers

The following communication from the Senate and House Fiscal Agencies was received and read:

April 14, 1997

RE: Technical Appendix
to the Report Of The Joint Legislative Work Groups On
Program Performance Assessment

Enclosed, as specified in the referenced report*, is a copy of the Technical Appendix.

*"Additionally, a technical appendix documenting all phases of the project will be filed with the Clerks of the House and Senate, and copies will be available for review at the offices of the House and Senate Fiscal agencies and the Michigan State Library."

The communication was referred to the Clerk.

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

April 11, 1997

Enclosed are summaries of four plans developed under the Job Training Partnership Act (JTPA) for the year beginning July 1, 1997, covering the ten county northwest Michigan region. Included are summaries for:

- JTPA Title IIA (for economically disadvantaged adults);
- JTPA Title IIC (year round program for economically disadvantaged youth);
- JTPA Title III (for dislocated workers);
- JTPA Title IIA 5% (for older workers).

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

Jan Warren
Program Development Coordinator

The communication was referred to the Clerk.

Introduction of Bills

Reps. Schroer, Profit, Gire, Cherry, Willard, Hammerstrom, Quarles, LaForge and Bogardus introduced

House Bill No. 4648, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 3 (MCL 125.2303) and by adding section 7a.

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

Reps. Schroer, Bogardus, Cherry, Baird, Willard, Gire, Dalman, Quarles, Martinez and LaForge introduced

House Bill No. 4649, entitled

A bill to amend 1978 PA 642, entitled "Revised probate code," by amending section 103 (MCL 700.103).

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

Reps. Schroer, Baird, Gire, Schauer, Martinez and LaForge introduced

House Bill No. 4650, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 21004, 21051, and 21053c (MCL 333.21004, 333.21051, and 333.21053c), sections 21004 and 21051 as amended by 1982 PA 354 and section 21053c as added by 1996 PA 515, and by adding sections 21052a, 21052b, 21052c, 21052d, 21052e, 21053d, and 21095.

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

Reps. Schroer, Cherry, Baird, Gire, LaForge and Bogardus introduced

House Bill No. 4651, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 1996 PA 320.

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

Reps. Law and Bankes introduced

House Bill No. 4652, entitled

A bill to repeal 1994 PA 325, entitled "The international tradeport development authority act," (MCL 125.2521 to 125.2546).

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

Reps. LeTarte, DeVuyst and Oxender introduced

House Bill No. 4653, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding sections 811d, 811e, and 811f.

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

Reps. LeTarte, DeVuyst, Middleton, Rhead, McNutt, Oxender, Middaugh, Mathieu, Agee, McBryde, London, Baade, Gire, Brackenridge, Price and Griffin introduced

House Bill No. 4654, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 103, 111, 121, and 124 (MCL 389.103, 389.111, 389.121, and 389.124).

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

Reps. Varga, McNutt, Gernaat, Nye, Walberg, Goschka, Horton, Jansen, Olshove, Bodem, Cassis, McManus, Crissman, Bankes, Dobb, Birkholz, Johnson, Dalman and Perricone introduced

House Bill No. 4655, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending section 9 (MCL 552.509), as amended by 1996 PA 365.

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

Reps. Dalman, McNutt, Gernaat, Nye, Walberg, Raczkowski, Goschka, Horton, Jansen, Olshove, Varga, Cassis, McManus, Crissman, Birkholz, Johnson and Perricone introduced

House Bill No. 4656, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending section 19 (MCL 552.519), as amended by 1996 PA 366.

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

Reps. McManus, Goschka, Rocca, Jansen, Horton, Bobier, Voorhees, Dobb, McBryde, Raczkowski, Lowe, Birkholz, Green, Cropsey, Jaye and Perricone introduced

House Bill No. 4657, entitled

A bill to amend 1968 PA 357, entitled "An act to prescribe the powers, duties and functions of the state officers' compensation commission; and to prescribe the powers and duties of the legislature in relation to the commission," by amending sections 6 and 7 (MCL 15.216 and 15.217).

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

Reps. Hammerstrom, McManus, Goschka, Galloway, Bobier, Cassis, McBryde, Richner, Lowe, Green, Voorhees, Mans, Schroer, Rhead, Llewellyn and Perricone introduced

House Bill No. 4658, entitled

A bill to designate the official fruit of this state.

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

Rep. Freeman introduced

House Bill No. 4659, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 149 (MCL 750.149) and by adding section 149a.

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

Reps. Lowe, Goschka, Walberg, Oxender, McBryde, Middleton, Cropsey, Horton, McManus, Gernaat and Voorhees introduced

House Bill No. 4660, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2965.

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

Rep. Law introduced

House Bill No. 4661, entitled

A bill to amend 1996 PA 386, entitled "An act to regulate the sale and purchase of viatical settlement contracts; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties," by amending section 8 (MCL 550.528).

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

Reps. London, McBryde, Goschka, Mans, Dalman, Leland, Olshove, Baade, Green, Gernaat, Birkholz, Byl, Middleton, Curtis, Schermesser, Schauer, Brown and Galloway introduced

House Bill No. 4662, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 208, 221, 232, and 903 (MCL 257.208, 257.221, 257.232, and 257.903), section 208 as amended by 1996 PA 471 and section 903 as amended by 1992 PA 309, and by adding sections 40b, 208a, 208b, 208c, and 208d.

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

Reps. London, McBryde, Goschka, Mans, Dalman, Leland, Olshove, Baade, Green, Gernaat, Birkholz, Byl, Middleton, Curtis, Schermesser, Schauer and Galloway introduced

House Bill No. 4663, 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 the title and sections 1 and 2 (MCL 28.291 and 28.292), section 2 as amended by 1996 PA 204, and by adding sections 1a, 5a, 6, 7, 8, 9, and 10.

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

Reps. McManus, Goschka, Rocca, Jansen, Horton, Bobier, Voorhees, Dobb, McBryde, Raczkowski, Lowe, Birkholz, Green, Cropsey, Jaye and Perricone introduced

House Joint Resolution R, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 12 of article IV, to provide that the state officers compensation commission's determination of certain salaries and expense allowances become effective only upon approval by the legislature for the following legislative session.

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

Rep. Byl moved that the House adjourn.
The motion prevailed, the time being 4:40 p.m.

The Speaker declared the House adjourned until Wednesday, April 23, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

