

No. 58
JOURNAL OF THE HOUSE

House Chamber, Lansing, Thursday, June 19, 1997.

10:00 a.m.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Rep. Michelle McManus, from the 104th District, offered the following invocation:

“Heavenly Father, Please bless and inspire the Representatives who will serve the people of our state in this chamber today. We, who have been chosen to serve, need Your guidance and direction as we make important decisions. Please grant us the power to do what is right in Your name. Help us to seize the opportunity that You have given us to lead the State of Michigan in the right direction.

And, above all, Lord, we ask for Your blessing of happiness, prosperity and safety for our colleagues, our staff, our families and to all the people of Michigan. In Your name, we pray. Amen.”

Rep. Alley asked and obtained a temporary excuse from today’s session.

Rep. Hammerstrom moved that Rep. Scranton be excused from today’s session.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 174, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 1998; to provide for the imposition of fees; to create certain work groups and committees; to provide for reports; to create certain funds; to prescribe requirements for certain railroad facilities; to prescribe certain powers and duties of certain state departments and officials, local units of government, committees, and work groups; and to provide for the expenditure of the appropriations.

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

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

Rep. Brewer moved to amend the bill as follows:

1. Amend page 16, line 27, after “budget” by inserting a comma and “the house and senate appropriations committees, the house and senate fiscal agencies, and the house and senate standing committees having jurisdiction over technology issues,”.

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

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

The motion prevailed.

Senate Bill No. 173, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

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

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

Rep. Frank moved to amend the bill as follows:

1. Amend page 11, following line 3, by inserting:

“Food stamp investigations—8.0 FTE positions..... 657,900”.

2. Amend page 11, following line 14, by inserting:

“DAG-FNS, state administrative matching grants for food stamp program..... 329,100”

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

3. Amend page 14, following line 14, by inserting:

“(c) “DAG” means the United States department of agriculture.

(d) “DAG-FNS” means the DAG food and nutrition service.” and relettering the remaining subdivisions.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 536**Yeas—24**

Brewer	Frank	Kaza	Schermesser
Brown	Freeman	Kelly	Thomas
Callahan	Gire	Law	Voorhees
Ciaramitaro	Goschka	Profit	Wetters
Curtis	Hanley	Prusi	Whyman
DeHart	Jaye	Rocca	Willard

Nays—77

Agee	Gagliardi	Kilpatrick	Owen
Anthony	Galloway	Kukuk	Palamara
Baade	Geiger	LaForge	Parks
Baird	Gernaat	Leland	Perricone
Bankes	Gilmer	LeTarte	Price
Basham	Godchaux	Llewellyn	Quarles
Birkholz	Green	London	Rackowski
Bobier	Gubow	Lowe	Richner
Bodem	Gustafson	Mans	Rison
Brackenridge	Hale	Martinez	Schauer
Brater	Hammerstrom	Mathieu	Schroer
Byl	Harder	McBryde	Sikkema
Cherry	Hertel	McManus	Stallworth
Crissman	Hood	McNutt	Tesanovich
Cropsey	Horton	Middaugh	Varga
Dalman	Jansen	Middleton	Vaughn
DeVuyst	Jelinek	Murphy	Walberg
Dobb	Jellema	Nye	Wallace
Dobronski	Johnson	Olshove	Wojno
Fitzgerald			

In The Chair: Hertel

Rep. Prusi moved to amend the bill as follows:

1. Amend page 27, following line 3, by inserting:

“Sec. 802. (1) The emergency management division shall study the impact of extreme weather conditions, such as snow or ice storms that cause road closures, on local emergency services. Emergency service shall include services that affect health, safety, or human welfare, but not be limited to ambulance, police and fire, and rescue services.

(2) The emergency management division, in accordance with subsection (1), shall issue a formal report to the legislature by June 1, 1998.”

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

Rep. Brewer moved to amend the bill as follows:

1. Amend page 17, line 27, after “budget” by inserting a comma and “the house and senate appropriations committees, the house and senate fiscal agencies, and the house and senate standing committees having jurisdiction over technology issues,”.

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

Reps. Owen and Schroer moved to amend the bill as follows:

1. Amend page 28, line 8, after “fees” by striking out the balance of the sentence and inserting a period and “Fees assessed to nonstate users shall be contingent upon statutory authorization.”.

2. Amend page 28, line 13, after “the” by inserting “house and senate appropriations committees, house and senate fiscal agencies and the”.

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 19, line 21, after “activities.” by inserting “Officers assigned to the gaming oversight section shall not be employed by a licensed gaming establishment until at least 2 years after termination of employment with the department.”.

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

Rep. Brewer moved to amend the bill as follows:

1. Amend page 8, line 7, by striking out “963,300” and inserting “1,046,300”.

2. Amend page 13, line 21, by striking out “356,000” and inserting “439,000” and adjusting the subtotals, totals, and section 201 accordingly.

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

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

1. Amend page 5, line 9, by striking out all of line 9.

2. Amend page 6, line 17, by striking out all of line 17.

3. Amend page 9, line 21, by striking out all of line 21.

4. Amend page 12, line 8, by striking out all of line 8 and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Gustafson moved that Rep. Sikkema be excused temporarily from today’s session.

The motion prevailed.

Rep. Kelly moved that Rep. Scott be excused from the balance of today’s session.

The motion prevailed.

Rep. Gagliardi moved to amend the bill as follows:

1. Amend page 23, following line 12, by inserting:

“Sec. 219. The director of the department shall write a letter to all department employees semi-annually, stating that the department has no ticket issuing quota system in place, and therefore, officer performance will not be evaluated on this criteria for promotion or retention.”.

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

Rep. Gagliardi demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 537

Yeas—92

Agee	Dobb	Jaye	Palamara
Anthony	Dobronski	Jelinek	Parks
Baade	Emerson	Jellema	Perricone
Baird	Fitzgerald	Kaza	Price
Bankes	Frank	Kelly	Prusi
Basham	Freeman	Kilpatrick	Quarles
Birkholz	Gagliardi	Kukuk	Rackowski
Bobier	Galloway	LaForge	Richner
Bodem	Geiger	Law	Rison
Bogardus	Gernaat	Leland	Rocca
Brackenridge	Gire	LeTarte	Schauer
Brater	Goschka	Llewellyn	Schermesser
Brewer	Green	London	Schroer
Brown	Gubow	Lowe	Thomas

Byl	Gustafson	Martinez	Varga
Callahan	Hale	Mathieu	Vaughn
Cherry	Hammerstrom	McBryde	Voorhees
Ciaramitaro	Hanley	McManus	Walberg
Crissman	Harder	Middaugh	Wallace
Cropsey	Hertel	Middleton	Wetters
Curtis	Hood	Murphy	Whyman
Dalman	Horton	Olshove	Willard
DeHart	Jansen	Owen	Wojno

Nays—6

Gilmer	Johnson	McNutt	Nye
Godchaux	Mans		

In The Chair: Hertel

Rep. Cassis entered the House Chambers.

Rep. Crissman moved to amend the bill as follows:

1. Amend page 23, following line 12, following section 219, by inserting:

“Sec. 220. (1) The department shall not adjust a test score, use a different cut-off score, or otherwise alter the results of a test on the basis of religion, race, color, national origin, or gender for the purpose of selecting or referring an applicant or candidate for employment or promotion.

(2) The department shall not hire or promote an applicant with a lower test score if there is another equally qualified candidate with a higher test score.”.

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

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

The motion prevailed.

The House returned to the consideration of

Senate Bill No. 174, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 1998; to provide for the imposition of fees; to create certain work groups and committees; to provide for reports; to create certain funds; to prescribe requirements for certain railroad facilities; to prescribe certain powers and duties of certain state departments and officials, local units of government, committees, and work groups; and to provide for the expenditure of the appropriations.

(The bill was considered earlier today, see today's Journal, p. 1302.)

Rep. London moved to amend the bill as follows:

1. Amend page 27, following line 20, by inserting:

“Sec. 405. No funds appropriated under section 101, shall be used for the trimming, clearing, or removal of brush around or in front of privately owned outdoor advertising.”.

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

Rep. London moved to amend the bill as follows:

1. Amend page 27, line 2, after “runoff.” by inserting “No funds shall be disbursed or appropriated under this section for the removal of outdoor advertising where private owners or funding are available.”.

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

Rep. London moved to amend the bill as follows:

1. Amend page 32, line 11, by striking out all of section 508.

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

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

1. Amend page 22, following line 19, by inserting:

“(4) The requirements of this section shall be waived if, in the opinion of the director, emergency or immediate attention is needed to respond to a transportation situation presenting a clear and present danger to motorists, public transit riders, or the general public.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.
Rep. Gagliardi moved that consideration of the bill be postponed temporarily.
The motion prevailed.

Senate Bill No. 171, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 1998; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

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

The Speaker called the Speaker Pro Tempore to the Chair.

Rep. Brewer moved to amend the bill as follows:

1. Amend page 11, line 12, after "committees," by inserting "the house and senate standing committees having jurisdiction over technology issues,".

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

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

Rep. Llewellyn moved that Rep. Rhead be excused temporarily from today's session.
The motion prevailed.

Rep. Oxender entered the House Chambers.

Rep. Jaye moved to amend the bill as follows:

1. Amend page 8, following line 17, by inserting:

"Sec. 206. (1) The awarding of contracts for goods or services for the judicial branch or functions relating to the operation of the judicial branch, including but not limited to the assignments of a trial or appellate attorney for an indigent party in a case before a court, shall be pursuant to the competitive bidding procedures required under the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

(2) If subsection (1) is not complied with, 10% of the funds appropriated under this act shall be placed in a fund to be known as the good government fund, which shall be used to implement the purposes of subsection (1) and any other purposes that may be specifically designated in this act."

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 538

Yeas—54

Bankes
Basham
Birkholz

Dobb
Fitzgerald
Gagliardi

Jelinek
Johnson
Kaza

Middleton
Nye
Oxender

Bobier	Galloway	Kukuk	Perricone
Bodem	Geiger	Law	Prusi
Brackenridge	Gernaat	Llewellyn	Rackowski
Brewer	Gilmer	London	Richner
Brown	Goschka	Lowe	Rocca
Byl	Green	Mans	Sikkema
Crissman	Gustafson	McBryde	Voorhees
Cropsey	Hammerstrom	McManus	Walberg
Dalman	Horton	McNutt	Whyman
DeHart	Jansen	Middaugh	Willard
DeVuyst	Jaye		

Nays—43

Agee	Freeman	Martinez	Schauer
Anthony	Godchaux	Mathieu	Schermesser
Baade	Gubow	Murphy	Schroer
Baird	Hale	Olshove	Stallworth
Bogardus	Hanley	Owen	Tesanovich
Brater	Hood	Palamara	Thomas
Callahan	Kelly	Parks	Vaughn
Ciaramitaro	Kilpatrick	Price	Wallace
Curtis	LaForge	Profit	Wetters
Dobronski	Leland	Quarles	Wojno
Frank	LeTarte	Rison	

In The Chair: Murphy

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

Reps. Jaye and Goschka moved to amend the bill as follows:

1. Amend page 11, following line 24, by inserting:

“Sec. 315. As a condition of the appropriation of funds under this act, all appeals to the circuit court, the court of appeals, or the supreme court must be resolved within 1 year of the date of filing.”.

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

Point of Order

Rep. Callahan requested a ruling of the Chair as to whether or not the Jaye and Goschka amendment was germane.
The Chair ruled the amendment was germane.

The question being on the adoption of the amendment offered previously by Reps. Jaye and Goschka,
The amendment was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 539**Yeas—76**

Agee	DeVuyst	Jaye	Owen
Anthony	Dobb	Jelinek	Oxender
Baade	Fitzgerald	Jellema	Palamara
Baird	Frank	Johnson	Perricone
Bankes	Gagliardi	Kaza	Profit
Bobier	Galloway	Kukuk	Prusi
Bodem	Geiger	Law	Raczkowski
Bogardus	Gernaat	Llewellyn	Rhead
Brackenridge	Gilmer	London	Richner
Brater	Goschka	Lowe	Rocca
Brewer	Green	Mans	Schauer
Brown	Griffin	Martinez	Schermesser
Byl	Gustafson	Mathieu	Schroer
Cassis	Hammerstrom	McBryde	Sikkema
Cherry	Hanley	McManus	Tesanovich
Crissman	Harder	McNutt	Voorhees
Cropsey	Hood	Middaugh	Walberg
Dalman	Horton	Middleton	Whyman
DeHart	Jansen	Olshove	Willard

Nays—27

Basham	Gubow	Murphy	Thomas
Callahan	Hale	Nye	Varga
Ciaramitaro	Hertel	Parks	Vaughn
Curtis	Kilpatrick	Price	Wallace
Dobronski	LaForge	Quarles	Wetters
Gire	Leland	Rison	Wojno
Godchaux	LeTarte	Stallworth	

In The Chair: Murphy

Rep. Jaye moved to amend the bill as follows:

1. Amend page 11, following line 24, following section 315, by inserting:

“Sec. 316. As a condition of the appropriation of funds under this act, a judge or justice shall not use gold leaf or letterhead stationery for correspondence from his or her office.”.

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 171, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 1998; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

Roll Call No. 540

Yeas—103

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

Nays—2

Jaye Johnson

In The Chair: Murphy

The House agreed to the title of the bill.

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

The question being on the motion by Rep. Gagliardi,

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Gagliardi,

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

Roll Call No. 541

Yeas—52

Agee	Dobronski	LaForge	Quarles
Anthony	Frank	Leland	Rison
Baade	Freeman	Mans	Schauer
Baird	Gagliardi	Martinez	Schermesser
Basham	Gire	Mathieu	Schroer
Bogardus	Gubow	Murphy	Stallworth
Brater	Hale	Olshove	Tesanovich

Brewer	Hanley	Owen	Thomas
Brown	Harder	Palamara	Vaughn
Callahan	Hertel	Parks	Wallace
Cherry	Hood	Price	Wetters
Curtis	Kelly	Profit	Willard
DeHart	Kilpatrick	Prusi	Wojno

Nays—48

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

In The Chair: Murphy

Second Reading of Bills

The House returned to the consideration of

Senate Bill No. 173, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

(The bill was considered earlier today, see today's Journal, p. 1302.)

Reps. McManus and Galloway moved to amend the bill as follows:

1. Amend page 17, line 17, after "plan." by inserting "The department shall also submit by November 1, 1997 to the senate and house of representatives appropriations subcommittees on state police and the senate and house of representatives standing committees on state police issues a report on all court judgments and out-of-court settlements involving state police affirmative action plans for the past 3 years. The report shall indicate whether the contested affirmative action plans had been approved by the Michigan civil rights commission, the dollar amount of the judgment or settlement, and whether any employment practices had been declared illegal or ordered modified."

The question being on the adoption of the amendment offered by Reps. McManus and Galloway,

Rep. McManus demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. McManus and Galloway,

Rep. Wallace moved to amend the McManus and Galloway amendment as follows:

1. Amend the McManus and Galloway amendment, page 17, line 17, after "involving state police" by striking out "affirmative action plans".

2. Amend the McManus and Galloway amendment, page 17, line 17, after "The report shall" by striking out the balance of the sentence and inserting "give a detailed description of each lawsuit, including the amount of the judgment or settlement."

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

The question being on the adoption of the amendment offered previously by Reps. McManus and Galloway,

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

Roll Call No. 542**Yeas—103**

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

Nays—1

Kilpatrick

In The Chair: Murphy

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

Rep. Kelly moved to amend the bill as follows:

1. Amend page 23, following line 12, following section 220, by inserting:

“Sec. 221. A department receiving funds under this act shall not use those funds to do any of the following:

- (a) Engage the services under contract or subcontract of a person who has retired from employment in a department under the early retirement program under section 19f of the state employees' retirement act, 1943 PA 240, MCL 38.19f.
- (b) Enter into a personal services contract with, or hire under contract, a person described in subdivision (a).
- (c) Pay an independent contractor that hires or subcontracts with a person described in subdivision (a) to perform the service or function.”.

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

Rep. Kelly demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 543**Yeas—103**

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

Nays—0

In The Chair: Murphy

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

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

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

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

Rep. Gagliardi moved that Rule 49 be suspended.

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 173, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

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

Roll Call No. 544**Yeas—103**

Agee	Dobronski	Kelly	Price
Anthony	Emerson	Kilpatrick	Profit

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

Nays—2

Jaye Johnson

In The Chair: Murphy

The House agreed to the title of the bill.

Rep. London moved that Rep. Gernaat be excused temporarily from today's session. The motion prevailed.

Rep. Hammerstrom moved that Reps. Horton and Voorhees be excused temporarily from today's session. The motion prevailed.

Rep. Gagliardi moved that the bill be given immediate effect. The question being on the motion made by Rep. Gagliardi, Rep. Gustafson demanded the yeas and nays. The demand was supported.

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

Roll Call No. 545

Years—51

Agee	DeHart	Mans	Schauer
Anthony	Dobronski	Martinez	Schermesser
Baade	Frank	Mathieu	Schroer
Baird	Freeman	Murphy	Stallworth

Basham	Gagliardi	Olshove	Tesanovich
Bogardus	Gire	Owen	Thomas
Brater	Gubow	Palamara	Varga
Brewer	Hale	Parks	Vaughn
Brown	Hanley	Price	Wallace
Callahan	Harder	Profit	Wetters
Cherry	Kelly	Prusi	Willard
Ciaramitaro	LaForge	Quarles	Wojno
Curtis	Leland	Rison	

Nays—45

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

In The Chair: Murphy

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Tax Policy, by Rep. Profit, Chair, reported

House Bill No. 4163, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 1995 PA 209.

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 4163 To Report Out:

Yeas: Reps. Profit, Quarles, Wetters, Perricone, Brackenridge, Cassis, Dobb, Middleton, Whyman,

Nays: None.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

House Bill No. 4743, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4m.

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 4743 To Report Out:

Yeas: Reps. Profit, Quarles, Wetters, Perricone, Brackenridge, Cassis, Dobb, Middleton, Whyman,

Nays: None.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

House Bill No. 4926, entitled

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; and to declare the effect of this act," by amending sections 24 and 31 (MCL 205.24 and 205.31), as amended by 1993 PA 14.

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 4926 To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Gubow, Hanley, Palamara, Wetters, Wojno,

Nays: Reps. Perricone, Middleton.

The Committee on Tax Policy, by Rep. Profit, Chair, reported

Senate Bill No. 526, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 1996 PA 576.

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

SB 526 To Report Out:

Yeas: Reps. Profit, Quarles, Hanley, Wallace, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Middleton, Whyman,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Profit, Chair of the Committee on Tax Policy, was received and read:

Meeting held on: Wednesday, June 18, 1997, at 9:00 a.m.,

Present: Reps. Profit, Quarles, Agee, Freeman, Gubow, Hanley, Palamara, Wallace, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Middleton, Whyman,

Absent: Rep. Goschka,

Excused: Rep. Goschka.

The Speaker resumed the Chair.

By unanimous consent the House returned to the order of

Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

House Resolution No. 93.

A resolution offered as a memorial for George Wahr Sallade, former member of the House.

Whereas, With the passing of George Wahr Sallade, Michigan and Ann Arbor have lost a gentleman with remarkable energy and belief in our democracy. Grateful for his service to our state as a lawmaker, civic leader, and gentleman of principle, we offer our sympathies to his wife and family; and

Whereas, George Sallade, a graduate of the University of Michigan with both bachelor's and law degrees, was an example of the highest standards of service to others. He was a man with abundant enthusiasm for life. Much to the benefit of Michigan and his community, he channeled this energy to many positive ends. He served on the Ann Arbor City Council and was its president prior to his 1954 election to the Michigan House of Representatives. In his three terms as a lawmaker, Mr. Sallade consistently put what he felt to be the best interests of the state in front of political expediency; and

Whereas, Following his work in Lansing, George Sallade continued to work to give voice to important causes and civic concerns. He remained energized by the challenges of public policy, promoting ideas and people sharing his vision. His efforts included publishing, the law, and encouraging others to become involved in political life. A man who fought many battles all his life, including health, George Sallade used his cheerfulness to bring many good things to Michigan and Ann Arbor; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of tribute as a memorial for George Wahr Sallade, State Representative from 1955 to 1960; and be it further

Resolved, That copies of this resolution be transmitted to his family as evidence of the esteem that will long be held for his memory.

The question being on the adoption of the resolution,

The resolution was adopted by a unanimous standing vote.

Second Reading of Bills

Senate Bill No. 526, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 1996 PA 576.

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

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

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 526, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 1996 PA 576.

The bill was read a third time.

The question being on the passage of the bill,

After debate,

Rep. Palamara demanded the previous question.

The demand was supported.

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

The previous question was ordered.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 546

Yeas—86

Anthony
Baade

Frank
Gagliardi

Kukuk
Law

Profit
Prusi

Baird	Galloway	Leland	Quarles
Bankes	Geiger	LeTarte	Raczkowski
Basham	Gernaat	Llewellyn	Rhead
Birkholz	Gilmer	London	Richner
Bobier	Godchaux	Lowe	Rison
Bodem	Goschka	Mans	Rocca
Brackenridge	Green	McBryde	Schauer
Brewer	Griffin	McManus	Schroer
Brown	Gustafson	McNutt	Sikkema
Byl	Hale	Middaugh	Tesanovich
Callahan	Hammerstrom	Middleton	Thomas
Cassis	Hanley	Murphy	Varga
Cherry	Harder	Nye	Vaughn
Crissman	Hertel	Olshove	Voorhees
Dalman	Horton	Owen	Walberg
DeHart	Jansen	Oxender	Wallace
DeVuyst	Jaye	Palamara	Wetters
Dobb	Jelinek	Parks	Whyman
Dobronski	Johnson	Perricone	Willard
Fitzgerald	Kaza		

Nays—17

Agee	Gire	Kelly	Mathieu
Bogardus	Gubow	Kilpatrick	Price
Brater	Hood	LaForge	Stallworth
Curtis	Jellema	Martinez	Wojno
Freeman			

In The Chair: Hertel

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

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”.

The House agreed to the full title of the bill.

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

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

Second Reading of Bills

The House returned to the consideration of

Senate Bill No. 174, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 1998; to provide for the imposition of fees; to create certain work groups and committees; to provide for reports; to create certain funds; to prescribe requirements for certain railroad facilities; to prescribe certain powers and duties of certain state departments and officials, local units of government, committees, and work groups; and to provide for the expenditure of the appropriations.

(The bill was considered earlier today, see today's Journal, p. 1305.)

Rep. London moved to amend the bill as follows:

1. Amend page 28, line 1, after “The” by striking out “department of treasury shall perform” and inserting “legislative auditor general shall perform performance.”.

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

Rep. Willard moved to amend the bill as follows:

1. Amend page 44, following line 17, by inserting:

“Sec. 714. The department shall issue information to all law enforcement agencies explaining the state laws which limit the length of time that railroads may block crossings and encourage law enforcement agencies to strictly enforce the statutory time limits with regard to crossing blockages.”.

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 7, line 19, by striking out “753,769,500” and inserting “758,769,500”.

2. Amend page 8, line 6, by striking out all of line 6 and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 547

Yeas—33

Bankes	Gilmer	Johnson	Raczkowski
Birkholz	Gire	Kaza	Rhead
Bogardus	Godchaux	Kukuk	Richner
Brackenridge	Goschka	Law	Rocca
Brewer	Green	LeTarte	Sikkema
Cassis	Gustafson	Martinez	Voorhees
Crissman	Jansen	Middleton	Walberg
Dobb	Jaye	Perricone	Whyman
Galloway			

Nays—70

Agee	Fitzgerald	Kilpatrick	Palamara
Anthony	Frank	LaForge	Parks
Baade	Freeman	Leland	Price
Baird	Gagliardi	Llewellyn	Prusi
Basham	Geiger	London	Quarles
Bobier	Gernaat	Lowe	Rison
Bodem	Griffin	Mans	Schauer
Brater	Gubow	Mathieu	Schermesser
Brown	Hale	McBryde	Schroer
Byl	Hammerstrom	McManus	Stallworth
Callahan	Hanley	McNutt	Tesanovich
Cherry	Harder	Middaugh	Thomas
Ciaramitaro	Hertel	Murphy	Vaughn
Curtis	Hood	Nye	Wallace
Dalman	Horton	Olshove	Wetters
DeHart	Jelinek	Owen	Willard
DeVuyst	Jellema	Oxender	Wojno
Dobronski	Kelly		

In The Chair: Hertel

Rep. Jaye moved to amend the bill as follows:

1. Amend page 25, following line 10, by inserting:

“Sec. 322. The department shall solicit proposals from private vendors including, but not limited to, restaurants and gas stations to operate rest areas and roadside stands along highway rights-of-way.”.

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 548**Yeas—19**

Birkholz	DeVuyst	Jaye	Rhead
Bobier	Dobb	Kaza	Rocca
Brewer	Geiger	Llewellyn	Voorhees
Cassis	Godchaux	Lowe	Willard
Ciaramitaro	Goschka	Raczkowski	

Nays—83

Agee	Freeman	Kilpatrick	Perricone
Anthony	Gagliardi	Kukuk	Price
Baade	Galloway	LaForge	Profit
Baird	Gernaat	Law	Prusi
Bankes	Gilmer	Leland	Quarles
Basham	Gire	LeTarte	Richner
Bodem	Green	London	Rison
Bogardus	Griffin	Mans	Schauer
Brackenridge	Gubow	Martinez	Schermesser
Brater	Gustafson	Mathieu	Sikkema
Brown	Hale	McBryde	Stallworth
Byl	Hammerstrom	McManus	Tesanovich
Callahan	Hanley	McNutt	Thomas
Cherry	Harder	Middaugh	Varga
Crissman	Hertel	Middleton	Vaughn
Curtis	Hood	Nye	Walberg
Dalman	Horton	Olshove	Wallace
DeHart	Jelinek	Owen	Wetters
Dobronski	Jellema	Oxender	Whyman
Fitzgerald	Johnson	Palamara	Wojno
Frank	Kelly	Parks	

In The Chair: Hertel

Rep. Jaye moved to amend the bill as follows:

1. Amend page 44, line 15, after “efficiency.” by inserting “It is not the intent of the legislature that the authority be granted the power of condemnation of private property.”.

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

Rep. Hammerstrom moved that Reps. Geiger and Raczkowski be excused temporarily from today’s session.
The motion prevailed.

Rep. Curtis moved that Rep. Murphy be excused temporarily from today’s session.
The motion prevailed.

Rep. Richner moved to amend the bill as follows:

1. Amend page 17, following line 18, by inserting:

“Sec. 218. The department shall cooperate with local road agencies on recommendations for changes to the state highway map to allow color coding or another appropriate system of marking roads and streets so that motorists may easily determine who has responsibility for specific roads or streets.”.

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

Rep. Richner demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 549

Yeas—92

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

Nays—12

Anthony	Emerson	Kilpatrick	Prusi
Basham	Hanley	LaForge	Rison
Cherry	Hood	London	Wallace

In The Chair: Hertel

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

1. Amend page 25, following line 10, by inserting:

“Sec. 322. The department shall produce a critical bridge repair list in collaboration with municipalities with populations of 200,000 or more for presentation to the house and senate appropriations subcommittees on transportation on or before December 15, 1997. The report shall include repair plans and time line projections for all bridges which have not been serviced in 5 or more years as well as those whose deteriorating structure endangers public safety.”.

The question being on the adoption of the amendment offered by Reps. Stallworth and Harder,

Rep. Stallworth demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Stallworth and Harder,

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

Roll Call No. 550**Yeas—102**

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

Nays—0

In The Chair: Hertel

Reps. Hale and Godchaux moved to amend the bill as follows:

1. Amend page 33, following line 22, by inserting:

“Sec. 605. The department of transportation shall work with the southeast Michigan council of governments and any community task force groups organized by communities lying along the Telegraph road corridor to conduct the necessary planning and surveying activities necessary to make needed improvements to the Telegraph road corridor. The department shall provide a 30% match to any local funds provided by community task force groups for such planning purposes related to segments of the corridor within their respective areas.”.

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

Reps. Jaye and Goschka moved to amend the bill as follows:

1. Amend page 33, following line 22, following section 605, by inserting:

“Sec. 606. Of the amount of state funds appropriated for road and bridge projects under this act, the department, counties, and cities and villages shall, whenever possible, secure warranties for contracted construction work.”.

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 551**Yeas—101**

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

Nays—4

Byl	LaForge	London	Schroer
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In The Chair: Hertel

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

Rep. Schermesser moved to amend the bill as follows:

1. Amend page 7, following line 12, by inserting:
“State matching funds to local units..... 100,000,000”.
2. Amend page 7, line 22, by striking out “0” and inserting “100,000,000” and adjusting the subtotals, totals, and section 201 accordingly.
3. Amend page 25, following line 10, by inserting:
“Sec. 323. The appropriation in section 101 for state matching funds to local units shall be used to provide a 50% match from general fund/general purpose revenue on all property tax revenue collected by local units of government in the state through the levying of millages specifically for the purposes of road repair and maintenance. The state match shall apply to all such millage revenue raised between October 1, 1996 and September 30, 1998. If the funding required to meet the provisions of this section exceed the amount appropriated in section 101 for this purpose, the allocations to local units shall be prorated based on the proportion of each local unit’s road millage collections to overall state road millage collections.”.

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

Rep. Jellema demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 552**Yeas—63**

Agee	Freeman	Law	Rhead
Anthony	Gagliardi	Leland	Rison
Baade	Gernaat	Mans	Schauer
Basham	Gire	Martinez	Schermesser
Bodem	Goschka	Mathieu	Schroer
Bogardus	Green	McNutt	Stallworth
Brater	Griffin	Middaugh	Tesanovich
Brewer	Gubow	Murphy	Thomas
Brown	Hale	Olshove	Varga
Callahan	Hanley	Owen	Vaughn
Cherry	Hertel	Palamara	Wallace
Ciaramitaro	Hood	Parks	Wetters
DeHart	Kelly	Price	Whyman
Dobronski	Kilpatrick	Profit	Willard
Emerson	Kukuk	Prusi	Wojno
Frank	LaForge	Quarles	

Nays—38

Banks	Fitzgerald	Jellema	Middleton
Birkholz	Galloway	Johnson	Nye
Bobier	Gilmer	Kaza	Oxender
Brackenridge	Godchaux	LeTarte	Perricone
Byl	Gustafson	Llewellyn	Richner
Crissman	Hammerstrom	London	Rocca
Cropsey	Horton	Lowe	Sikkema
Dalman	Jansen	McBryde	Voorhees
DeVuyst	Jaye	McManus	Walberg
Dobb	Jelinek		

In The Chair: Gire

Rep. Wetters moved to amend the bill as follows:

1. Amend page 25, following line 10, following section 323, by inserting:

“Sec. 324. The department shall ensure that all privatization projects to be continued beyond a first term demonstrate cost savings in that first term. Any privatization projects that do not demonstrate that they save tax dollars shall not be continued.”.

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

Reps. Jansen and Byl moved to amend the bill as follows:

1. Amend page 11, following line 6, by inserting:

“Grand Rapids area transit authority 1,000”.

2. Amend page 11, line 7, by striking out “19,487,000” and inserting “19,486,000” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Anthony moved to amend the bill as follows:

1. Amend page 33, following line 22, following section 606, by inserting:

“Sec. 607. From the funds appropriated in section 101, the department shall provide for the construction of 2 modern, indoor rest facilities. One shall be located along US-2 in Delta County, another shall be constructed along M-28 between Newberry and Marquette.”.

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

Rep. Gagliardi moved to amend the bill as follows:

1. Amend page 33, following line 22, following section 607, by inserting:

“Sec. 608. No monies shall be appropriated for right-of-way purchase or new road construction by the Michigan department of transportation within the geographic boundaries of Resort township and Bear Creek township, in Emmet county, Michigan, until completion of an independent study of a route proposed by the city of Petoskey, Resort township, and Bear Creek township to include existing road improvements and limited new road construction; and until MDOT and all effected local governments have agreed on the final location and design of any proposed road project within that geographic boundary. MDOT is authorized to participate in the study, design, and construction of the final agreed road project.”.

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

Rep. Jellema moved to amend the bill as follows:

1. Amend page 24, line 14, by striking out all of section 319.

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

Rep. Jellema demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 553

Yeas—49

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

Nays—52

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

In The Chair: Gire

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

Rep. Kukuk moved to amend the bill as follows:

1. Amend page 33, line 9, after the first “the” by inserting “completion of the improvements for M-59 in Macomb county,”.

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

Rep. Kukuk demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 554

Yeas—102

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

Nays—2

Byl

Jellema

In The Chair: Gire

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

1. Amend page 11, line 6, by striking out “2,000,000” and inserting “2,050,000”.

2. Amend page 11, line 7, by striking out “19,486,000” and inserting “19,436,000” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 33, following line 22, following section 608, by inserting:

“Sec. 609. Revenue raised through citations on commercial vehicles transporting overweight, divisible loads shall be deposited into and distributed from the comprehensive transportation fund.”.

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

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

1. Amend page 11, following line 23, by inserting:

“Sec. 102. There is appropriated for the state transportation department and certain state purposes designated in this act for the fiscal year ending September 30, 1997, from the following funds:

STATE TRANSPORTATION DEPARTMENT

APPROPRIATION SUMMARY:

Gross appropriation.....	\$	100,000,000
State general fund/general purpose	\$	100,000,000”.

2. Amend page 32, following line 27, by inserting:

“Sec. 510. (1) For the fiscal year ending September 30, 1997 only, there is appropriated the sum of \$100,000,000.00 from the fund to the Michigan transportation fund. The amount appropriated shall be distributed to the state, counties, and cities and villages according to the formula in section 10(1)(b)(vi) of 1951 PA 51, MCL 247.660.

(2) Funds distributed under this section shall be used only for resurfacing and repair of existing roads with the appropriate materials based on accepted engineering standards. Nothing in this section shall preclude the use of any department approved construction method or material. Funds distributed under this section shall be considered supplementary to existing funds and shall not be used for any of the following:

(a) New construction.

(b) To supplement or replace funds for road or bridge projects in progress on the effective date of this section.

(c) Administrative costs of the road agency.

(3) Funds not expended for the purposes of this section by September 30, 1997 shall be considered a work project and shall not be returned to the state for deposit in the fund but shall remain available for expenditure for the purposes for which appropriated.”.

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

Rep. Jellema demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 555

Yeas—103

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

Nays—0

In The Chair: Gire

Rep. Cassis moved to amend the bill as follows:

1. Amend page 17, following line 18, following section 218, by inserting:

“Sec. 219. The department may participate in a study for the design of a Wixom/Beck Road interchange along the I-96 corridor.”.

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

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

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

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

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

Rep. Gagliardi moved that Rule 49 be suspended.

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 174, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 1998; to provide for the imposition of fees; to create certain work groups and committees; to provide for reports; to create certain funds; to prescribe requirements for certain railroad facilities; to prescribe certain powers and duties of certain state departments and officials, local units of government, committees, and work groups; and to provide for the expenditure of the appropriations.

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

Roll Call No. 556**Yeas—98**

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

Nays—9

Bobier
Geiger
Gustafson

Jaye
Jellema

Johnson
LeTarte

Llewellyn
Perricone

In The Chair: Gire

The House agreed to the title of the bill.

Rep. Hammerstrom moved that Reps. Jansen and McNutt be excused temporarily from today's session.
The motion prevailed.

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

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

Rep. Gustafson moved to reconsider the vote by which the House gave the bill immediate effect.

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

The question being on giving the bill immediate effect,

Rep. Hertel demanded the yeas and nays.

The demand was supported.

The question being on giving the bill immediate effect,

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 557**Yeas—102**

Agee
Anthony
Baade
Baird
Banks
Basham
Birkholz
Bobier
Bodem
Bogardus
Brackenridge
Brater
Brewer
Brown
Byl
Callahan
Cassis
Cherry
Ciaramitaro
Crissman
Cropsey
Curtis
Dalman
DeHart
DeVuyst
Dobb

Dobronski
Emerson
Fitzgerald
Frank
Freeman
Gagliardi
Galloway
Geiger
Gernaat
Gilmer
Gire
Godchaux
Goschka
Green
Griffin
Gubow
Gustafson
Hale
Hammerstrom
Hanley
Harder
Hertel
Hood
Horton
Jelinek
Jellema

Kaza
Kelly
Kilpatrick
Kukuk
LaForge
Law
Leland
LeTarte
Llewellyn
London
Lowe
Mans
Martinez
Mathieu
McBryde
McManus
Middaugh
Middleton
Murphy
Olshove
Owen
Oxender
Palamara
Parks
Perricone

Price
Profit
Prusi
Quarles
Raczkowski
Rhead
Richner
Rison
Rocca
Schauer
Schermesser
Schroer
Sikkema
Stallworth
Tesanovich
Thomas
Varga
Vaughn
Voorhees
Walberg
Wallace
Wetters
Whyman
Willard
Wojno

Nays—2

Jaye

Nye

In The Chair: Gire

Rep. Kilpatrick asked and obtained a temporary excuse from today's session.

Second Reading of Bills**Senate Bill No. 167, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

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

Rep. Brewer moved to amend the bill as follows:

1. Amend page 27, line 9, after "budget" by inserting a comma and "the house and senate appropriations committees, the house and senate fiscal agencies, and the house and senate standing committees having jurisdiction over technology issues,".

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

Rep. Bobier moved to amend the bill as follows:

1. Amend page 29, line 9, after "to" by striking out the balance of the sentence and inserting "establish a program for monitoring oil and gas production meters.".

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 30, following line 24, by inserting:

"Sec. 505. The department shall replace wetlands eliminated due to transportation projects on a 1-for-1 basis with wetlands of equal size.".

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 558**Yeas—40**

Bankes
Birkholz
Byl
Cassis
Crissman
Cropsey
Dalman
Dobb
Galloway
Geiger

Gernaat
Gilmer
Goschka
Green
Gustafson
Hammerstrom
Horton
Jaye
Jellema
Johnson

Kukuk
LeTarte
Llewellyn
London
Lowe
McBryde
McManus
Middaugh
Middleton
Nye

Perricone
Raczkowski
Rhead
Richner
Rocca
Sikkema
Voorhees
Walberg
Whyman
Willard

Nays—61

Agee	DeHart	Jelinek	Price
Anthony	DeVuyst	Kaza	Profit
Baade	Dobronski	Kelly	Prusi
Baird	Emerson	LaForge	Quarles
Basham	Fitzgerald	Law	Rison
Bobier	Frank	Leland	Schauer
Bodem	Freeman	Mans	Schermesser
Bogardus	Gagliardi	Martinez	Schroer
Brackenridge	Gire	Mathieu	Stallworth
Brater	Godchaux	Murphy	Tesanovich
Brewer	Gubow	Olshove	Thomas
Brown	Hale	Owen	Vaughn
Callahan	Hanley	Oxender	Wallace
Cherry	Harder	Palamara	Wetters
Ciaramitaro	Hood	Parks	Wojno
Curtis			

In The Chair: Gire

Rep. Tesanovich moved to amend the bill as follows:

1. Amend page 12, line 21, by striking out “21,500,000” and inserting “23,500,000”.
2. Amend page 12, line 26, by striking out “21,952,300” and inserting “19,952,300” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Tesanovich moved to amend the bill as follows:

1. Amend page 14, line 8, by striking out “500,000” and inserting “10,000”.
2. Amend page 14, line 23, by striking out “801,000” and inserting “311,000” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Basham moved to amend the bill as follows:

1. Amend page 28, following line 10, by inserting:

“Sec. 217. Beginning on the effective date of this act, for at least 3 years after terminating his or her employment with the Michigan department of environmental quality, a person shall not accept employment with or enter into a contractual relationship with a person or entity that has or had obtained a permit from the department, is regulated by the department, or has been subject to a department enforcement or compliance action.”.

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

Reps. Gernaat, McManus and McBryde moved to amend the bill as follows:

1. Amend page 42, line 15, after “County” by inserting a comma and “\$100,000.00 shall be allocated to Osceola County”.

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

Rep. Wetters moved to amend the bill as follows:

1. Amend page 28, following line 10, following section 217, by inserting:

“Sec. 218. The department shall ensure that all privatization projects to be continued beyond a first term demonstrate cost savings in that first term. Any privatization projects that do not demonstrate that they save tax dollars shall not be continued.”.

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

Reps. Willard and Hale moved to amend the bill as follows:

1. Amend page 12, following line 8, by inserting:
“St. Clair river sampling and investigation 10,000”.
2. Amend page 12, line 26, by striking out “19,952,300” and inserting “21,962,300” and adjusting the subtotals, totals, and section 201 accordingly.

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

Reps. Brown, Schermesser and Law moved to amend the bill as follows:

1. Amend page 9, following line 2, by inserting:
“Volunteer river, stream, and creek cleanup program 100,000”.
2. Amend page 9, line 3, by striking out “13,031,700” and inserting “13,131,700”.

3. Amend page 9, line 14, by striking out “7,231,900” and inserting “7,331,900” and adjusting the subtotals, totals and section 201 accordingly.

4. Amend page 30, following line 24, by inserting:

“Sec. 505. The \$100,000.00 appropriation in section 101 for volunteer river, stream and creek cleanup programs shall be distributed on a statewide basis to volunteer organizations for stream, river, and creek cleanup projects. Funds shall be distributed through a simplified application process providing up to \$5,000.00 to organizations, providing a 50% match. Priority shall be given to existing volunteer organizations and targeted to those watersheds with documented pollution problems.”.

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

Rep. Kukuk moved to amend the bill as follows:

1. Amend page 31, line 22, after “activities.” by inserting “Using funds designated by this section, the department shall conduct testing of the environmental impact of South Macomb Disposal Authority’s landfill sites 9 and 9a on the McBride Drain.”.

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

Rep. Frank moved to amend the bill as follows:

1. Amend page 28, following line 10, following section 218, by inserting:

“Sec. 219. A department receiving funds under this act shall not use those funds to do any of the following:

(a) Engage the services under contract or subcontract of a person who has retired from employment in a department under the early retirement program under section 19f of the state employees’ retirement act, 1943 PA 240, MCL 38.19f.

(b) Enter into a personal services contract with, or hire under contract a person described in subdivision (a).

(c) Pay an independent contractor that hires or subcontracts with a person described in subdivision (a) to perform the service or function.”.

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

Rep. Hood demanded the yeas and nays.

The demand was supported.

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

After debate,

Rep. Callahan 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. Frank,

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

Roll Call No. 559

Yeas—99

Agee	Emerson	Johnson	Perricone
Anthony	Fitzgerald	Kaza	Price
Baade	Frank	Kelly	Profit
Baird	Freeman	Kilpatrick	Prusi
Bankes	Gagliardi	Kukuk	Quarles
Basham	Galloway	LaForge	Raczkowski
Bobier	Geiger	Law	Rhead
Bodem	Gernaat	Leland	Richner
Bogardus	Gilmer	Llewellyn	Rison
Brackenridge	Gire	London	Rocca
Brater	Godchaux	Lowe	Schauer
Brewer	Goschka	Mans	Schermesser
Brown	Green	Martinez	Sikkema
Byl	Griffin	Mathieu	Stallworth
Callahan	Gubow	McBryde	Tesanovich
Cassis	Gustafson	McManus	Thomas
Cherry	Hale	McNutt	Varga
Crissman	Hammerstrom	Middaugh	Vaughn
Cropsey	Hanley	Middleton	Voorhees
Curtis	Harder	Murphy	Walberg

Dalman
DeHart
DeVuyst
Dobb
Dobronski

Hood
Horton
Jansen
Jaye
Jellema

Olshove
Owen
Oxender
Palamara
Parks

Wetters
Whyman
Willard
Wojno

Nays—2

LeTarte

Schroer

In The Chair: Gire

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

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

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

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

Rep. Gagliardi moved that Rule 49 be suspended.

The motion prevailed.

Rep. Hammerstrom moved that Rep. Jelinek be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 167, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

Roll Call No. 560

Yeas—97

Agee
Anthony
Baade
Baird
Banks
Basham
Birkholz
Bobier
Bodem
Bogardus
Brackenridge
Brater
Brewer
Brown
Callahan
Cassis
Cherry

Dobronski
Emerson
Fitzgerald
Frank
Freeman
Gagliardi
Galloway
Geiger
Gernaat
Gilmer
Gire
Godchaux
Goschka
Green
Griffin
Gubow
Hale

Jellema
Kilpatrick
Kukuk
LaForge
Law
Leland
Llewellyn
London
Lowe
Mans
Martinez
Mathieu
McBryde
McManus
McNutt
Middaugh
Middleton

Price
Profit
Prusi
Quarles
Raczkowski
Rhead
Richner
Rison
Rocca
Schauer
Schermesser
Schroer
Sikkema
Stallworth
Tesanovich
Thomas
Varga

Ciaramitaro	Hammerstrom	Murphy	Vaughn
Crissman	Hanley	Nye	Voorhees
Cropsey	Harder	Olshove	Walberg
Curtis	Hertel	Oxender	Wallace
Dalman	Hood	Palamara	Wetters
DeHart	Horton	Parks	Willard
DeVuyst	Jansen	Perricone	Wojno
Dobb			

Nays—4

Jaye	Johnson	Kaza	Whyman
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In The Chair: Gire

The House agreed to the title of the bill.

Rep. Jaye, having reserved the right to explain his protest against the passage of the bill, made the following statement:
“Mr. Speaker and members of the House:

I voted against the DEQ budget because it still allows up to a 4 to 1 replacement of wetlands paved over by road projects. It costs taxpayers over \$1 million to pave 1 mile of roads. A large part of road construction costs are due to this excessive rule to create 4 times the number of wetlands that are destroyed. It costs over \$30,000 to build one acre of wetlands. These excessive wetland restoration rules have made a Shelby township neighborhood pond smelly, unfit for swimming and vermin infested. The wetland restoration rules cost taxpayers \$4,140,000 last year alone. Wetland expansion should occur in the parks budget not road budget.”

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:

Anyone concerned about the stewardship of our state’s natural resources has grave concerns about the performance of the so-called state Department of Environmental Quality.

The DEQ should never have been split off from the state Department of Natural Resources in the first place. The performance of the DEQ since that time, especially its support for government secrecy in environmental decision-making, deem this budget unworthy of support.”

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

The question being on the motion made by Rep. Gagliardi,

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Gagliardi,

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

Roll Call No. 561**Yeas—53**

Anthony	Emerson	Kilpatrick	Prusi
Baade	Frank	LaForge	Quarles
Baird	Freeman	Leland	Rison
Basham	Gagliardi	London	Schauer
Bogardus	Galloway	Mans	Schermesser
Brater	Gire	Mathieu	Schroer
Brewer	Griffin	Murphy	Stallworth
Brown	Gubow	Olshove	Tesanovich
Callahan	Hale	Owen	Thomas

Cherry
Ciaramitaro
Curtis
DeHart
Dobronski

Hanley
Harder
Hood
Kelly

Palamara
Parks
Price
Profit

Varga
Vaughn
Wallace
Wojno

Nays—47

Bankes
Birkholz
Bobier
Bodem
Brackenridge
Byl
Cassis
Crissman
Cropsey
Dalman
DeVuyst
Dobb

Fitzgerald
Geiger
Gernaat
Gilmer
Godchaux
Goschka
Green
Gustafson
Hammerstrom
Horton
Jansen
Jaye

Jellema
Kaza
Kukuk
Law
LeTarte
Llewellyn
Lowe
McBryde
McManus
McNutt
Middaugh
Middleton

Nye
Oxender
Perricone
Raczkowski
Rhead
Richner
Rocca
Sikkema
Voorhees
Walberg
Whyman

In The Chair: Gire

Second Reading of Bills

House Bill No. 4791, entitled

A bill to provide regulations and prohibitions concerning certain dangerous exotic animals; to impose fees; to prescribe the powers and duties of certain federal, state, and local governmental entities and officials; to provide standards for the care of certain dangerous exotic animals; and to prescribe penalties and provide remedies.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Health Policy,

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

Rep. Hanley 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. 4791, entitled

A bill to provide regulations and prohibitions concerning certain dangerous exotic animals; to impose fees; to prescribe the powers and duties of certain federal, state, and local governmental entities and officials; to provide standards for the care of certain dangerous exotic animals; and to prescribe penalties and provide remedies.

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

Roll Call No. 562

Yeas—95

Baade
Baird
Bankes

Emerson
Frank
Freeman

Kukuk
LaForge
Law

Price
Profit
Prusi

Basham	Gagliardi	Leland	Quarles
Birkholz	Galloway	LeTarte	Rackowski
Bobier	Gernaat	Llewellyn	Rhead
Bodem	Gire	London	Richner
Bogardus	Godchaux	Lowe	Rison
Brackenridge	Goschka	Mans	Rocca
Brater	Green	Martinez	Schauer
Brewer	Griffin	Mathieu	Schermesser
Brown	Gubow	McBryde	Schroer
Byl	Hale	McManus	Sikkema
Callahan	Hammerstrom	McNutt	Stallworth
Cassis	Hanley	Middaugh	Tesanovich
Cherry	Harder	Middleton	Thomas
Ciaramitaro	Hertel	Murphy	Varga
Crissman	Hood	Nye	Vaughn
Curtis	Horton	Olshove	Voorhees
Dalman	Jansen	Owen	Walberg
DeHart	Jellema	Oxender	Whyman
DeVuyst	Kaza	Palamara	Willard
Dobb	Kelly	Parks	Wojno
Dobronski	Kilpatrick	Perricone	

Nays—7

Anthony	Fitzgerald	Gustafson	Wetters
Cropsey	Geiger	Jaye	

In The Chair: Gire

The House agreed to the title of the bill.

Reps. Anthony, Baade, Basham, Brackenridge, Cassis, Ciaramitaro, DeHart, DeVuyst, Kelly, Kukuk, Middaugh, Parks, Profit, Schauer, Schermesser, Thomas, Vaughn and Voorhees were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4792, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 429.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Health Policy,

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

Rep. Prusi 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. 4792, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 429.

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

Roll Call No. 563**Yeas—100**

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

Nays—3

Anthony Cropsey Jaye

In The Chair: Gire

The House agreed to the title of the bill.

Reps. Anthony, Baade, Basham, Brackenridge, Cassis, Ciaramitaro, DeVuyst, Gubow, Kelly, LaForge, Middaugh, Murphy, Palamara, Parks, Profit, Schauer, Schermesser, Stallworth, Thomas, Vaughn and Voorhees were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 4793, entitled**

A bill to provide regulations and prohibitions concerning wolf hybrids; to impose fees; to prescribe the powers and duties of certain federal, state, and local governmental entities and officials with respect to certain canids; to provide standards for the care of wolf hybrids; and to prescribe penalties and provide remedies.

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

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

Rep. Law moved to amend the bill as follows:

1. Amend page 3, line 5, after “cross” by striking out the balance of the sentence and inserting a period.

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

Rep. Prusi moved to amend the bill as follows:

1. Amend page 1, line 2, by striking out “ “wolf-dog cross act” ” and inserting “ “Angie Nickerson act” ”.

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

Rep. Law 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. 4793, entitled

A bill to provide regulations and prohibitions concerning wolf hybrids; to impose fees; to prescribe the powers and duties of certain federal, state, and local governmental entities and officials with respect to certain canids; to provide standards for the care of wolf hybrids; and to prescribe penalties and provide remedies.

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

Roll Call No. 564

Yeas—96

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

Nays—9

Cropsey	Gilmer	Gustafson	Owen
Fitzgerald	Green	Jaye	Wetters
Geiger			

In The Chair: Gire

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

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

A bill to provide regulations and prohibitions concerning wolf-dog crosses; to impose fees; to prescribe the powers and duties of certain federal, state, and local governmental entities and officials with respect to certain canids; to provide standards for the care of wolf-dog crosses; and to prescribe penalties and provide remedies.

The motion prevailed.

The House agreed to the title as amended.

Reps. Anthony, Baade, Basham, Brackenridge, Ciaramitaro, DeHart, Hale, Kaza, Kelly, LaForge, Middaugh, Murphy, Parks, Profit, Schauer, Schermesser, Stallworth, Tesanovich, Thomas, Vaughn, Voorhees and Wojno were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4055, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11117a.

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

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

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4055, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11117a.

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

Roll Call No. 565

Yeas—99

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

Nays—3

Gilmer	Johnson	Profit
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In The Chair: Gire

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

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

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11118a.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Anthony, Bogardus, Brater, Callahan, DeHart, DeVuyst, Gagliardi, Gire, Goschka, Kaza, Kelly, Law, Palamara, Parks, Schermesser, Vaughn and Voorhees were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4636, entitled

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

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Conservation, Environment and Recreation (for amendment, see House Journal No. 51, p. 1118),

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

Rep. Middaugh 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. 4636, entitled

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

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

Roll Call No. 566

Yeas—101

Anthony	Fitzgerald	Kilpatrick	Price
Baade	Frank	Kukuk	Profit
Baird	Gagliardi	LaForge	Prusi
Bankes	Galloway	Law	Quarles
Basham	Geiger	Leland	Raczkowski
Birkholz	Gernaat	LeTarte	Rhead
Bobier	Gilmer	Llewellyn	Richner
Bodem	Gire	London	Rison
Bogardus	Godchaux	Lowe	Rocca
Brackenridge	Goschka	Mans	Schauer
Brater	Green	Martinez	Schermesser
Brewer	Griffin	Mathieu	Schroer
Brown	Gubow	McBryde	Sikkema
Byl	Gustafson	McManus	Stallworth
Callahan	Hale	McNutt	Tesanovich
Cassis	Hammerstrom	Middaugh	Thomas
Cherry	Hanley	Middleton	Varga
Ciaramitaro	Harder	Murphy	Vaughn
Crissman	Hertel	Nye	Voorhees
Curtis	Horton	Olshove	Walberg
Dalman	Jansen	Owen	Wallace
DeHart	Jellema	Oxender	Wetters
DeVuyst	Johnson	Palamara	Whyman

Dobb
Dobronski
Emerson

Kaza
Kelly

Parks
Perricone

Willard
Wojno

Nays—2

Cropsey

Jaye

In The Chair: Gire

The House agreed to the title of the bill.

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

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

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

Rep. Gagliardi moved that when the House adjourns today it stand adjourned until Tuesday, June 24, at 10:00 a.m.
The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Griffin, Kelly, Scott, Schermesser, Murphy, Parks, DeHart, LaForge, Hale and Bodem offered the following resolution:

House Resolution No. 91.

A resolution to memorialize the Congress of the United States to designate "America the Beautiful" as the national anthem.

Whereas, As our country prepares for the new challenges and opportunities of the twenty-first century, it is appropriate to examine the image our nation will project into the next millenium. With the remarkable changes that have taken place in the closing decade of this century, the United States is poised to take on a unique leadership role. Our people sincerely hope this leadership will foster greater peace and self-determination around the world; and

Whereas, "The Star Spangled Banner" was designated as our national anthem in 1931 by legislation signed by President Hoover (36 USC § 170). This song, with lyrics penned to celebrate the bravery of American forces at the bombardment of Fort McHenry during the War of 1812, highlights the military commitment of our country to maintaining our liberties. While this anthem has served our national image well, especially during armed conflicts and the threats of the cold war, this song depicts only part of the greatness of our beloved country; and

Whereas, The American character, ideals, and blessings are reflected magnificently in "America the Beautiful." Composed in 1893 by Katherine Lee Bates, this inspiring work frames our highest hopes in a melody that is beautiful, simple, and easy to sing. The lyrics to this song capture the glories of our natural resources, respect for our cherished history, and understanding of the challenges we face as a people of many backgrounds seeking to work together for the good of all; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to designate "America the Beautiful" as the national anthem; and be it further

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

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

Reps. Vaughn, Thomas, Kelly, Baird, Scott, Price, Gubow, Freeman, Harder, Willard, Kilpatrick, Schauer, Anthony, Murphy, Brater, Martinez, Hanley, Parks, Cherry, DeHart, LaForge, Wetters, Goschka, Hale, Richner, Quarles, Bodem, Banks, Raczkowski, Geiger, Tesanovich and Profit offered the following resolution:

House Resolution No. 92.

A resolution to commemorate June 19, 1997, as Juneteenth Day in Michigan.

Whereas, While popular history notes that the Civil War ended with the surrender at Appomattox and that our nation began on July 4, 1776, in reality, neither of these events were accorded their full measure of effectiveness until

June 19, 1865. On that day, when Union General Gordon Granger landed at Galveston, Texas, to present and read General Order No. 3, the notion of "Liberty for all" became a reality as the Emancipation Proclamation went into effect across the entire United States to end slavery; and

Whereas, Former slaves in Texas and the neighboring states of Arkansas and Louisiana soon began observing the breaking of the yoke of slavery as "Juneteenth Day." This holiday to mark the end of the legalized imprisonment of hopes and dreams slowly spread to other parts of the country. With the increased movement of people during the twentieth century, the practice of observing this historic occasion became widespread. During the rebirth of historic awareness and ethnic pride fostered during the civil rights movement, the observance of Juneteenth Day became a source of identification for African Americans across the entire nation; and

Whereas, Today, as people in Michigan and elsewhere look back to the past, they do so with an increased appreciation for the strength of the men, women, and children who endured unspeakable cruelties for generations in bondage. The courage, fortitude, and resilience of these individuals set an example of strength that has a lesson for every single American today, regardless of background or race. Juneteenth Day serves to remind us of the struggles of the past and those yet before us; now, therefore, be it

Resolved by the House of Representatives, That we commemorate June 19, 1997, as Juneteenth Day in Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to coordinators of this observance.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. Wojno, Freeman, Wallace, Hale, Callahan, Hanley, Mans, Olshove, Thomas, Schermesser, Schauer, Brown, Agee, Bogardus, Brewer, Frank, Quarles, Kilpatrick, Varga, Profit, DeHart, Ciaramitaro, Rison, Gubow, Willard and Kukuk offered the following resolution:

House Resolution No. 94.

A resolution to memorialize the Congress, the President, and the Federal Trade Commission to maintain existing standards for the use of the "Made in USA" label.

Whereas, The consumers of this country are well served by regulations on the labeling of products. A requirement that has been most effective in informing potential purchasers of the quality of an item is the standard for indicating where something is made. Since 1994, this has been even more helpful to consumers by regulations set for "Made in USA (or "Made in America") labels. At that time, federal law was amended to require that "all or virtually all" of a product had to be domestically made to qualify for the label; and

Whereas, The Federal Trade Commission is reviewing the impact of the "Made in USA" standards. One proposal suggests that the standards be changed significantly, so that a product could carry the label with less American-made content. Under the proposal, a product would qualify for the label with at least seventy-five percent of manufacturing costs incurred in the United States or with the final two production steps completed here; and

Whereas, The proposed new standards would amount to false advertising. Making it easier for foreign-made products to be identified as made here is misleading to our consumers. Our national policies should encourage other countries to increase their standards for workers and conditions rather than make it easier for them to pass their goods off as American made. To alter these requirements would be an affront to companies and workers already adhering to practices Americans appreciate highly; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress, the President, and the Federal Trade Commission to maintain existing standards for the use of the "Made in USA" label; and be it further

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

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

Reps. Wojno, Freeman, Wallace, Hale, Callahan, Hanley, Mans, Olshove, Thomas, Schermesser, Schauer, Brown, Agee, Bogardus, Brewer, Frank, Quarles, Kilpatrick, Varga, Profit, DeHart, Ciaramitaro, Rison, Gubow, Willard and Kukuk offered the following concurrent resolution:

House Concurrent Resolution No. 46.

A concurrent resolution to memorialize the Congress, the President, and the Federal Trade Commission to maintain existing standards for the use of the "Made in USA" label.

Whereas, The consumers of this country are well served by regulations on the labeling of products. A requirement that has been most effective in informing potential purchasers of the quality of an item is the standard for indicating where something is made. Since 1994, this has been even more helpful to consumers by regulations set for "Made in USA" (or "Made in America") labels. At that time, federal law was amended to require that "all or virtually all" of a product had to be domestically made to qualify for the label; and

Whereas, The Federal Trade Commission is reviewing the impact of the "Made in USA" standards. One proposal suggests that the standards be changed significantly, so that a product could carry the label with less American-made content. Under the proposal, a product would qualify for the label with at least seventy-five percent of manufacturing costs incurred in the United States or with the final two production steps completed here; and

Whereas, The proposed new standards would amount to false advertising. Making it easier for foreign-made products to be identified as made here is misleading to our consumers. Our national policies should encourage other countries to increase their standards for workers and conditions rather than make it easier for them to pass their goods off as American made. To alter these requirements would be an affront to companies and workers already adhering to practices Americans appreciate highly; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress, the President, and the Federal Trade Commission to maintain existing standards for the use of the "Made in USA" label; and be it further

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

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, June 18, for his approval of the following bills:

Enrolled House Bill No. 4329 at 2:50 p.m.

Enrolled House Bill No. 4606 at 2:52 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, June 19:

House Bill Nos. 4927 4931 4941

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Insurance, by Rep. Gubow, Chair, reported

House Bill No. 4905, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 150, 244, 405, 436, 437, 810, 901, and 2125 (MCL 500.150, 500.244, 500.405, 500.436, 500.437, 500.810, 500.901, and 500.2125), sections 150, 244, 436, and 437 as amended by 1992 PA 182, section 405 as amended by 1994 PA 228, section 810 as amended by 1986 PA 173, and section 901 as amended by 1994 PA 226.

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

1. Amend page 26, following line 17, by inserting:

"Enacting section 1. Section 405 of the insurance code of 1956, 1956 PA 218, MCL 500.405, as amended by this amendatory act, is remedial and applies to foreign insurers that have undergone a change of control on or after June 27, 1994."

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

Favorable Roll Call

HB 4905 To Report Out:

Yeas: Reps. Gubow, Bogardus, Dobronski, Freeman, Palamara, Profit, Thomas, Varga, Vaughn,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 18, 1997, at 6:21 p.m.,

Present: Reps. Gubow, Scott, Bogardus, Dobronski, Freeman, Palamara, Profit, Thomas, Varga, Vaughn, Llewellyn, Green, London,

Absent: Reps. Jelinek, Law, Middaugh, Voorhees,

Excused: Reps. Jelinek, Law, Middaugh, Voorhees.

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

House Bill No. 4284, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 658 (MCL 257.658), as amended by 1984 PA 328.

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

1. Amend page 2, following line 14, by inserting:

"(6) ONE YEAR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ELIMINATED THE REQUIREMENT OF WEARING A CRASH HELMET WHILE OPERATING OR RIDING A MOTORCYCLE FOR A PERSON WHO IS 21 YEARS OF AGE OR OLDER AND ANNUALLY THEREAFTER, THE DEPARTMENT SHALL SUBMIT A REPORT ON THE IMPACT THE ELIMINATION OF THE CRASH HELMET REQUIREMENT HAS HAD ON MOTORCYCLE ACCIDENTS, INJURIES, AND FATALITIES TO THE HOUSE AND SENATE STANDING COMMITTEES ON TRANSPORTATION."

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

Favorable Roll Call

HB 4284 To Report Out:

Yeas: Reps. Leland, Brown, Curtis, Olshove, Schauer, Galloway, Gernaat, Green, Middleton,

Nays: Reps. Baade, Wojno, London, Birkholz, Byl.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 18, 1997, at 6:23 p.m.,

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

Absent: Rep. Mans,

Excused: Rep. Mans.

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

House Bill No. 4330, entitled

A bill to license and regulate the conducting of bingo and certain forms of gambling; to provide for the conducting of charity games and numeral games; to impose certain duties and authority upon certain state departments, agencies, and officers; to provide a tax exemption; to provide for remedies and penalties; and to repeal acts and parts of acts.

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 4330 To Report Out:

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

Nays: None.

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

House Bill No. 4857, entitled

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

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 4857 To Report Out:

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

Nays: None.

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

Senate Bill No. 262, entitled

A bill to amend 1929 PA 16, entitled "An act to regulate the business of carrying or transporting, buying, selling or dealing in crude oil or petroleum or its products, through pipe lines; to authorize the use of public highways and the condemnation of private property; to regulate the purchase and storage of crude oil or petroleum; to provide for the control and regulation of all corporations, associations and persons engaged in such business, by the Michigan public utilities commission; to define the powers and duties of the commission in relation thereto; and to prescribe penalties for violations of the provisions hereof," (MCL 483.1 to 483.11) by adding sections 2a and 2b.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 262 To Report Out:

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

Nays: None.

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

Senate Bill No. 408, entitled

A bill to repeal 1941 PA 309, entitled "An act to give the state board of examiners of barbers jurisdiction to investigate trade practices among barbers, haircutters, barber and haircutting schools and colleges; to enforce such regulations pertaining to reasonable service charges and reasonable hours of operation of barber shops, haircutting shops, barber and haircutting schools and colleges as will tend to eliminate unfair and insanitary practices; fixing territorial units for such regulations; regulating barber schools, haircutting schools and colleges and practices therein; and repealing all acts and parts of acts in conflict herewith," (MCL 338.651 to 338.662).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 408 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Varga, Chair of the Committee on Regulatory Affairs, was received and read:
Meeting held on: Thursday, June 19, 1997, at 8:30 a.m.,

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

Absent: Reps. Profit, Vaughn, Scranton,

Excused: Reps. Profit, Vaughn, Scranton.

The Committee on Urban Policy and Economic Development, by Rep. Hanley, Chair, reported

House Bill No. 4898, entitled

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

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4898 To Report Out:

Yeas: Reps. Hanley, Schauer, Baird, LaForge, Thomas, Cassis, Byl, Raczkowski, Voorhees,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hanley, Chair of the Committee on Urban Policy and Economic Development, was received and read:

Meeting held on: Thursday, June 19, 1997, at 5:27 p.m.,

Present: Reps. Hanley, Schauer, Baird, LaForge, Thomas, Cassis, Byl, Raczkowski, Voorhees.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 19, 1997, at 8:30 a.m.,

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

Absent: Rep. Horton,

Excused: Rep. Horton.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 19, 1997, at 8:30 a.m.,

Present: Reps. Freeman, Callahan, DeHart, Jaye, Nye, Perricone,

Absent: Reps. Mans, Agee, Galloway,

Excused: Reps. Mans, Agee, Galloway.

Notices

Public Hearing

Subcommittee on Equal Access to Health Care for Economically Disadvantaged
of the Standing Committee on Health Policy

Date: Monday, June 23, 1997

Time: 6:00 p.m.

Place: Corinthian Baptist Church
1725 Caniff
Hamtramck, Michigan

Rep. Murphy
Sub-Chair

Agenda: Issues and Concerns regarding the Detroit Medical Center
and any/or all business properly before this committee.

Introduction of Bills

Reps. Scranton, Dobb, Dobronski, Oxender, LeTarte, Godchaux, Stallworth, Geiger, Jelinek, Raczkowski, Birkholz, Jaye, Cassis and Perricone introduced

House Bill No. 4943, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 5 (MCL 38.1305), as amended by 1994 PA 272.

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

Reps. Griffin, Palamara, Gernaat and Middaugh introduced

House Bill No. 4944, entitled

A bill to amend 1962 PA 192, entitled "Professional service corporation act," by amending section 4 (MCL 450.224), as amended by 1990 PA 166.

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

Reps. Baade, Agee, Martinez, Lowe, Hanley, Goschka, Jellema, Llewellyn, Brater, Hale, LeTarte, Green and Voorhees introduced

House Bill No. 4945, entitled

A bill to designate a bridge on highway M-120 within the city of North Muskegon as the Leonard “Bud” Jaeger bridge; and to prescribe the duties of the state transportation department.

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

Reps. Prusi, Tesanovich, Agee, McBryde, Kelly, Goschka and McNutt introduced

House Bill No. 4946, entitled

A bill to amend 1965 PA 203, entitled “Michigan law enforcement officers training council act of 1965,” by amending section 9 (MCL 28.609), as amended by 1994 PA 155.

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

Rep. Wetters moved that the House adjourn.

The motion prevailed, the time being 6:10 p.m.

The Associate Speaker Pro Tempore declared the House adjourned until Tuesday, June 24, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.