

No. 2

JOURNAL OF THE HOUSE

House Chamber, Lansing, Tuesday, January 28, 1997.

6:00 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	Kelly—present	Price—present
Alley—present	Frank—present	Kilpatrick—present	Profit—present
Anthony—present	Freeman—present	Kukuk—present	Prusi—present
Baade—present	Gagliardi—present	LaForge—present	Quarles—present
Baird—present	Galloway—present	Law—present	Raczkowski—present
Bankes—present	Geiger—present	Leland—present	Rhead—present
Birkholz—present	Gernaat—present	LeTarte—present	Richner—present
Bobier—present	Gilmer—present	Llewellyn—present	Rison—present
Bodem—present	Gire—present	London—present	Rocca—present
Bogardus—present	Godchaux—present	Lowe—present	Schauer—present
Brackenridge—present	Goschka—present	Mans—present	Schermesser—present
Brater—present	Green—present	Martinez—present	Schroer—present
Brewer—present	Griffin—excused	Mathieu—present	Scott—present
Brown—present	Gubow—present	McBryde—present	Scranton—present
Byl—present	Gustafson—present	McManus—present	Sikkema—present
Callahan—present	Hale—present	McNutt—present	Stallworth—present
Cassis—present	Hammerstrom—present	Middaugh—present	Tesanovich—present
Cherry—present	Hanley—present	Middleton—present	Thomas—present
Ciaramitaro—present	Harder—present	Murphy—present	Varga—present
Crissman—present	Hertel—present	Nye—present	Vaughn—present
Cropsey—present	Hood—present	Olshove—present	Voorhees—present
Curtis—present	Horton—present	Owen—present	Walberg—present
Dalman—present	Jansen—present	Oxender—present	Wallace—present
DeHart—present	Jaye—present	Palamara—present	Wetters—present
DeVuyst—present	Jelinek—present	Parks—present	Whyman—present
Dobb—present	Jellema—present	Perricone—present	Willard—present
Dobronski—present	Johnson—present	Pitoniak—present	Wojno—present
Emerson—present	Kaza—present		

e/d/s = entered during session

Rep. David Anthony, from the 108th District, offered the following invocation:

“Dear Lord, Look with favor on this legislative body as we begin a new year. Guide us as we work together. And, enlighten us as to the needs of those we represent. Give us the wisdom to view all issues that come before us in a fair, compassionate and unbiased manner. May the laws passed in this chamber reflect our personal commitment to the people of this state—a state You have so wondrously blessed. We humbly beg Your blessing as we seek a more prosperous future for all. Amen.”

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

Motions and Resolutions

Reps. Gagliardi and Gustafson offered the following concurrent resolution:

House Concurrent Resolution No. 3.

A concurrent resolution providing for a joint convention of the House of Representatives and the Senate.

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives and Senate meet in joint convention in the Hall of the House of Representatives, Tuesday, January 28, 1997, at 6:45 p.m., to receive the message of Governor John M. Engler.

Pending the reference of the concurrent resolution to a committee,

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

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Rep. Gagliardi moved that a special committee of four members be appointed to notify the Senate that the House was ready to meet the Senate in Joint Convention.

The motion prevailed.

The Speaker appointed as such committee Representatives Callahan, Bogardus, Jelinek and Cassis.

The special committee to notify the Senate that the House was ready to meet in Joint Convention returned to the House along with the members of the Senate.

The committee, through its Chairperson, reported that it had performed the duty assigned it. The report was accepted and the committee discharged.

The Sergeant at Arms announced the members of the Senate, who were admitted and conducted to seats.

Joint Convention

6:45 o’clock p.m.

The Joint Convention was called to order by the President of the Joint Convention, The Hon. Connie Binsfeld.

Reverend David Campbell, Mercy Memorial Hospital, Monroe, offered the following invocation:

“Thank you for the privilege of being here tonight. One of the famous chaplains of the United States Senate in 1947-48 was probably one of those individuals who gave inspiration to me—Peter Marshall. I want to share a couple of words that he used before the United States Senate. He said ‘Prayer, like everything else in God’s universe is not accidental

in its way of working. It's based on laws, spiritual laws, and feels just as constant and inexorable and fixed as their companions in the natural realm.'

Our Father, We thank You for tonight and for the privilege of being able to represent our state and for the privilege of being able to work together with one another. In some ways, we are beginning to understand that the things that are wrong with our world are the sum total of all the things that are wrong with us as individuals. We thank You that You have made us after Your image and that our hearts can find no rest until they rest in Thee. We thank You, Father, for the direction that You have given and for the choosing of these men and women to represent us. Remove from each of us the sophistication of our age and the skepticism that has become so blighting to all of us and to our country. We ask, Father, that You will bring us back to a faith that makes great and strong people and a great and strong state that enables us to lead lives that are very important and very good, and that our faith will be triumphant. Even at this moment as we come blundering into Your presence in prayer, we are haunted by memories of duties that have not been performed; promptings that have been disobeyed; and beckonings that have been ignored. We ask that You will give us the opportunities that are so important to us. Now, tonight may we know Your presence and Your blessing. Bless our governor and bless those who represent us. Amen."

The roll of the Senate was called by the Secretary, who announced that a quorum of the Senate was present.

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

The President of the Joint Convention announced that the two Houses had met in Joint Convention to receive the message of the Governor.

Rep. Gagliardi moved that a special committee, consisting of two Representatives and two Senators, be appointed to invite and escort the State Officers to the Joint Convention.

The motion prevailed.

The President of the Joint Convention named as such committee Representatives Schauer and Geiger, and Senators Cisky and Byrum.

The Sergeant at Arms announced the special committee appointed to invite the State Officers to be present at the Joint Convention.

The State Officers, escorted by the committee, were conducted to seats.

Senator DeGrow moved that a special committee, consisting of two Representatives and two Senators, be appointed to invite and escort the Judges of the Court of Appeals to the Joint Convention.

The motion prevailed.

The President of the Joint Convention named as such committee Representatives Thomas and Rhead, and Senators Geake and Vaughn.

The Sergeant at Arms announced the special committee appointed to invite the Judges of the Appeals Court to be present at the Joint Convention.

The Judges of the Appeals Court, escorted by the committee, were conducted to seats.

Rep. Gagliardi moved that a special committee, consisting of two Representatives and two Senators, be appointed to invite and escort the Justices of the Supreme Court to the Joint Convention.

The motion prevailed.

The President of the Joint Convention named as such committee Representatives Wojno and McNutt, and Senators Van Regenmorter and Virgil Smith.

The Sergeant at Arms announced the special committee appointed to invite the Justices of the Supreme Court to be present at the Joint Convention.

The Justices of the Supreme Court, escorted by the committee, were conducted to seats.

Senator DeGrow moved that a special committee, consisting of three Representatives and three Senators, be appointed to escort the Governor to the Joint Convention.

The motion prevailed.

The President of the Joint Convention named as such committee Representatives Alley, Quarles and Walberg, and Senators Bennett, Gougeon and Hart.

The Sergeant at Arms announced the special committee to wait on the Governor.

The Governor, escorted by the committee, was conducted to the rostrum.

The President of the Joint Convention then introduced Governor Engler who gave his message to the Joint Convention as follows:

“Thank you Connie Binsfeld, and, thank you Reverend Campbell for that touching invocation tonight. Along with Reverend Campbell, we have some very special guests representing the people of Ida and Monroe county—Sheriff Tilman Crutchfield; Chairman of the County Board of Commissioners, Dale Zorn; Lieutenant Tom Hammond; the Director of the Emergency Management, Mitch Yudas, Jr.; and Medical Examiner, Dr. David Lieberman. These individuals and their neighbors responded to the tragic loss of life in the bitter cold of a winter night. You showed America that Michigan has a warm heart and we thank you. I am very proud of everyone who answered the call—the Red Cross, the Salvation Army, the volunteer fire department and the volunteer army. Twenty-five hundred or more caring souls who worked side-by-side to outstanding federal and state officials to provide an exemplary response to a terrible tragedy. To all of you at home, Michigan says thank you. You showed America how to cope with a very tragic accident.

Lieutenant Governor Binsfeld, Majority Leader Posthumus, my good friend, Speaker Curtis Hertel, colleagues in government, citizens of Michigan:

I stand here tonight at the midpoint of my term, proud of what we have accomplished, optimistic about what we will do together.

I am proud to report to the people of Michigan that in terms of reforms and results, the last legislative session is unmatched in state history.

But, let me say this, the state of our state is better than ever.

And it has been a quarter century since welfare was needed by so few . . . a quarter century since the rate of violent crime was down so far . . . and a quarter century since unemployment was so low.

My friends, America knows that Michigan is back as a state of basic values, big ideas, and bold leadership.

State after state is copying Michigan—reforming school funding, reorganizing government and reducing taxes.

We have strengthened Michigan’s foundation—now, our greatest challenge is to secure Michigan’s future for all our families.

Securing our future means making sure that our children have every chance to be safe, smart and successful.

Over the past six years, we have taken many steps that are making a difference for Michigan’s families.

We are on the right course.

We will not turn back.

We must forge ahead.

We must forge ahead so every child can attend a high quality school . . . so every child is protected from violence and abuse . . . so every worker has the skills to compete and succeed . . . so every family is safe in their homes and neighborhoods . . . so every generation to come is assured a Michigan as beautiful and bountiful as the Michigan we enjoy today.

Our families, our future—let those words be our inspiration as we work together—today, tomorrow, forever.

My fellow citizens, nothing, nothing is more important to the future of families than the quality of our children’s education.

Education is the ladder from poverty to prosperity. Education makes equal opportunity possible. Education is the key to the American dream. And it is the lack of education, or poor quality education, that all too often makes welfare and prisons necessary.

Let me tell you where Michigan stands when it comes to public education.

We know firsthand that some of our public schools and many of our teachers are the very best in the world.

But we also know that too many schools are failing our children and that some teachers feel threatened in their own classrooms.

We know that Michigan students score above average on national tests.

But we also know that we can do better and our children deserve better.

We know that parental involvement is the key to student success.

But we also know that too many parents feel shut out and ignored. In particular, less than one-third of African-American families give their local schools high marks.

We know that Michigan spends \$11 billion a year on public education, that spending on our schools has quadrupled over the past 20 years and that we are more generous with our schools than 42 other states.

But we also know that money alone does not raise student performance.

We know that Proposal A has dramatically increased equity in school funding, and that next year, for the first time in history, every school district will receive more than \$5,000 per pupil.

But we also know that the performance gap between urban and non-urban districts is intolerable.

In addition to knowing where Michigan stands, it is important for you to know where I stand as governor. I am for public education.

Being for public education has meant increasing funding for public schools 25 percent in just five years.

Being for public education means that in the budget I will send you next week for 1998, school spending, for the first time in history, will amount to more than everything else combined—more than prisons, police, agriculture, the courts—everything else combined.

Being for public education means giving our 1.6 million students and their parents and teachers more quality school choices.

Being for public education means backing President Clinton's call for more charter schools. Last week, and again today, the President announced the doubling of federal support for charter schools.

I propose that Michigan be the first state to take advantage of this national public school initiative. Further, I invite members of the president's own party in this legislature to join us as partners in opening the doors to more charter public schools. Let's work together!

Being for public education means keeping education our top priority!

One key to quality education is quality teachers. Proud, passionate—these professional men and women are making a difference in the lives of students every day. That's why I was outraged to read in the Detroit News that in one high school this year nine teachers have been assaulted.

When teachers are attacked in their own classrooms, academic performance is also a casualty. I may be old fashioned, but it seems to me, if a student lays a hand on a teacher, that student is gone.

If a basketball player pushes a referee, that player is out of the game. If a student assaults a teacher, that student should be out of the school.

We've already taken a very successful step forward by expelling students who bring weapons to school. As a result, we're moving bad kids out of class and helping good kids move to the head of the class.

Now it's time for the next step. I am proposing the immediate expulsion of any student who assaults a teacher.

Further, tonight I invite the leadership of the Michigan Federation of Teachers and the Michigan Education Association to join with us in protecting teachers.

Let's do the right thing. Let's stand up for our teachers and the kids who play by the rules. Let's pass this bill in 30 days.

I have just stressed the importance of protecting teachers from bad kids who disrupt their classrooms, but what should we do when the school is bad?

For too long, the reaction has been: 'It's somebody else's school. It's somebody else's problem.'

It may be somebody else's school but it is our problem.

If I told you that 99 percent of the 11th-graders in one southwest Michigan school district failed their state proficiency test in science and that 95 percent of the 11th-graders in our largest school district failed that same test, you would say: 'That's an outrage—something must be done.'

Last week, Detroit School Board member Dr. Margaret Betts said this, 'We need help. We're educating some kids, but we're losing too many.' She is right. It's time we stand shoulder to shoulder to help these kids.

Let me explain the problem in terms of real kids. These are the proficiency scores from one district. The subject—reading, 193 took the test, 18 passed; math—197 took the test, 8 passed; writing—186 took the test, 7 passed; science—205 took the test, 2 students passed that test.

My friends, how in good conscience can we look the other way when thousands of children are trapped in failing public schools? These kids have no other choice and no other chance.

Already, the state can hold school districts accountable when they fail to meet strict financial standards. However, nothing happens when school districts fail year after year after year to meet even minimal performance standards.

To me, a system of accountability that focuses only on dollars and cents simply makes no sense. We have no choice. We must change the system!

So to help our children, I propose the School District Accountability Act to be sponsored by one of Michigan's most able advocates for school reform and a public school parent himself—Senator Dan DeGrow.

This new Accountability Act would allow state intervention in any school district—any school district—if either of the following minimal standards is not met:

- * first, when more than 80 percent of the students fail the state proficiency test;

- * second, when the dropout rate is higher than 25 percent.

No one—no one in this room, no one in this state—can stand up and defend a school district that fails 80 percent of our kids.

Make no mistake about it—I will not, and this legislature should not, turn away from children in need. We must put our children first and fix our schools.

All of us took an oath to uphold Michigan's Constitution which says, and I quote, '... schools and the means of education shall forever be encouraged.'

Let's stand up by that oath and let's stand up for our children. Perhaps it should be sit up straight for our children.

Ladies and gentlemen, we are standing up for children. Not just in education but when it comes to breaking the cycle of dependency. Welfare reform in Michigan a model for the nation. The key—all families must work. That policy will continue. Republicans and Democrats work together to help welfare families become working families. Our work

together must go forward. In pilot projects across Michigan, extraordinary gains are being achieved. We are learning new strategies to fight poverty.

Tonight, I propose we double our Project Zero program and continue to move social workers into the community and welfare recipients into the workforce.

We reform welfare not just because it gives parents a helping hand to independence but because it gives children a helping hand to a better future.

Children—their health, safety, education and quality of life—have been our priority from day one. And, I am proud of our accomplishments:

- * the number of adoptions—doubled;
- * the number of abortions—down;
- * teen pregnancy—down;
- * infant mortality—at a record low;
- * immunization rate—up dramatically;
- * number of child deaths—down by 25 percent.

These accomplishments are improving the prospects for many Michigan children.

While fewer children are threatened by poverty and illness, too many children are threatened by adults, sometimes their own parents.

There is no excuse for child abuse. Every child deserves a chance at childhood.

And no one in Michigan has worked harder for reform than our Lieutenant Governor, the best Lieutenant Governor in America, Connie Binsfeld.

And, I might mention, speaking of great Lieutenant Governors, I was reminded a little while ago that tomorrow Lieutenant Governor Martha Griffiths is 85 years young. Martha, if you're watching tonight, happy birthday from all of your friends in Lansing.

Last year, Connie's Commission recommend ways to make Michigan a better place for children to live and to be loved. It is Connie's dream and mission for every child to find what she most appropriately calls 'a forever family.'

Connie is not alone in caring for Michigan's children. There are hundreds of committed caseworkers and thousands of foster and adoptive parents who want nothing more than for each child in their care to find and keep that forever family.

While we have already begun to implement key recommendations of the report, tonight I am pleased to announce even more progress, including:

- * changes in confidentiality laws to safeguard children;
- * annual report cards on the performance of agencies responsible for helping children find permanent homes;
- * an aggressive campaign to continue to increase adoption.

Our children's agenda has saved lives. Now, more children will get a chance at childhood.

As we're working to save the lives of children, medical research is telling us more about the basic building blocks of life itself.

Scientists around the world, including top-notch researchers at the University of Michigan—from the University of Michigan—are creating an incredibly detailed map of our genetic make-up.

To safeguard that information and to develop a model state policy regarding the use of genetic information, I will soon appoint a Governor's Commission on Genetic Privacy and Progress to recommend ways to protect genetic privacy, prevent discrimination and maximize the beneficial uses of new medical knowledge.

If we are prepared to act now, we will not be forced to react in the future.

One area where we have acted decisively is in revitalizing Michigan's economy and helping families provide for their children.

Michigan's economic renaissance has proven that to create better jobs—cut taxes. To raise take-home pay—cut taxes. And, to strengthen families—cut taxes.

To build on our record, tonight I am announcing tax cuts of \$350 million over the next two years for job providers and families.

And the good news is you don't have to pass any bills. These tax cuts are already law. Even better news is the fact that unemployment in Michigan is at the lowest rate since 1969—when man first walked on the moon. That is so long ago that Jackie Vaughn was the only member of this legislature in office at that time. Of course, Frank Kelly had a few years on you then.

Cutting taxes and controlling state spending have contributed to economic conditions that are the best in three decades.

Since we began working together to launch our 'Taxpayer's Agenda,' more than 500,000 Michigan men and women have found new jobs.

Remember back in the 1980's they talked an awful lot about 'jobs, jobs, jobs'. Now, Michigan has 'jobs, jobs, jobs'.

This is the 'Employment' section from Sunday's paper—24 pages, 3 sections—of opportunities. In fact, we have so many good jobs, we actually can't fill them fast enough.

These jobs range from the work our grandparents might have done—as carpenters, bricklayers and electricians—to jobs our grandparents never imagined, involving computers, robots and lasers.

TIME magazine had called these jobs ‘gold collar’ since they pay up to \$30 to \$40 an hour. Interestingly, most of these gold collar jobs don’t require a four-year college degree. What they do require is extensive training, especially work-based education.

For students who don’t go to college or decide that college isn’t right for them, there aren’t enough choices and opportunities. For too long, these young people—who want a good job in a career that has a future—have been forgotten and left behind.

Tonight, I am taking two actions to insure they won’t be forgotten anymore.

First, an executive order based on the excellent work done by Representative Glenn Oxender to establish a statewide framework for career preparation.

Second, legislation to fund a career preparation system based on high standards with maximum local collaboration so that the training fits the jobs. In addition, in my budget I will recommend a \$30 million increase to reward schools that take up this challenge.

The keys to the success of this strategy are: first, new partnerships with employers and educators; second, dramatic changes in attitudes; and third, an unprecedented commitment to elevate career prep to the same plane as college prep so that no one is left behind.

Again, this is an issue where we must work together.

Just as a new strategy is important for preparing our workers, a new strategy is important for repairing our infrastructure.

Since 1991, from M-59 in Macomb County to the Haggarty Connector in Oakland County; from the Davison Freeway in Detroit to the 9th Street Bridge in Kalamazoo; from M-37 in Grand Rapids to the state-wide repair of 200 bridges, our Build Michigan program has rebuilt, repaired and resurfaced more roads and bridges than in any comparable period in state history.

But despite all we have done, I remain concerned about the state of Michigan’s roads. Frequently, I am asked: When is the legislature going to raise fuel taxes to fix our roads?

I believe before fuel taxes are raised, we must exhaust every alternative, lower costs as much as possible and enact every possible reform. I am not satisfied that we have done our utmost. So tonight, I am not recommending that this legislature raise fuel taxes.

Instead, I propose a specific, seven-point plan to fix more of our roads:

ONE. I ask you to act promptly to approve \$70 million in additional money for the 1997 road building season. This action will make approximately \$40 million available for local projects and \$30 million for state highway projects.

As a result, state construction will begin on the South Beltline project in Kent County and the connection of I-75 to the Ambassador Bridge.

TWO. For the 1998 road building season, I am recommending \$110 million for bridge repair and \$180 million for highway and bridge maintenance.

THREE. I renew tonight my call to end frivolous and outrageous lawsuits—a reform that will yield as much as \$15 million to \$25 million a year to fix our roads. I commend Dick Posthumus and the Senate for passing this much-needed reform in the last session. This year it needs to go all the way.

FOUR. I renew my call to eliminate the outdated and unnecessary ‘spillage allowance.’ This reform would mean another \$15 million annually to fix our roads.

FIVE. We will continue our drive to reduce the cost of operating the Michigan Department of Transportation. By next year, compared to when I took office, the department will be smaller by nearly 1,000 employees. We will begin closing duplicative facilities. These actions combined will result in the freeing up of millions of dollars to fix our roads. Every additional dollar in administrative savings is another dollar for road repair.

SIX. At a time when state government is making every effort to increase efficiency and reduce costs, taxpayers have a right to expect that county road commissions and other local governments, who receive 60 cents of every fuel tax dollar, are making every effort as well.

Because some local road agencies are fighting to keep the legislative auditor general out and their books secret, tonight I propose that you pass legislation making it clear the secrecy will stop. Our state books are open. Local books should be open as well.

SEVENTH, and final point. I realize that some will say that even if you do all the things I’ve discussed—cut costs, exhaust alternatives, enact every reform possible, and add new money—it’s still not enough and we need to raise taxes. To tax advocates, I have a question: What about the taxes we already pay to Washington—where so many of our tax dollars go and so few come back?

I propose that we launch a bipartisan congressional initiative—and I’m delighted to see Congressman Upton, Camp, Knollenberg, Ehlers and Smith here and I hope they will take the message back—that will persuade the Administration and Congress itself that it is time Michigan gets its fair share. Success in Washington could mean bringing back home more than \$200 million of Michigan’s money to fix Michigan’s roads.

This seven-point plan is the equivalent of a six to eight cent hike in the fuel tax. I realize raising taxes would be easy for some, but in this case, the tough choices are the right choices.

While rebuilding roads is important, rebuilding safe communities is even more important. That's why fighting crime continues to be a top priority.

Our crime-fighting strategy has been simple and to-the-point—new tools for police and prosecutors and the courts. And, I might at this point congratulate the new Chief Justice of the Michigan Supreme Court, Justice Conrad Mallot. It is nice to see you back in the Chambers in a new capacity. Congratulations. Lucille Taylor, my counsel said it's always good to see a Governor's counsel do well. I noticed she is sitting right there by Conrad. The new tools for police, prosecutors and the courts—tougher penalties for violent, habitual lawbreakers and probation, prison and parole reforms to protect the public.

More than 300 bills passed by this legislature in the last six years. As a result, the rate of violent crime in Michigan is down—down four years in a row to the lowest level in 25 years. Last year, compared to five years ago, 100,000 fewer serious crimes were reported in Michigan.

While overall crime rates are down, Michigan is now tackling one of the nation's most serious crime problems—the rise in violent juvenile crime. In 1996, after a four-year battle, we enacted the toughest juvenile crime package in the nation.

Now, juveniles who commit adult crime will do adult time. These violent young felons will do their time under the watchful eyes, not of social workers, but prison guards.

My fellow citizens, my commitment to your safety begins with my responsibility to back Michigan's law enforcement community with the resources and the support to get the job done.

For example, we have increased the number of state troopers patrolling Michigan's streets and highways to an all-time high.

We're arming law enforcement with the most modern and sophisticated communication and forensic tools and technology to identify and apprehend dangerous criminals.

The public has gained a new tool as well—the right to know—thanks to recent legislation making Michigan's sexual offender registry open to the public.

I know that some in this legislature opposed this action, saying we were being vindictive with criminals. For demanding justice, I make no apologies.

This session, must continue to be fighting crime. With the invaluable help of police and prosecutors, I have developed a detailed plan of action with some 50 initiatives to make Michigan even safer. These include:

- * making paroled sex offenders who move to Michigan from other states provide our law enforcement agencies with a sample of their DNA;
- * prohibiting those who have been convicted of criminal sexual conduct offenses from ever being employed in jobs that involve the supervision of children;
- * making sure that all prior juvenile convictions are considered when charging or sentencing any adult;
- * giving domestic violence cases priority in our courts.

Another highlight of our anti-crime package would protect the public from dangerous drivers with suspended or revoked licenses. This is the driving record of the drunk driver—and this goes on and on, more than seven feet long—of the drunk driver who veered across the center line of the Cherry Hill Road and killed Judy Rosin of Canton Township—just a week after her 17th birthday.

This unlicensed driver had been cited four times for alcohol-related violations, had received 11 tickets for driving with a suspended license and cited 14 times for failing to pay his tickets. And, he shouldn't have been on the road. He had been banned from driving until the year 2002.

The death of Judy Rosin is a tragedy repeated far too often on Michigan roadways. Tonight, I urge you to join me and Secretary Candice Miller in saying enough is enough.

Secretary of State Candice Miller and I will soon recommend legislation designed to punish repeat traffic offenders—especially drunk drivers—and hold them strictly accountable for their crimes.

This plan features a progressive series of very tough sanctions—bright red license plates, confiscation of plates, the 'boot' to immobilize vehicles and ultimately, vehicle forfeiture. We must stop these people from driving. This plan will try to do that.

My anti-crime plan also targets substance abuse. Communities, schools and parents need our support in all their efforts to protect children from the menace of substance abuse.

The new director of Michigan's Office of Drug Control Policy, Darnell Jackson, has been very, very clear on this issue, and so am I. When it comes to drugs, we have zero tolerance. Our message is blunt and unmistakable: 'No Use—No Excuse.'

I am pleased to announce that Michigan broadcasters will join with our drug control office to spearhead a Partnership for a Drug Free Michigan. With our partners in the media, we will reinforce the message that drug use is not only harmful, it is wrong.

One of the things I am proudest of is our successful record as steward of Michigan's natural resources—from our majestic forests to our Great Lakes.

My friends, it is up to us to make sure that our children and grandchildren will be able to enjoy the natural beauty and splendor unique to Michigan. In particular, hunting and fishing are family traditions we must always defend and protect, as we did last November.

As governor, I believe natural resource management is one of the most important functions of state government. Our approach, based on sound science, relative risk and pollution prevention, is working.

The proof: Michigan's air and water are cleaner than at any time since monitoring began.

Common-sense reforms are helping us clean up more toxic sites than ever before. Tonight, because of these reforms, I am pleased to announce the Department of Environmental Quality will have an additional \$20 million to clean up more sites this year.

These landmark reforms, supported by urban mayors from Detroit to Grand Rapids, have led to unprecedented clean-up and redevelopment. The benefits: private investment of \$230 million to rehabilitate polluted and abandoned factory sites, resulting in the creation of more than 2,300 new jobs.

My fellow citizens, our strategy to redevelop urban land required striking an appropriate balance. The debate about protecting natural resources also requires balancing public use with private rights.

Michigan has a long and proud tradition of respecting the constitutional rights of private property owners. Article X, Section 2 of our state constitution guarantees, and I quote, ' . . . private property shall not be taken for public use without just compensation . . . '

I commend Republican Leader Ken Sikkema for his leadership in sponsoring the Property Rights Preservation Act. This legislation from last session began a process—a process to resolve conflicts between private property owners and the interests of the state and the public.

I believe the next step should be for the Natural Resources Trust Fund board to explore using its full constitutional authority to acquire development rights. Another possible option to resolve conflicts is use of the state's power of eminent domain in extremely limited situations to prevent development.

One example of how this might work is seen in the debate about the pristine Jordan River Valley in northern Michigan. If the state acquired the private property interests in this case, there would be no development.

While I have to think that government owns already enough land—one in five acres statewide—there are very special, irreplaceable, unique areas. And when they are threatened, we should have the tools to respond.

Tonight, I have outlined a very ambitious agenda for Michigan: protecting children, strengthening education, standing up for our teachers, safeguarding Michigan's natural resources, fighting crime, fixing our roads and bridges, and training tomorrow's workers.

This agenda is good for our families, good for our workers and good for our future.

For six years, we have made great strides in renewing and restoring Michigan. That is why we can proclaim, 'the state of our state is better than ever.'

In November, the voters said: 'Work together.' I say to you: 'Speaker Hertel, Majority Leader Posthumus, and to you ladies and gentlemen, I am ready!'

Let's roll up our sleeves.

Let's be bold.

Let's keep Michigan moving forward.

Thank you very much. Thank you, God bless you and have a good night!"

The business of the Joint Convention having been completed, the Governor, the Justices of the Supreme Court, the Judges of the Appeals Court and the State Officers withdrew.

Rep. Gagliardi moved that the Joint Convention adjourn.

The motion prevailed, the time being 8:00 o'clock p.m.

The Lt. Governor and members of the Senate retired.

Messages from the Senate

House Concurrent Resolution No. 3.

A concurrent resolution providing for a joint convention of the House of Representatives and the Senate.

(For text of resolution, see p. 50 of today's Journal.)

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Clerk.

Notices

The following seat changes have been requested and approved:

Representative David Anthony moves from seat 72 to seat 71.

Representative Bob Brown moves from seat 2 to seat 81.

Representative Greg Pitoniak moves from seat 71 to seat 2.

Representative Michael Prusi moves from seat 81 to seat 72.

The seat changes will be effective February 3, 1997.

January 27, 1997

Mary Kay Scullion, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913
Dear Madam Clerk:

As Speaker of the Michigan House of Representatives I am hereby appointing the following members to the House Standing Committees for the 1997-98 Legislative Session. The assignments for the 89th Legislature are as follows:

ADVANCED TECHNOLOGY AND COMPUTER DEVELOPMENT (9)

Representatives Brewer (Chair), Brown (VC), Anthony, Baird, Quarles, *Kaza (Min. VC), Hammerstrom, Walberg and Whyman.*

AGRICULTURE (13)

Representatives Wetters (Chair), Vaughn (VC), Baade, Bogardus, Brewer, LaForge, Willard, *Green (Min. VC), DeVuyst, Gernaat, Horton, Jelinek and Nye.*

APPROPRIATIONS (27)

Representatives Hood (Chair), Mathieu (VC), Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, *Gilmer (Min. VC), Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde and Oxender.*

COLLEGES AND UNIVERSITIES (9)

Representatives Cherry (Chair), Brown (VC), Brater, Curtis, Quarles, *LeTarte (Min. VC), Dalman, Scranton and Walberg.*

COMMERCE (17)

Representatives Griffin (Chair), Thomas (VC), Alley, Callahan, Mans, Murphy, Olshove, Palamara, Schermesser, Varga, *Gernaat (Min. VC), Jaye, Kaza, Kukuk, Rhead, Richner and Walberg.*

CONSERVATION, ENVIRONMENT AND RECREATION (19)

Representatives Alley (Chair), Callahan (VC), Anthony, Brater, Gire, Kilpatrick, LaForge, Mans, Pitoniak, Schermesser, Wetters, *Middaugh (Min. VC), Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt and Walberg.*

CONSTITUTIONAL AND CIVIL RIGHTS (9)

Representatives Vaughn (Chair), Freeman (VC), Baird, Dobronski, Wallace, *McManus (Min. VC), Fitzgerald, Kaza and Whyman.*

CONSUMER PROTECTION (9)

Representatives Brater (Chair), DeHart (VC), Brown, Freeman, Gire, *Crissman (Min. VC), Birkholz, Cropsey and Law.*

CORRECTIONS (9)

Representatives Freeman (Chair), Mans (VC), Agee, Baird, Callahan, *Galloway (Min. VC), Jaye, Nye and Perricone.*

EDUCATION (17)

Representatives Gire (Chair), Bogardus (VC), Agee, Brown, Cherry, Curtis, Kilpatrick, LaForge, Schauer, Scott, *Dalman (Min. VC), Crissman, Cropsey, Jelinek, LeTarte, McNutt and Middleton.*

FORESTRY AND MINERAL RIGHTS (9)

Representatives Anthony (Chair), Callahan (VC), Alley, Bogardus, Brater, *Middleton (Min. VC), DeVuyst, Gernaat and Lowe.*

HEALTH POLICY (17)

Representatives Palamara (Chair), Schauer (VC), Baade, Gire, Griffin, Gubow, Leland, Murphy, Profit, Thomas, *Hammerstrom* (Min. VC), *Crissman, Law, Llewellyn, Raczkowski, Rocca and Scranton*.

HOUSE OVERSIGHT AND ETHICS (17)

Representatives Gagliardi (Chair), Cherry (VC), Agee, Brewer, DeHart, Hanley, Kilpatrick, Varga, Wallace, Wojno, *Gustafson* (Min. VC), *DeVuyst, Fitzgerald, Goschka, Perricone, Richner and Voorhees*.

HUMAN SERVICES AND CHILDREN (9)

Representatives LaForge (Chair), Scott (VC), Bogardus, Gire, Schauer, *Horton* (Min. VC), *Jaye, London and McManus*.

INSURANCE (17)

Representatives Gubow (Chair), Scott (VC), Bogardus, Brown, Dobronski, Palamara, Profit, Thomas, Varga, Vaughn, *Llewellyn* (Min. VC), *Green, Jelinek, Law, London, Middaugh and Voorhees*.

JUDICIARY (17)

Representatives Wallace (Chair), Baird (VC), Curtis, Freeman, Gubow, Kilpatrick, Schauer, Vaughn, Willard, Wojno, *Nye* (Min. VC), *Cropsey, Dalman, Fitzgerald, Law, McNutt and Richner*.

LABOR AND OCCUPATIONAL SAFETY (11)

Representatives Murphy (Chair), Cherry (VC), Agee, Bogardus, Callahan, Freeman, Schermesser, *Byl* (Min. VC), *Llewellyn, Raczkowski and Rhead*.

LOCAL GOVERNMENT (9)

Representatives Dobronski (Chair), Mans (VC), Brater, Brewer, Callahan, *Brackenridge* (Min. VC), *Birkholz, Crissman and Hammerstrom*.

MARINE AFFAIRS AND PORT DEVELOPMENT (9)

Representatives Kilpatrick (Chair), Anthony (VC), Olshove, Varga, Schermesser, *Kukuk* (Min. VC), *Bodem, Galloway and Rhead*.

MENTAL HEALTH (9)

Representatives Baird (Chair), Brater (VC), Gubow, LaForge, Wallace, *Scranton* (Min. VC), *Cassis, Green and Hammerstrom*.

PUBLIC RETIREMENT (9)

Representatives DeHart (Chair), Brewer (VC), Dobronski, Mans, Pitoniak, *Rhead* (Min. VC), *Dobb, Jelinek and LeTarte*.

PUBLIC UTILITIES (21)

Representatives Olshove (Chair), Thomas (VC), Alley, Baade, Dobronski, Griffin, Gubow, Hanley, Leland, Murphy, Profit, Wetters, *Dobb* (Min. VC), *Cassis, Galloway, Gustafson, Kukuk, LeTarte, Middaugh, Raczkowski and Whyman*.

REGULATORY AFFAIRS (15)

Representatives Varga (Chair), Wojno (VC), Anthony, Leland, Olshove, Profit, Quarles, Scott, Vaughn, *Fitzgerald* (Min. VC), *Jaye, Richner, Rocca, Scranton and Voorhees*.

SENIOR CITIZENS AND VETERANS AFFAIRS (9)

Representatives Willard (Chair), Schermesser (VC), Anthony, Baade, DeHart, *Lowe* (Min. VC), *Goschka, Kaza and Rocca*.

TAX POLICY (17)

Representatives Profit (Chair), Quarles (VC), Agee, Freeman, Gubow, Hanley, Palamara, Wallace, Wetters, Wojno, *Perricone* (Min. VC), *Brackenridge, Cassis, Dobb, Goschka, Middleton and Whyman*.

TOURISM (9)

Representatives Baade (Chair), Brewer (VC), Vaughn, Wetters, Willard, *Bodem* (Min. VC), *Brackenridge, Horton and Lowe*.

TRANSPORTATION (17)

Representatives Leland (Chair), Schermesser (VC), Baade, Brown, Curtis, Mans, Olshove, Schauer, Scott, Wojno, London (Min. VC), Birkholz, Byl, Galloway, Gernaat, Green and Middleton.

URBAN POLICY AND ECONOMIC DEVELOPMENT (9)

Representatives Hanley (Chair), Schauer (VC), LaForge, Pitoniak, Thomas, Cassis (Min. VC), Byl, Raczkowski and Voorhees.

JOINT COMMITTEES**ADMINISTRATIVE RULES (5)**

Representatives Curtis (Chair), Leland, Quarles, Cropsey (Min. VC) and Rocca.

HOUSE FISCAL AGENCY GOVERNING BOARD (6)

Representatives Gagliardi (Chair), Hertel, Hood, Gilmer, Gustafson and Sikkema.

LEGISLATIVE COUNCIL (6) + 3 Alternates

Representatives Hertel (Chair), Gagliardi, Alley, Hanley, Perricone and Sikkema. Cherry, Thomas and Gustafson (Alternates).

LEGISLATIVE RETIREMENT (4)

Representatives Hertel (Chair), DeHart, Mathieu and Rhead.

MICHIGAN CAPITOL COMMITTEE (4)

Representatives Gagliardi (Chair), Cherry, Palamara and Geiger.

If you have any questions, feel free to contact my office.

Sincerely,
CURTIS HERTEL, Speaker
 Michigan House of Representatives

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolutions had been printed and placed upon the files of the members, Wednesday, January 15:

House Bill Nos.	4001	4002	4003	4004	4005	4006	4007	4008	4009	4010	4011	4012	4013	4014
	4015	4016	4017	4018	4019	4020	4021	4022	4023	4024	4025	4026	4027	4028
	4029	4030	4031	4032	4033	4034	4035	4036	4037	4038	4039	4040	4041	4042
	4043	4044	4045	4046	4047	4048	4049	4050	4051	4052	4053	4054	4055	4056
	4057	4058	4059	4060	4061	4062	4063	4064	4065	4066	4067	4068		
House Joint Resolutions	A	B	C	D	E									

Messages from the Governor

The following message from the Governor was received and read:

Executive Office, Lansing, Thursday, January 16, 1997.

EXECUTIVE ORDER
 1997-1

Michigan Travel Bureau
Travel Michigan

Michigan Jobs Commission

WHEREAS, Michigan's tourist industry is crucial to the economic well-being of the state; and,

WHEREAS, the role of the Michigan Travel Bureau in marketing Michigan and bolstering tourism is an essential ingredient in assuring a strong tourism industry; and,

WHEREAS, the Michigan Travel Bureau was created by Act No. 145 of the Public Acts of 1975, as amended, being section 2.102a of the Michigan Compiled Laws;

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, do hereby order the following:

1. The Michigan Travel Bureau is hereby renamed Travel Michigan.
2. Any and all statutory references to the Travel Bureau or Michigan Travel Bureau are hereinafter to be deemed a reference to Travel Michigan.

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 sixty (60) days from the filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of January, 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 and ordered printed in the Journal.

Communications from State Officers

The following communication from the Auditor General was received and read:

January 10, 1997

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

Performance Audit of Statewide Bonding Activities

January 1997

Sincerely,

Thomas H. McTavish, C.P.A.

Auditor General

The communication was referred to the Clerk and the accompanying report referred to the Committee on House Oversight and Ethics.

The following communication from the Secretary of State was received and read:

January 15, 1997

It is my pleasure to present to you **A Summary of Driver Performance For Driver Education Programs**. As required by Public Act 193 of 1991, the Michigan Department of State has prepared the attached report for your review and information.

The following report examines the relationship between students required to meet academic and/or attendance standards in order to enroll in driver education (policy drivers), as compared to those who were **not** subject to the academic and/or attendance standards in order to enroll in driver education (non-policy drivers). The data used in the report was applied to 12, 24, and 36 month periods. The primary variables of comparison between the two driver populations were: **Penalty Point Levels; Crash Involvement; and Convictions**.

Based on the findings of the study, the report concludes there is no significant difference in the penalty point levels, crash involvement, or the number of convictions between policy and non-policy student driver populations.

Should you have any questions, please contact Denise DeCook, Office of Government Affairs, First Floor Treasury Building, Lansing, MI 48918-2100 or by telephone at (517) 373-0980.

Sincerely,

Candice S. Miller

Secretary of State

The communication was referred to the Clerk.

The following communication from the Livingston Jobs Center was received and read:

January 6, 1997

Enclosed is the summary of the No Wrong Door Plan for the Livingston County Michigan Works! Agency for the period January 15, 1997 to December 31, 1997.

This summary is being forwarded in accordance with the provisions of the Michigan Jobs Commission requiring that a copy of the plan, or plan summary be submitted to the appropriate persons in the State Legislature.

The summary identifies the proposed activities and budget. A copy of the complete plan is available for review and may be requested.

In accordance with the Americans with Disabilities Act (ADA) of 1990 (Public Law 101-336), the final plan summary will be available in large print or audio tape upon request.

You are invited to submit comments of the plan summary to:

Livingston County Job Training Services
828 East Grand River Avenue
Howell, MI 48843

Sincerely,
William S. Sleight
Director

The communication was referred to the Clerk.

The following communication from the Office of Drug Control Policy was received and read:

January 14, 1997

I am pleased to transmit the Michigan Drug Control and Violence Prevention Strategy from the Office of Drug Control Policy which was forwarded to the U.S. Department of Justice, Bureau of Justice Assistance as a requirement for the drug enforcement grant program.

This Michigan Drug Control and Violence Prevention Strategy is being forwarded to your office for information and review pursuant to Section 1304 (a)(2) of the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula grant program. This Strategy is part of the FY97 application request in the amount of \$16,577,000 made to the Bureau of Justice Assistance in November, 1996.

Should you have questions, please contact Ardith J. DaFoe, Director, Drug Law Enforcement Division at (517) 373-2952.

Sincerely,
Darnell Jackson
Director
Office of Drug Control Policy

The communication was referred to the Clerk.

Introduction of Bills

Rep. Voorhees introduced

House Bill No. 4069, entitled

A bill to amend 1989 PA 292, entitled "Metropolitan council act," by amending sections 5, 7, 9, 11, 13, 19, 21, 27, and 33 (MCL 124.655, 124.657, 124.659, 124.661, 124.663, 124.669, 124.671, 124.677, and 124.683) and by adding section 32.

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

Rep. Voorhees introduced

House Bill No. 4070, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1995 PA 230; and to repeal acts and parts of acts.

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

Reps. Law, Bankes, Mathieu and Llewellyn introduced

House Bill No. 4071, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 273 (MCL 206.273), as added by 1988 PA 516.

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

Rep. Voorhees introduced

House Bill No. 4072, 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.

Rep. Voorhees introduced

House Bill No. 4073, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1995 PA 230; and to repeal acts and parts of acts.

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

Rep. London introduced

House Bill No. 4074, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1809 (MCL 380.1809), as added by 1995 PA 96.

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

Rep. London introduced

House Bill No. 4075, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1535a and 1539a (MCL 380.1535a and 380.1539a), as amended by 1995 PA 289.

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

Rep. London introduced

House Bill No. 4076, entitled

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

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

Rep. London introduced

House Bill No. 4077, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal

certain acts and parts of acts,” by amending sections 3, 9a, 10, 11, and 12 (MCL 247.653, 247.659a, 247.660, 247.661, and 247.662), section 9a as amended by 1987 PA 234 and sections 10, 11, and 12 as amended by 1993 PA 294.

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

Reps. Crissman, McManus, McBryde, Goschka and Jaye introduced

House Bill No. 4078, entitled

A bill to amend 1976 PA 453, entitled “Elliott-Larsen civil rights act,” by amending sections 202, 203, and 402 (MCL 37.2202, 37.2203, and 37.2402), section 202 as amended by 1991 PA 11 and section 402 as amended by 1993 PA 216.

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

Reps. Crissman and Goschka introduced

House Bill No. 4079, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 919 (MCL 600.919).

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

Reps. Crissman, McBryde and Goschka introduced

House Bill No. 4080, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 21004 (MCL 333.21004), as amended by 1982 PA 354, and by adding section 21053c.

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

Reps. Crissman and Jaye introduced

House Bill No. 4081, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 28 (MCL 421.28), as amended by 1994 PA 422.

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

Reps. Crissman, McBryde, Goschka and Jaye introduced

House Bill No. 4082, entitled

A bill to amend chapter IX of 1927 PA 175, entitled “The code of criminal procedure,” (MCL 769.1 to 769.34) by adding section 29.

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

Rep. McBryde introduced

House Bill No. 4083, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 261 (MCL 206.261), as amended by 1994 PA 256.

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

Rep. McBryde introduced

House Bill No. 4084, entitled

A bill to amend 1929 PA 48, entitled “An act levying a specific tax to be known as the severance tax upon all producers engaged in the business of severing oil and gas from the soil; prescribing the method of collecting the tax; requiring all producers of such products or purchasers thereof to make reports; to provide penalties; to provide exemptions and refunds; to prescribe the disposition of the funds so collected; and to exempt those paying such specific tax from certain other taxes,” by amending sections 3 and 15 (MCL 205.303 and 205.315), section 3 as amended by 1996 PA 135.

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

Rep. McBryde introduced

House Bill No. 4085, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 7312 (MCL 500.7312).

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

Rep. McBryde introduced

House Bill No. 4086, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by adding section 105a.

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

Rep. McBryde introduced

House Bill No. 4087, entitled

A bill to amend 1986 PA 288, entitled "An act to establish a Michigan work-study program for qualified resident students attending eligible postsecondary schools and employed by qualified employers; and to prescribe the powers and duties of certain state agencies," by amending section 3 (MCL 390.1373).

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

Rep. McBryde introduced

House Bill No. 4088, entitled

A bill to amend 1976 PA 228, entitled "The legislative merit award program act," by amending section 4 (MCL 390.1304), as amended by 1980 PA 386.

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

Rep. McBryde introduced

House Bill No. 4089, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1147a.

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

Rep. Varga introduced

House Bill No. 4090, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 65 (MCL 211.65) and by adding section 70d.

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

Rep. Curtis introduced

House Bill No. 4091, entitled

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

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

Rep. Curtis introduced

House Bill No. 4092, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 261 (MCL 206.261), as amended by 1994 PA 256.

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

Rep. Curtis introduced

House Bill No. 4093, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to

allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending section 65a (MCL 791.265a), as amended by 1994 PA 217.

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

Rep. Curtis introduced

House Bill No. 4094, entitled

A bill to create an advisory council on drug abuse resistance education; to provide for the appointment and compensation of council members; and to prescribe the powers and duties of the department of state police.

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

Rep. Curtis introduced

House Bill No. 4095, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 809 (MCL 257.809), as amended by 1987 PA 238.

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

Rep. Curtis introduced

House Bill No. 4096, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 809 (MCL 257.809), as amended by 1987 PA 238.

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

Rep. Curtis introduced

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.

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

Rep. Curtis introduced

House Bill No. 4098, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9948) by adding section 2963.

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

Rep. Curtis introduced

House Bill No. 4099, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 1995 PA 230; and to repeal acts and parts of acts.

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

Rep. Voorhees introduced

House Bill No. 4100, entitled

A bill to designate an official language of this state.

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

Rep. Hammerstrom introduced

House Bill No. 4101, entitled

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

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

Rep. Hammerstrom introduced

House Bill No. 4102, entitled

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

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

Rep. Hammerstrom introduced

House Bill No. 4103, 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.

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

Reps. Hammerstrom, Dobronski, Jansen and Brackenridge introduced

House Bill No. 4104, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 30a, 500f, 500g, 501a, 505, 509n, 509r, 544c, 639, 644b, 644c, 644k, 862, 863, 954, 963, 971, and 972 (MCL 168.30a, 168.500f, 168.500g, 168.501a, 168.505, 168.509n, 168.509r, 168.544c, 168.639, 168.644b, 168.644c, 168.644k, 168.862, 168.863, 168.954, 168.963, 168.971, and 168.972), section 501a as amended by 1995 PA 87, sections 509n and 509r as added by 1994 PA 441, section 544c as amended by 1993 PA 137, section 639 as amended by 1985 PA 189, section 963 as amended by 1982 PA 456, and section 972 as amended by 1989 PA 26, and by adding sections 37 and 641a.

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

Reps. Brackenridge, Hammerstrom, Dobronski and Jansen introduced

House Bill No. 4105, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 17 and chapter XIV.

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

Reps. Brackenridge, Hammerstrom, Dobronski and Jansen introduced

House Bill No. 4106, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, 6, 11a, 503, 513, 613, 616, 617, 661, 681, 687, 690, 701, 702, 703, 705, 856, 857, 858, 859, 861, 931, 945, 1212, 1216, 1351, 1361, and 1722 (MCL 380.4, 380.5, 380.6, 380.11a, 380.503, 380.513, 380.613, 380.616, 380.617, 380.661, 380.681, 380.687, 380.690, 380.701, 380.702, 380.703, 380.705, 380.856, 380.857, 380.858, 380.859, 380.861, 380.931, 380.945, 380.1212, 380.1216, 380.1351, 380.1361, and 380.1722), sections 5, 6, 503, 513, 687, and 690 as amended and section 11a as added by 1995 PA 289, section 617 as amended by 1989 PA 268, sections 681 and 705 as amended by 1994 PA 258, section 703 as amended by 1981 PA 87, sections 857 and 858 as amended by 1992 PA 263, section 945 as added by 1984 PA 154, section 1212 as amended by 1993 PA 312, section 1216 as amended by 1992 PA 236, and section 1351 as amended by 1990 PA 352, and by adding section 1206; and to repeal acts and parts of acts.

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

Rep. Gernaat introduced

House Bill No. 4107, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 51109 (MCL 324.51109), as added by 1995 PA 57.

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

Rep. Gernaat introduced

House Bill No. 4108, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2150 (MCL 324.2150), as added by 1995 PA 60.

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

Rep. Griffin introduced

House Bill No. 4109, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 266. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Griffin introduced

House Bill No. 4110, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1995 PA 230; and to repeal acts and parts of acts.

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

Rep. McBryde introduced

House Bill No. 4111, entitled

A bill to amend 1967 (Ex Sess) PA 7, entitled "Urban cooperation act of 1967," by amending sections 2, 3, 4, 10, and 12 (MCL 124.502, 124.503, 124.504, 124.510, and 124.512), section 2 as amended by 1995 PA 108 and section 10 as amended by 1985 PA 10.

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

Rep. McBryde introduced

House Bill No. 4112, entitled

A bill to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act," by amending section 18 of chapter XIIA (MCL 712A.18), as amended by 1996 PA 244.

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

Rep. Ciaramitaro introduced

House Bill No. 4113, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5431 (MCL 333.5431), as amended by 1992 PA 81, and by adding section 5123a.

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

Rep. Voorhees introduced

House Bill No. 4114, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17763 (MCL 333.17763), as amended by 1993 PA 79.

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

Rep. Voorhees introduced

House Bill No. 4115, entitled

A bill to amend 1905 PA 282, entitled "An act to provide for the assessment of the property, by whomsoever owned, operated or conducted, of railroad companies, union station and depot companies, telegraph companies, telephone companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight companies, and all other companies owning, leasing, running or operating any freight, stock, refrigerator, or any other cars, not being exclusively the property of any railroad company paying taxes upon its rolling stock under the provisions of this act, over or upon the line or lines of any railroad or railroads in this state,

and for the levy of taxes thereon by a state board of assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act,” by amending section 17 (MCL 207.17).

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

Rep. Voorhees introduced

House Bill No. 4116, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled “The Michigan liquor control act,” by amending the title and sections 1, 1a, 2i, 3, 5, 5b, 7a, 11, and 17 (MCL 436.1, 436.1a, 436.2i, 436.3, 436.5, 436.5b, 436.7a, 436.11, and 436.17), section 1 as amended by 1983 PA 11, section 3 as amended by 1981 PA 153, and section 17 as amended by 1996 PA 71, and by adding sections 2ee, 59, 60, 61, 62, and 63; and to repeal acts and parts of acts.

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

Rep. Profit introduced

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.

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

Rep. Profit introduced

House Bill No. 4118, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding sections 2027a and 3406j.

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

Rep. Profit introduced

House Bill No. 4119, entitled

A bill to provide for adoption of an official song and designation of other melodies that represent the musical heritage of this state; to create a commission and prescribe the powers and duties of the commission; and to prescribe the powers and duties of certain state officials.

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

Rep. Bogardus introduced

House Bill No. 4120, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” (MCL 550.1101 to 550.1704) by adding section 416b.

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

Rep. Whyman introduced

House Bill No. 4121, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9948) by adding section 1903.

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

Rep. Whyman introduced

House Bill No. 4122, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” (MCL 168.1 to 168.992) by adding section 626a.

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

Rep. Whyman introduced

House Bill No. 4123, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 471 (MCL 206.471), as amended by 1996 PA 55.

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

Rep. Whyman introduced

House Bill No. 4124, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81133 (MCL 324.81133), as added by 1995 PA 58.

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

Rep. Whyman introduced

House Bill No. 4125, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 520 and 522 (MCL 206.520 and 206.522), section 520 as amended by 1995 PA 245 and section 522 as amended by 1996 PA 55.

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

Rep. Dobb introduced

House Bill No. 4126, entitled

A bill to codify, revise, consolidate, and classify the laws relating to the regulation of certain public utilities; to prescribe certain procedures; to prescribe the powers and duties of certain departments and agencies; to prescribe the powers and duties of certain local officials and agencies; to provide certain appropriations; to provide penalties and remedies; to repeal certain executive reorganization orders; and to repeal acts and parts of acts.

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

Rep. Dobb introduced

House Bill No. 4127, entitled

A bill to amend 1923 PA 238, entitled "An act authorizing the formation of corporations for the purpose of generating, manufacturing, producing, gathering, storing, transmitting, distributing, transforming, selling and supplying electric energy or gas, either artificial or natural, or both electric energy and gas, to the public generally, or to public utilities or natural gas companies, and providing for and giving to such corporations and also to corporations heretofore lawfully organized, among other things, for such purposes; to corporations heretofore lawfully organized, or that may hereafter be lawfully organized and duly authorized to carry on the electric or gas business as a public utility in the state of Michigan; and to foreign corporations heretofore lawfully organized or that may hereafter be lawfully organized, among other things, for such purposes, and duly authorized to carry on business in the state of Michigan, the right to condemn private property for the uses provided for herein," by amending section 3 (MCL 486.253).

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

Rep. Dobb introduced

House Bill No. 4128, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending section 203 (MCL 484.2203), as amended by 1995 PA 216.

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

Rep. Dobb introduced

House Bill No. 4129, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending sections 261 and 1109 (MCL 450.2261 and 450.3109), section 1109 as added by 1984 PA 209.

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

Rep. Dobb introduced

House Bill No. 4130, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending sections 4 and 18 (MCL 445.904 and 445.918), as amended by 1993 PA 10.

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

Rep. Dobb introduced

House Bill No. 4131, entitled

A bill to amend 1943 PA 183, entitled "The county rural zoning enabling act," by amending section 1 (MCL 125.201), as amended by 1996 PA 46.

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

Rep. Dobb introduced

House Bill No. 4132, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending section 211 (MCL 484.2211). The bill was read a first time by its title and referred to the Committee on Public Utilities.

Rep. Dobb introduced

House Bill No. 4133, entitled

A bill to amend 1984 PA 35, entitled "Public assistance home repair, weatherization, and shutoff protection act," by amending section 13 (MCL 400.1163).

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

Rep. Dobb introduced

House Bill No. 4134, entitled

A bill to amend 1943 PA 184, entitled "The township rural zoning act," by amending section 1 (MCL 125.271), as amended by 1996 PA 47.

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

Rep. Dobb introduced

House Bill No. 4135, entitled

A bill to amend 1921 PA 207, entitled "An act to provide for the establishment in cities and villages of districts or zones within which the use of land and structures and the height, area, size, and location of buildings may be regulated by ordinance, and for which districts regulations shall be established for the light and ventilation of those buildings, and for which districts or zones the density of population may be regulated by ordinance; to designate the use of certain state licensed residential facilities; to provide by ordinance for the acquisition by purchase, condemnation, or otherwise of private property that does not conform to the regulations and restrictions of the various zones or districts provided; to provide for the administering of this act; to provide for amendments, supplements, or changes in zoning ordinances, zones, or districts; to provide for conflict with the state housing code or other acts, ordinances, or regulations; and to provide sanctions for the violation of this act," by amending section 1 (MCL 125.581), as amended by 1995 PA 36.

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

Rep. Middleton introduced

House Bill No. 4136, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts," by amending section 11 (MCL 41.811), as amended by 1989 PA 81.

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

Rep. Middleton introduced

House Bill No. 4137, 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.

Rep. Middleton introduced

House Bill No. 4138, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 1996 PA 302.

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

Rep. Crissman introduced

House Bill No. 4139, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 716 (MCL 257.716), as amended by 1980 PA 311.

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

Rep. Emerson introduced

House Bill No. 4140, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 615a.

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

Rep. Middaugh introduced

House Bill No. 4141, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11537a and 11538 (MCL 324.11537a and 324.11538) and by adding section 11531a; 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.

Rep. McBryde introduced

House Joint Resolution F, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 9 to article III, to describe the legal boundaries of this state.

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

Rep. Voorhees introduced

House Joint Resolution G, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 4 of article I and section 2 of article VIII, to provide for the deduction of nonpublic K-12 school expenses from state income tax.

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

Rep. Jellema moved that the House adjourn.

The motion prevailed, the time being 9:05 p.m.

The Speaker declared the House adjourned until Wednesday, January 29, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.