

No. 35
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89th Legislature
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House Chamber, Lansing, Tuesday, April 21, 1998.

2:00 p.m.

The House was called to order by the Associate Speaker Pro Tempore.

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

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

e/d/s = entered during session

Reverend Dieter Haupt, from St. John Lutheran Church in Grand Haven, offered the following invocation:

“Let us pray: God of our Fathers who’s almighty hand leads forth in beauty all the starry band of shining worlds and the splendor through the skies are grateful songs before Your throne arise. Yes, Father, Lord of the nations and our Lord through Jesus Christ our Savior, we ask Your hand a blessing to be upon the Governor of this great state and those of this assembly who have been chosen to lead us in establishing justice, law and order in the land. May they be God fearing and recognize that they are accountable to You for their actions and decisions. May they be granted wisdom by You to govern fairly and in the common interest of all. Give them knowledge and understanding O God, that they might make the best decisions possible. Give them courage to do and follow the right no matter how unpopular that course. As they use authority may they not abuse it. As they struggle with issues may they place themselves in the shoes of those who will be affected by the outcome. As they respect and honor others of all socioeconomic, sociocultural and chronological status so may they be given honor and respect when they feel there is a thankless task, assure them of Your reward for governing well. All this we ask of You our Father God, as we place these people, this time and their task in Your almighty eternal yet kindly and crucified hands. Amen.”

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

Rep. Voorhees, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 247-259. Had I been present, I would have voted “yes” on Roll Call Nos. 247-258 and “no” on Roll Call No. 259.”

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 12.

A resolution to memorialize the Congress of the United States to oppose extension of the North American Free Trade Agreement to other Latin American countries.

(For text of resolution, see House Journal No. 9 of 1997, p. 153.)

With the recommendation that the following substitute (H-1) be adopted and that the resolution then be adopted.

(For text of resolution, see House Journal No. 34, p. 702.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

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

The question being on the adoption of the resolution,

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

Third Reading of Bills

House Bill No. 4964, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 4i (MCL 117.4i), as amended by 1996 PA 179.

(The bill was passed, motion made to reconsider the passage of the bill and motion postponed for the day on January 14, see House Journal No. 1, pp. 7 and 12.)

The question being on the motion made previously by Rep. Wallace,

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

The question being on the passage of the bill,

Rep. Profit moved to amend the bill as follows:

1. Amend page 4, following line 3, by inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 89th Legislature are enacted into law:

(a) House Bill No. 4965.

(b) House Bill No. 4966.

(c) House Bill No. 4967.

(d) House Bill No. 4968.

(e) House Bill No. 5531.”.

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.
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. 260

Yeas—108

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

Rep. Gubow moved that Rep. Baird be excused temporarily from today's session.

The motion prevailed.

House Bill No. 4965, entitled

A bill to amend 1947 PA 359, entitled “The charter township act,” by amending section 21 (MCL 42.21), as amended by 1996 PA 36.

(The bill was passed, motion made to reconsider the passage of the bill and motion postponed for the day on January 14, see House Journal No. 1, pp. 9 and 12.)

The question being on the motion made previously by Rep. Wallace,
 The motion prevailed, a majority of the members present voting therefor.
 The question being on the passage of the bill,
 Rep. Profit moved to amend the bill as follows:

1. Amend page 4, following line 18, by inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 89th Legislature are enacted into law:

- (a) House Bill No. 4964.
- (b) House Bill No. 4966.
- (c) House Bill No. 4967.
- (d) House Bill No. 4968.
- (e) House Bill No. 5531.”.

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

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. 261

Yeas—102

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

House Bill No. 4966, entitled

A bill to amend 1945 PA 246, entitled “An act to authorize township boards to adopt ordinances and regulations to secure the public health, safety and general welfare; to provide for the establishment of a township police department;

to provide for policing of townships by certain law enforcement officers and agencies; to provide for the publication of ordinances; to prescribe powers and duties of township boards and certain local and state officers and agencies; to provide sanctions; and to repeal all acts and parts of acts in conflict with the act," by amending section 3 (MCL 41.183), as amended by 1996 PA 34.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Profit moved to amend the bill as follows:

1. Amend page 4, following line 25, by inserting:

"Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 89th Legislature are enacted into law:

(a) House Bill No. 4964.

(b) House Bill No. 4965.

(c) House Bill No. 4967.

(d) House Bill No. 4968.

(e) House Bill No. 5531."

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

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. 262

Yeas—105

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 4967, entitled**

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 24 (MCL 78.24), as amended by 1994 PA 15.

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

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

Rep. Profit moved to amend the bill as follows:

1. Amend page 4, following line 11, by inserting:

"Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 89th Legislature are enacted into law:

(a) House Bill No. 4964.

(b) House Bill No. 4965.

(c) House Bill No. 4966.

(d) House Bill No. 4968.

(e) House Bill No. 5531."

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

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

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

House Bill No. 4968, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 2 of chapter VI (MCL 66.2), as amended by 1996 PA 41.

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

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

Rep. Profit moved to amend the bill as follows:

1. Amend page 4, following line 18, by inserting:

"Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 89th Legislature are enacted into law:

(a) House Bill No. 4964.

(b) House Bill No. 4965.

(c) House Bill No. 4966.

(d) House Bill No. 4967.

(e) House Bill No. 5531."

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Gagliardi moved that **House Bill No. 4967** be placed on its immediate passage.

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

House Bill No. 4967, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 24 (MCL 78.24), as amended by 1994 PA 15.

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

Roll Call No. 263**Yeas—106**

Agee
Alley

Fitzgerald
Frank

Kelly
Kilpatrick

Prusi
Quarles

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

Rep. Gagliardi moved that **House Bill No. 4968** be placed on its immediate passage.

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

House Bill No. 4968, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 2 of chapter VI (MCL 66.2), as amended by 1996 PA 41.

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

Roll Call No. 264**Yeas—103**

Alley	Fitzgerald	Kelly	Prusi
Anthony	Frank	Kilpatrick	Quarles
Baade	Freeman	Kukuk	Raczkowski
Bankes	Gagliardi	LaForge	Rhead
Basham	Galloway	Law	Richner
Birkholz	Geiger	Leland	Rison
Bobier	Gernaat	Llewellyn	Rocca
Bodem	Gilmer	London	Sanborn
Bogardus	Gire	Lowe	Schauer

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 5531, entitled

A bill to amend 1925 PA 289, entitled "An act to create a bureau of criminal identification and records within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties for violation of this act," by amending section 243 (MCL 28.243), as amended by 1989 PA 97.

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

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

Rep. Nye moved to amend the bill as follows:

1. Amend page 4, line 22, after "FAMILY" by striking out "COURT".
2. Amend page 8, line 1, after "1." by inserting "This amendatory act takes effect September 1, 1998. Enacting section 2."

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

Rep. Profit 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. 5531, entitled

A bill to amend 1925 PA 289, entitled "An act to create a bureau of criminal identification and records within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make

reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties for violation of this act,” by amending section 243 (MCL 28.243), as amended by 1989 PA 97.

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

Roll Call No. 265**Yeas—106**

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

Nays—1

Vaughn

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 1925 PA 289, entitled “An act to create a bureau of criminal identification and records within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties for violation of this act,” by amending section 3 (MCL 28.243), as amended by 1989 PA 97.

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.

Second Reading of Bills**House Bill No. 5138, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 488.

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

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

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

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

House Bill No. 5139, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," (MCL 41.1a to 41.110c) by adding section 9.

The bill was read a second time.

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

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

House Bill No. 5140, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," (MCL 42.1 to 42.34) by amending the title and by adding section 2a.

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

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

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

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

House Bill No. 5141, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," (MCL 61.1 to 74.25) by amending the title, as amended by 1983 PA 44, and by adding section 14 to chapter III.

The bill was read a second time.

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

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

House Bill No. 5142, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," (MCL 46.1 to 46.32) by adding section 10c.

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

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

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

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

House Bill No. 5143, entitled

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; and to provide for the exercise by a charter county of certain powers whether or not authorized by its charter," (MCL 45.501 to 45.521) by amending the title, as amended by 1994 PA 20, and by adding section 2a.

The bill was read a second time.

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

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

House Bill No. 5144, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," (MCL 78.1 to 78.28) by amending the title and by adding section 2a.

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

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

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

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

House Bill No. 5145, entitled

A bill to amend 1895 PA 215, entitled "The fourth class city act," (MCL 81.1 to 113.20) by amending the title, as amended by 1983 PA 45, and by adding section 11 to chapter VI.

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

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

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

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

House Bill No. 5146, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by amending the title, as amended by 1986 PA 64, and by adding section 25a.

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

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

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

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

House Bill No. 5147, entitled

A bill to amend 1943 PA 183, entitled "County zoning act," (MCL 125.201 to 125.240) by amending the title, as amended by 1996 PA 569, and by adding section 12a.

The bill was read a second time.

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

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

House Bill No. 5148, entitled

A bill to amend 1943 PA 184, entitled "Township zoning act," (MCL 125.271 to 125.310) by amending the title, as amended by 1996 PA 570, and by adding section 12a.

The bill was read a second time.

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

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

House Bill No. 5149, entitled

A bill to amend 1959 PA 168, entitled "An act to provide for township planning; for the creation, organization, powers and duties of township planning commissions; and for the regulation and subdivision of land," (MCL 125.321 to 125.333) by amending the title and by adding section 3a.

The bill was read a second time.

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

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

House Bill No. 5150, entitled

A bill to amend 1941 PA 107, entitled "An act to authorize township water supply and sewage disposal services and facilities; to provide for financing of those services and facilities; and to prescribe the powers and duties of township

boards with respect to those services and facilities,” (MCL 41.331 to 41.350t) by amending the title, as amended by 1989 PA 83, and by adding section 20u.

The bill was read a second time.

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

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

House Bill No. 5151, entitled

A bill to amend 1933 PA 94, entitled “The revenue bond act of 1933,” (MCL 141.101 to 141.140) by amending the title, as amended by 1987 PA 263, and by adding section 33b.

The bill was read a second time.

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

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

House Bill No. 5152, entitled

A bill to amend 1921 PA 50, entitled “An act to authorize and empower townships to own and acquire land by gift or purchase for the erection of memorials to soldiers and sailors; to authorize the erection of such memorials; to provide for the assessment, levy and collection of taxes therefor, for the custody, control and management of such memorials and providing for a referendum by the electors thereof,” (MCL 35.861 to 35.864) by amending the title and by adding section 5.

The bill was read a second time.

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

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

House Bill No. 5153, entitled

A bill to amend 1965 PA 246, entitled “An act to establish and provide a civil service system in certain townships; to create a civil service commission, and to prescribe the duties thereof; to provide certain exemptions from and classifications in civil service; to prescribe penalties for the violation of the provisions of this act; and to prescribe the manner of adoption of this act by townships,” (MCL 38.451 to 38.470) by adding section 1a.

The bill was read a second time.

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

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

House Bill No. 5154, entitled

A bill to amend 1935 PA 78, entitled “An act to establish and provide a board of civil service commissioners in cities, villages, and municipalities having full-time paid members in the fire or police departments, or both; to provide a civil service system based upon examination and investigation as to merit, efficiency, and fitness for appointment, employment, and promotion of all full-time paid members appointed in the fire and police departments and respective cities, villages, and municipalities; to regulate the transfer, reinstatement, suspension, and discharge of officers, fire fighters, and police officers; and to repeal certain acts and parts of acts,” (MCL 38.501 to 38.518) by amending the title, as amended by 1986 PA 155, and by adding section 17b.

The bill was read a second time.

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

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

House Bill No. 5155, entitled

A bill to amend 1937 PA 345, entitled “Fire fighters and police officers retirement act,” (MCL 38.551 to 38.562) by amending the title, as amended by 1989 PA 7, and by adding section 11a.

The bill was read a second time.

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

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

House Bill No. 5156, entitled

A bill to amend 1973 PA 139, entitled “An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards,

commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; and to provide methods for abolition of a unified form of county government,” (MCL 45.551 to 45.573) by amending the title and by adding section 3a.

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

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

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

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

House Bill No. 5157, entitled

A bill to amend 1939 PA 342, entitled “County public improvement act of 1939,” (MCL 46.171 to 46.188) by amending the title and by adding section 4a.

The bill was read a second time.

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

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

House Bill No. 5158, entitled

A bill to amend 1966 PA 261, entitled “An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; and to repeal certain acts and parts of acts,” (MCL 46.401 to 46.416) by amending the title and by adding section 11b.

The bill was read a second time.

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

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

House Bill No. 5159, entitled

A bill to amend 1966 PA 298, entitled “An act to establish and provide a board of civil service commissioners for sheriffs’ departments in certain counties; to provide a civil service system based upon examination and investigation as to merit, efficiency and fitness for appointment, employment and promotion of all officers and men appointed in the departments; to regulate the transfer, reinstatement, suspension and discharge of said officers; and to provide for referendums,” (MCL 51.351 to 51.367) by amending the title and by adding section 16a.

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

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

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

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

House Bill No. 5160, entitled

A bill to amend 1921 PA 378, entitled “An act to provide for the several counties of the state of Michigan purchasing or making, establishing and maintaining systems of abstracts of title of lands in such counties; the making and selling of abstracts of title and furnishing of information concerning the condition of titles and charging of fees therefor; the employing of persons to keep and maintain such systems of abstracts, and the doing of all things necessary for the carrying on of a general business of making and furnishing abstracts of title to the lands in such counties,” (MCL 53.141 to 53.151) by amending the title and by adding section 12.

The bill was read a second time.

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

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

House Bill No. 5161, entitled

A bill to amend 1964 PA 284, entitled “City income tax act,” (MCL 141.501 to 141.787) by amending the title, as amended by 1996 PA 478, and by adding section 3d to chapter 1.

The bill was read a second time.

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

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

House Bill No. 5162, entitled

A bill to amend 1921 PA 144, entitled "An act to provide a primary election system for the nomination of village officers," (MCL 200.61 to 200.65) by amending the title and by adding section 1a.

The bill was read a second time.

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

By unanimous consent the House returned to the order of
Motions and Resolutions

Reps. McManus, Kukuk, Cropsey, Baade, McBryde, Bodem, McNutt, Llewellyn, Horton, Jansen, Voorhees, Jelinek, Perricone, Dalman, Gernaat, Geiger, Goschka, Wojno, Richner, Birkholz, Green, Galloway, Hammerstrom, London, Lowe, Whyman and Oxender offered the following resolution:

House Resolution No. 260.

A resolution to express support for displaying the Ten Commandments in public places.

Whereas, A fundamental element of the character of our nation is religious freedom. For generations, men and women have come to America to escape religious persecution and to worship as they wish. Our founders included freedom of religion in the first article of the Bill of Rights; and

Whereas, Many symbols and traditions of the American people reflect faith without advocating any single religion. Our coins include the motto "In God We Trust." The Pledge of Allegiance affirms that we are "One nation, under God." Many public buildings bear depictions of events and figures well known for religious symbolism; and

Whereas, The Ten Commandments reflect a code of behavior sought by men and women of all faiths and from all around the world. The universal standards of the Ten Commandments are central to virtually all cultures and are recognized as the basis for law throughout western civilization; and

Whereas, Over the past few years, public displays of the Ten Commandments have come into question because of a display in an Alabama courtroom. It is appropriate to affirm the legitimate role that a display of the Ten Commandments can play in reminding people of the origins of laws and our shared need for them; now, therefore, be it

Resolved by the House of Representatives, That we express support for displaying the Ten Commandments in public places.

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

Reps. McManus, Kukuk, Cropsey, Baade, McBryde, Bodem, McNutt, Llewellyn, Horton, Jansen, Voorhees, Jelinek, Perricone, Dalman, Gernaat, Geiger, Goschka, Wojno, Richner, Birkholz, Green, Galloway, Hammerstrom, London, Lowe and Whyman offered the following resolution:

House Resolution No. 261.

A resolution to express support for Alabama Circuit Court Judge Roy Moore and the display of the Ten Commandments in his courtroom.

Whereas, In 1995, the American Civil Liberties Union sued Judge Roy Moore of the Etowah County Circuit Court in Alabama to have Judge Moore remove a display of the Ten Commandments from his courtroom and stop opening court sessions with a prayer. This case is moving through the judicial system following an initial order to remove the Ten Commandments and a stay ordered by the Alabama Supreme Court to review the matter; and

Whereas, The Ten Commandments are a fundamental part of the traditions and moral code of western civilization. Judge Moore, in his response to the American Civil Liberties Union, has affirmed the Ten Commandments as the source of the law he is sworn to uphold; and

Whereas, Our country is rich in religious symbols in public places and other settings. Presidents often conclude speeches with a brief prayer, "God bless America." Our currency bears the phrase "In God We Trust." These expressions of faith do not conflict with our constitutional guarantee of freedom of religion. Judge Roy Moore's display of the Ten Commandments is a similar expression of faith; now, therefore, be it

Resolved by the House of Representatives, That we express support for Alabama Circuit Court Judge Roy Moore and the display of the Ten Commandments in his courtroom.

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

Reps. Galloway, Dobronski, Price, Hale, Kelly, Kukuk, Kaza, Cropsey, Vaughn, Baade, Dobb, Bodem, Kilpatrick, McNutt, Llewellyn, Crissman, Horton, Jansen, Voorhees, Jelinek, Perricone, Dalman, Gernaat, Parks, Cherry, Baird, Anthony, Gubow, Schermesser, Goschka, Wojno, Richner, Birkholz, Cassis, Fitzgerald, Green, Godchaux, Hammerstrom, Brater, Rhead, Bankes and Oxender offered the following resolution:

House Resolution No. 262.

A resolution honoring Dr. James H. Doyle upon the occasion of his retirement as Superintendent of Huron Valley Schools.

Whereas, The retirement of Dr. James H. Doyle from his responsibilities as Superintendent brings to a close an era of dedicated service to the young people of Huron Valley Schools. We are pleased to join with students, co-workers, parents, family and friends in expressing our appreciation on May 1, 1998, at Bakers of Milford to celebrate this occasion; and

Whereas, In the 43 years he has committed to public education, Dr. Doyle has followed the noble pursuit of educating young people, a tradition that always has been an important part of Michigan's heritage. Since becoming Superintendent of Huron Valley Schools in 1983, he has instilled life-long skills and helped build self-confidence in thousands of youngsters who have grown to adulthood as capable and upstanding citizens. Though the tools used by modern-day teachers are far different than the slates and one-room schools of yesteryear, Dr. Doyle has much in common with teachers from our pioneer era who worked so hard to build the future of this state through its children; and

Whereas, Dr. Doyle received his Ph.D. from the University of Toledo. He began his teaching career at Allen Park Public Schools in 1956, where he also served as Assistant Junior High Principal and as a Elementary Principal. He then went on to be Assistant Superintendent for Lincoln Park Public Schools from 1968 to 1972. At that time, he was promoted to Superintendent of Lincoln Park Public Schools. Through these experiences, Dr. Doyle's presence has been far reaching, as he has touched the lives of many children throughout the state; and

Whereas, When a person supports educational excellence, as has Dr. Doyle, his efforts do not go unrecognized. In 1993, he was honored for his achievements by being named Michigan's "Superintendent of the Year." He is the past president of the Michigan Association of School Administrators and a member of the American Association of School Administrators. In addition to these educational affiliations, Dr. Doyle serves as a trustee on the Board of Directors for Huron Valley Hospital; and

Whereas, In addition to his professional achievements and numerous community activities, Dr. Doyle has served his family with love, honor and commitment. He and his wife, Donna, have been married 42 years and together they have raised three children: James, Diane and Elizabeth. Through his involvement with his five wonderful grandchildren, this tradition of excellence is sure to be passed on to future generations as well; now, therefore, be it

Resolved by the House of Representatives, That this resolution express our admiration and appreciation to Dr. James H. Doyle upon his retirement as Superintendent of Huron Valley Schools. May he enjoy the health and happiness his years of hard work have earned; and be it further

Resolved, That a copy of this resolution be transmitted to Dr. Doyle and his family as a symbol of our esteem for his fine service.

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, Bogardus, Dobronski, LaForge, Hale, Kelly, Quarles, Kukuk, Kaza, Cropsey, Vaughn, Baade, DeHart, Dobb, Bodem, Kilpatrick, McNutt, Llewellyn, Horton, Jelinek, Dalman, Gernaat, Parks, Cherry, Baird, Anthony, Varga, Gubow, Schermesser, Olshove, Goschka, Richner, Green, Galloway, Brater, Murphy, Bankes, Thomas, Oxender and Callahan offered the following resolution:

House Resolution No. 263.

A resolution honoring Jessie Staniszewski upon the occasion of her 80th birthday.

Whereas, It is a genuine pleasure to extend special greetings to Jessie Staniszewski upon the occasion of her 80th birthday. We are grateful for this opportunity to join with the family and many friends of Jessie Staniszewski as we honor an individual who truly understands the beauty of life in its challenges and triumphs; and

Whereas, Born on April 4, 1918, Jessie Staniszewski grew up in a world quite different in many ways from the one we know today. In the span of her lifetime, tremendous cultural, sociological, and technological changes have transpired here in Michigan and elsewhere. That Jessie Staniszewski has lived and tasted life throughout this period has given her insight, experience, and wisdom few of us can fully appreciate; and

Whereas, Jessie Staniszewski was one of three children born to Joseph and Bertha Guzik. Jessie has a sister, Florence and a brother, Edward. Jessie graduated from Chadsey High School in 1936 and married Stanley Staniszewski at St. Ladislaus church in Hamtramck in 1947. They then moved to Warren, where they raised two wonderful children,

Stanley and Christine. Both children attended St. Clement schools, graduated from college and became successful professionals. Stanley is a computer analyst and Christine works for Focus Hope; and

Whereas, Jessie worked at the Army Tank Automotive Command in Warren for 37 years. Her job often took her to the Pentagon, where she met many dignitaries. Jessie met two U.S. Presidents, Franklin Roosevelt and Harry Truman. During World War II, Jessie was one of the many women active in supporting the war effort. She even met with President Roosevelt's Secretary of Labor concerning women's advancement in the government workforce. She retired in 1975 as a Management Analyst; and

Whereas, Jessie has contributed to the community after her retirement through many worthy causes. She and her husband were both actively involved in the Lion's Club and Knights of Columbus. She is a member of the Delta Theta Tau Sorority Service Club and the Daughters of Isabella. Jessie also enjoys traveling. She has been to Europe and Japan. At home, Jessie enjoys playing cards and sitting down to a good old fashioned Polish meal; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body offer birthday greetings to Jessie Staniszewski as she marks her 80th birthday. May the health and happiness her years so richly merit be with her always; and be it further

Resolved, That a copy of this resolution be transmitted to Jessie Staniszewski and her family as evidence of our heartfelt congratulations.

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, Bogardus, Dobronski, LaForge, Middaugh, Gilmer, Hale, Kelly, Quarles, Kukuk, Kaza, Cropsey, Thomas, Martinez, Vaughn, Baade, DeHart, Dobb, Bodem, Schauer, Kilpatrick, McNutt, Llewellyn, Horton, Voorhees, Scranton, Jelinek, Dalman, Gernaat, Geiger, Parks, Cherry, Willard, Baird, Anthony, Varga, Gubow, Schermesser, Olshove, Goschka, Richner, Fitzgerald, Rocca, Galloway, Brater, Murphy, Raczkowski, Bankes, Oxender and Brackenridge offered the following resolution:

House Resolution No. 264.

A resolution to recognize June 14, 1998, to July 14, 1998, as Flag Month in Michigan.

Whereas, The flag of the United States of America is recognized throughout the world and across the Great State of Michigan as the symbol of freedom and opportunity for all; and

Whereas, The American Flag, wherever it flies, projects an image of strength and freedom; and

Whereas, The beauty of the American Flag should be proudly displayed and celebrated more often; and

Whereas, Many lives were lost and much blood was shed in all the wars to date to preserve our freedoms and our system of government under the Constitution and Bill of Rights; and

Whereas, The month between June 14th and July 14th is the appropriate season for the celebration of the American flag. The celebration will begin on Flag Day and continue to include Independence Day; now, therefore, be it

Resolved by the House of Representatives, That the entire State of Michigan recognize June 14, 1998, to July 14, 1998, as Flag Month in Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to organizers of this observance as evidence of our esteem.

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. Willard, Schermesser, DeHart, Baade and Anthony offered the following resolution:

House Resolution No. 265.

A resolution to call on the Michigan Jobs Commission to maintain the quality of employment services for veterans.

Whereas, Executive Order No. 1997-12 separated the principal functions of the Michigan Employment Security Agency. Under the provisions of this reorganization, the state's unemployment insurance functions are under the authority of the Department of Consumer and Industry Services, and the employment services are within the Michigan Jobs Commission. As part of this order, duties will be shifted to local workforce development boards; and

Whereas, The Michigan Employment Security Agency (formerly the Michigan Employment Security Commission) has operated in partnership with the federal government in several areas of service. One of the key components of the partnership is responsibility for serving veterans by providing help with finding employment. This is a requirement set in federal law. Apart from the legal requirement, Michigan has a moral obligation to live up to its promises to help veterans find meaningful employment; and

Whereas, During the implementation of Executive Order No. 1997-12, it is imperative that services for veterans continue undisrupted. Administrative shifting of duties and personnel must not interfere with the way the state handles responsibilities to veterans under the law and under our obligations to men and women who have already worked so hard on our behalf; now, therefore, be it

Resolved by the House of Representatives, That we call on the Michigan Jobs Commission to maintain the quality of employment services for veterans and urge that the Michigan Jobs Commission maintain the same level of preferential treatment with respect to incoming job orders and placement; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor and to the Michigan Jobs Commission.

The resolution was referred to the Committee on Senior Citizens and Veterans Affairs.

Reps. Wojno, Dobronski, LaForge, Middaugh, Price, Hale, Kelly, Quarles, Kukuk, Cropsey, Thomas, Vaughn, Baade, DeHart, Dobb, Bodem, Schauer, Kilpatrick, McNutt, Llewellyn, Horton, Scranton, Jelinek, Gernaat, Willard, Baird, Anthony, Varga, Gubow, Schermesser, Olshove, Goschka, Green, Murphy, Raczkowski, Bankes, Lowe, Oxender and Callahan offered the following concurrent resolution:

House Concurrent Resolution No. 96.

A concurrent resolution to memorialize the Congress of the United States to enact and the President to sign legislation to allow state sales taxes to be deductible from federal income taxes.

Whereas, The federal income tax system includes deductions and credits for a wide variety of personal and business expenses. These exceptions from certain calculations of taxation reflect public policy values that elected officials have established over many years; and

Whereas, In determining federal tax liability, most state and local taxes are deductible, including income taxes and property taxes. These policies recognize the value of taxes paid to finance state and local government activities. For many years, state sales taxes were also deductible. Federal tax laws were changed in 1986 to discontinue the deductibility of state sales taxes; and

Whereas, It is inconsistent for the federal government to allow citizens to deduct some taxes paid for state and local government, such as property and income taxes, and not allow deductions for state sales taxes. State sales taxes, in Michigan as elsewhere, finance the same types of public purpose programs financed through other state and local taxes that are fully deductible. The current situation is very inconsistent and frustrating to taxpayers across our state and throughout the country; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to enact and the President to sign legislation to allow state sales taxes to be deductible from federal income taxes; and be it further

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

The concurrent resolution was referred to the Committee on Tax Policy.

Reports of Standing Committees

The Committee on Advanced Technology and Computer Development, by Rep. Brewer, Chair, reported

House Bill No. 5538, entitled

A bill to require state agencies that establish internet web sites to make available on those web sites complaint and comment forms and certain other information; and to impose certain duties on certain agencies relating to those agencies' web sites.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5538 To Report Out:

Yeas: Reps. Brewer, Basham, Quarles, Kaza, Hammerstrom,

Nays: None.

The Committee on Advanced Technology and Computer Development, by Rep. Brewer, Chair, reported

House Bill No. 5693, entitled

A bill to regulate the storage, processing, and release of certain information by persons entrusted with data from the state or from a local unit of government.

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

1. Amend page 1, line 4, after “means” by striking out the balance of the sentence and inserting “solely for storage or processing on behalf of the state or local unit of government.”.

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

Favorable Roll Call

HB 5693 To Report Out:

Yeas: Reps. Brewer, Basham, Quarles, Kaza, Hammerstrom, Walberg, Whyman,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 21, 1998, at 11:00 a.m.,

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

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

House Bill No. 4256, entitled

A bill to amend 1976 PA 220, entitled “Michigan handicappers’ civil rights act,” by amending sections 201 and 202 (MCL 37.1201 and 37.1202), section 201 as amended by 1990 PA 121.

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 4256 To Report Out:

Yeas: Reps. Murphy, Cherry, Agee, Bogardus, Callahan, Freeman,

Nays: Reps. Byl, Llewellyn.

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

House Bill No. 4257, entitled

A bill to amend 1976 PA 453, entitled “Elliott-Larsen civil rights act,” by amending sections 102, 103, and 202 (MCL 37.2102, 37.2103, and 37.2202), sections 102 and 103 as amended by 1992 PA 124 and section 202 as amended by 1991 PA 11.

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

1. Amend page 2, line 17, by striking out “202 (1) (D)” and inserting “202 (1) (E)”.

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

Favorable Roll Call

HB 4257 To Report Out:

Yeas: Reps. Murphy, Cherry, Agee, Bogardus, Callahan, Freeman,

Nays: Reps. Byl, Llewellyn.

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

Senate Bill No. 789, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 405 (MCL 418.405), as amended by 1980 PA 457.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 789 To Report Out:

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 21, 1998, at 9:00 a.m.,

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

Absent: Reps. Schermesser, Raczkowski, Rhead,

Excused: Reps. Schermesser, Raczkowski, Rhead.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 2, 1998, at 8:45 a.m.,

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Anthony, Chair of the Committee on Forestry and Mineral Rights, was received and read:

Meeting held on: Tuesday, April 21, 1998, at 10:30 a.m.,

Present: Reps. Anthony, Callahan, Alley, Bogardus, Brater, Middleton, Gernaat, Lowe,

Absent: Rep. DeVuyst,

Excused: Rep. DeVuyst.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members, Wednesday, March 18:

Senate Bill No. 1019

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, March 20:

Senate Bill Nos. 1020 1021 1022 1023 1024

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, March 26:

Senate Bill Nos. 1029 1030 1031 1032 1033

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, March 30:

Senate Bill Nos. 1034 1035 1036 1037 1038

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, April 6:

House Bill Nos. 5727 5728 5729 5730 5731 5732 5733 5734 5735 5736 5737 5738 5739 5740 5741

The Clerk announced the enrollment printing and presentation to the Governor on Monday, April 6, for his approval of the following bill:

Enrolled Senate Bill No. 824 at 2:00 p.m.

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, April 7, for his approval of the following bills:

Enrolled Senate Bill No. 717 at 11:44 a.m.

Enrolled Senate Bill No. 732 at 11:46 a.m.

Enrolled Senate Bill No. 790 at 11:48 a.m.

Enrolled Senate Bill No. 795 at 11:50 a.m.

Enrolled Senate Bill No. 856 at 11:52 a.m.

The Clerk announced the enrollment printing and presentation to the Governor on Monday, April 6, for his approval of the following bill:

Enrolled Senate Bill No. 793 at 10:25 a.m.

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

Senate Bill Nos. 1047 1048

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

Senate Bill Nos. 1049 1052 1053

The Clerk announced that the following Senate bills had been received on Thursday, April 16:

Senate Bill Nos. 902 904 1027

The Clerk announced that the following Senate bills had been approved and signed by the Governor:

Enrolled Senate Bill No. 834 - Public Act No. 46

Enrolled Senate Bill No. 747 - Public Act No. 47

Enrolled Senate Bill No. 775 - Public Act No. 48

Enrolled Senate Bill No. 370 - Public Act No. 49

Enrolled Senate Bill No. 389 - Public Act No. 50

Enrolled Senate Bill No. 614 - Public Act No. 51

Enrolled Senate Bill No. 758 - Public Act No. 52

Enrolled Senate Bill No. 759 - Public Act No. 53

The Clerk announced that the following Senate bill had been vetoed by the Governor:

Senate Bill No. 385

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 796, entitled

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 307 (MCL 257.307), as amended by 1996 PA 205.

The Senate has amended the House substitute (H-1) as follows:

1. Amend page 7, following line 12, subsection (9), after the first "WHO" by inserting "DEMONSTRATES THAT HE OR SHE".

2. Amend page 7, following line 12, by striking out all of subsection (10).

The Senate has concurred in the House substitute (H-1) as amended, ordered that the bill be given immediate effect and agreed to the full title of the bill.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Senate Bill No. 797, entitled

A bill to amend 1996 PA 236, entitled "An act to provide for the suspension of certain occupational licenses under certain circumstances; and to provide for certain powers and duties for certain state agencies," (MCL 338.3431 to 338.3436) by amending the title and by adding section 4a.

The Senate has amended the House substitute (H-2) as follows:

1. Amend page 2, following line 4, subsection (3), after the first "WHO" by inserting "DEMONSTRATES THAT HE OR SHE".

2. Amend page 2, following line 4, by striking out all of subsection (4).

3. Amend page 2, following line 4, enacting section 1, after "effect" by striking out "July 1" and inserting "June 30".

The Senate has concurred in the House substitute (H-2) as amended, ordered that the bill be given immediate effect and agreed to the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Senate Bill No. 798, entitled

A bill to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending the title and sections 2811, 2813, and 16177 (MCL 333.2811, 333.2813, and 333.16177), the title as amended by 1994 PA 170 and section 16177 as amended by 1993 PA 80, and by adding section 21533.

The Senate has amended the House substitute (H-2) as follows:

1. Amend page 5, following line 7, subsection (4), after the first "WHO" by inserting "DEMONSTRATES THAT HE OR SHE".

2. Amend page 5, following line 7, by striking out all of subsection (5).

3. Amend page 5, following line 16, enacting section 1, after "effect" by striking out "July 1" and inserting "June 30".

The Senate has concurred in the House substitute (H-2) as amended, ordered that the bill be given immediate effect and agreed to the title as amended.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Senate Bill No. 799, entitled

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages, for the requiring of a civil license in order to marry, and the due registration of the same, and to provide a penalty for the violation of the provisions of the same," by amending the title and section 2 (MCL 551.102).

The Senate has amended the House substitute (H-2) as follows:

1. Amend page 2, following line 14, subsection (3), after the first "WHO" by inserting "DEMONSTRATES THAT HE OR SHE".

2. Amend page 2, following line 14, by striking out all of subsection (4).

3. Amend page 2, following line 14, enacting section 1, after "effect" by striking out "July 1" and inserting "June 30".

The Senate has concurred in the House substitute (H-2) as amended, ordered that the bill be given immediate effect and agreed to the title as amended.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Senate Bill No. 801, entitled

A bill to amend 1956 PA 205, entitled "An act to confer upon circuit courts jurisdiction over proceedings to compel and provide support of children born out of wedlock; to prescribe the procedure for determination of such liability; to authorize agreements providing for furnishing of such support and to provide for the enforcement thereof; and to prescribe penalties for the violation of certain provisions of this act," by amending sections 1, 2, 4, 4a, 5, 6, and 9 (MCL 722.711, 722.712, 722.714, 722.714a, 722.715, 722.716, and 722.719), section 1 as amended by 1986 PA 107, sections 4 and 6 as amended by 1996 PA 308, section 4a as added by 1994 PA 388, section 5 as amended by 1989 PA 258, and section 9 as amended by 1996 PA 18, and by adding section 6a.

The Senate has amended the House substitute (H-1) as follows:

1. Amend page 1, line 7, after "proper." by inserting "THE COURT SHALL ADMIT IN PROCEEDINGS UNDER THIS ACT A BILL FOR FUNERAL EXPENSES, EXPENSES OF THE MOTHER'S CONFINEMENT, OR EXPENSES IN CONNECTION WITH THE MOTHER'S PREGNANCY, WHICH BILL CONSTITUTES PRIMA FACIE EVIDENCE OF THE AMOUNT OF THOSE EXPENSES, WITHOUT THIRD PARTY FOUNDATION TESTIMONY."

2. Amend page 6, line 3, after "cross-examination." by striking out the line through "jury." on line 4.

3. Amend page 11, following line 7, enacting section 1, after "effect" by striking out "July 1" and inserting "June 30".

The Senate has concurred in the House substitute (H-1) as amended, ordered that the bill be given immediate effect and agreed to the title as amended.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Senate Bill No. 803, entitled

A bill to amend 1982 PA 295, entitled "An act to provide for and to supplement statutes that provide for the enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody, and spouse support; to prescribe certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts," by amending sections 2, 3, 4, 7, 9, 11, 11a, 12, 13, 14, 17, 19, 23, 25, 26, 26a, 26b, 28, 29, 30, 33, 35, 44, and 45 (MCL 552.602, 552.603, 552.604, 552.607, 552.609, 552.611, 552.611a, 552.612, 552.613, 552.614, 552.617, 552.619, 552.623, 552.625, 552.626, 552.626a, 552.626b, 552.628, 552.629, 552.630, 552.633, 552.635, 552.644, and 552.645), sections 2, 3, and 23 as amended and sections 28, 29, 30, and 45 as added by 1996 PA 239, sections 4 and 19 as amended by 1992 PA 291, sections 7 and 14 as amended and section 25 as added by 1985 PA 210, sections 9 and 11a as amended and sections 26, 26a, and 26b as added by 1995 PA 236, sections 11 and 17 as amended by 1996 PA 367, sections 33 and 35 as amended by 1996 PA 336, and section 44 as amended by 1996 PA 301, and by adding sections 24a, 25a, and 25b.

The Senate has amended the House substitute (H-2) as follows:

1. Amend page 11, line 9, after the first "WHO" by inserting "DEMONSTRATES THAT HE OR SHE".

2. Amend page 11, following line 9, by striking out all of subsection (7) and renumbering the remaining subsection.

3. Amend page 26, line 8, after "COURT" by striking out "SHALL" and inserting "MAY".

The Senate has concurred in the House substitute (H-2) as amended, ordered that it be given immediate effect and agreed to the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Senate Bill No. 804, entitled

A bill to amend 1971 PA 174, entitled "An act to create the office of child support; and to prescribe certain powers and duties of the office, certain public agencies, and certain employers and former employers," by amending the title and sections 1, 2, 3, 3a, 4, and 5 (MCL 400.231, 400.232, 400.233, 400.233a, 400.234, and 400.235), the title and sections 1, 2, 3, and 5 as amended by 1985 PA 209 and section 3a as amended by 1996 PA 3, and by adding sections 4a, 4b, and 4c.

The Senate has amended the House substitute (H-2) as follows:

1. Amend page 15, following line 19, enacting section 1, after "effect" by striking out "July 1" and inserting "June 30".

The Senate has concurred in the House substitute (H-2) as amended, ordered that the bill be given immediate effect and agreed to the title as amended.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Senate Concurrent Resolution No. 78.

A concurrent resolution to urge the Governor and the Family Independence Agency to apply for an exemption from the federal requirement that Social Security numbers be included in state licensing procedures.

Whereas, In an effort to better coordinate programs to find parents delinquent in child support, the federal government now requires the states to include Social Security numbers on various state license applications. Under the

provisions of federal law, states must require Social Security information on applications for marriage, driver's, occupational, and other licenses; and

Whereas, While we strongly support the ultimate goal of this federal mandate—to track down deadbeat parents—the mechanism of Social Security numbers is inappropriate, unfair, and, quite likely, ineffective. The requirement strikes at our fundamental right to privacy. It imposes a burden on the vast majority of people who are not violating child support orders or any other laws. The potential harm that could result in violating privacy rights far exceeds the benefits to be gained. This is especially true in considering more effective methods of tracking down parents delinquent in their moral and legal responsibilities. Better results could likely be obtained by putting more people on the task of finding lawbreakers; and

Whereas, The right to privacy should not be disregarded; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Governor and the Family Independence Agency to apply for an exemption from the federal requirement that Social Security numbers be included in state licensing procedures; and be it further

Resolved, That copies of this resolution be transmitted to the office of the Governor and to the Family Independence Agency.

The Senate has adopted the concurrent resolution.

Reps. Bogardus, LaForge, Middaugh, Gilmer, Kukuk, Kaza, Cropsey, Martinez, Vaughn, Baade, DeHart, Dobb, McBryde, Bodem, Schauer, McNutt, Llewellyn, Crissman, Horton, Jansen, Voorhees, Scranton, Jelinek, Perricone, Dalman, Geiger, Wetters, Willard, Anthony, Schermesser, Goschka, Richner, Birkholz, Cassis, Fitzgerald, Green, Galloway, Hammerstrom, Brater, Rhead, Raczkowski, Bankes, London, Lowe, Whyman, Oxender and Brackenridge were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Human Services and Children.

House Bill No. 5583, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending sections 20c and 24a (MCL 259.20c and 259.24a), as added by 1996 PA 370, and by adding chapter IA and section 20d.

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

The House agreed to the full title.

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

House Bill No. 5584, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending sections 86a and 89 (MCL 259.86a and 259.89), section 86a as added and section 89 as amended by 1996 PA 370.

The Senate has amended the bill as follows:

1. Amend page 9, line 3, after "HAS" by striking out "AN AIRPORT MANAGER" and inserting "A PERSON RESPONSIBLE FOR THE DAILY OPERATION OF THE HOSPITAL HELISTOP".

2. Amend page 9, line 4, after "HELISTOP" by striking out the balance of the subparagraph and inserting "WHO, AS DETERMINED BY THAT OWNER OR OPERATOR, MEETS THE MINIMUM STANDARDS ESTABLISHED BY THE COMMISSION.".

3. Amend page 9, following line 6, by inserting:

"(ii) WITHIN 90 DAYS AFTER APPOINTING A RESPONSIBLE PERSON WHO IS IN CHARGE OF THE DAILY OPERATION OF THE HOSPITAL HELISTOP, THE OWNER OR OPERATOR OF THE HOSPITAL HELISTOP MUST PROVIDE THE COMMISSION IN WRITING WITH THE NAME OF THE RESPONSIBLE PERSON WHO IS IN CHARGE OF THE DAILY OPERATION OF THE HOSPITAL HELISTOP AND IDENTIFY THE MANNER IN WHICH THE COMMISSION MAY CONTACT THAT RESPONSIBLE PERSON IN THE EVENT OF AN EMERGENCY." and renumbering the remaining subparagraphs.

4. Amend page 9, line 18, after the second "OR" by striking out the balance of the subsection and inserting "A RESPONSIBLE PERSON.".

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

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Senate Bill No. 902, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 88.

The Senate has passed the bill.

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

Senate Bill No. 904, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 196.

The Senate has passed the bill.

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

Senate Bill No. 1027, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 39 (MCL 211.39).

The Senate has passed the bill.

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

Notices**Public Hearings**

Committee on Urban Policy and Economic Development

Date: Monday, April 27, 1998

Time: 4:30 p.m.

Place: OIC of Metro Saginaw, 1000 Tuscola, Saginaw, Michigan

Rep. Hanley
Chair

Agenda: Improving living conditions in the state's major cities
and any/or all business properly before the committee

House Appropriations Subcommittee on Community Colleges

Date: Thursday, May 7, 1998

Time: 4:00 p.m.

Place: Mid Michigan Community College, 5806 East Pickard, Room 166, Mt. Pleasant, Michigan

Rep. Price
Chair

Agenda: Fiscal Year 1998-1999 Community College Appropriations
and any/or all business properly before the subcommittee

Messages from the Governor

The following messages from the Governor, approving and signing the following bills at the times designated below, were received and read:

Date: April 7, 1998

Time: 10:35 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5532 (Public Act No. 54, I.E.), being

An act to make certain appropriations for the department of community health for the fiscal year ending September 30, 1998; and to provide for the expenditure of those certain appropriations.

(Filed with the Secretary of State April 8, 1998, at 3:58 p.m.)

Date: April 8, 1998

Time: 2:58 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5136 (Public Act No. 56, I.E.), being

An act to amend 1976 PA 399, entitled "An act to protect the public health; to provide for supervision and control over public water supplies; to prescribe the powers and duties of the department of public health; to provide for the submission of plans and specifications for waterworks systems and the issuance of construction permits therefor; to provide for the classification of public water supplies and the examination, certification and regulation of persons operating those

systems; to provide for continuous, adequate operation of privately owned, public water supplies; to authorize the promulgation of rules to carry out the intent of the act; to create the water supply fund; to provide for the administration of the water supply fund; and to provide penalties," by amending the title and sections 2, 4, 5, 7, 8, 9, 14, and 16 (MCL 325.1002, 325.1004, 325.1005, 325.1007, 325.1008, 325.1009, 325.1014, and 325.1016), the title and sections 2, 7, and 9 as amended by 1993 PA 165, and by adding sections 1a and 3b.

(Filed with the Secretary of State April 8, 1998, at 4:02 p.m.)

Date: April 8, 1998

Time: 3:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5607 (Public Act No. 57, I.E.), being

An act to require contractors to provide certain notices to governmental entities concerning improvements on real property; to allow for the modification of contracts for improvement to real property; to provide for remedies; and to repeal acts and parts of acts.

(Filed with the Secretary of State April 8, 1998, at 4:04 p.m.)

Date: April 13, 1998

Time: 2:35 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4454 (Public Act No. 58, I.E.), being

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

(Filed with the Secretary of State April 14, 1998, at 9:19 a.m.)

Communications from State Officers

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

April 2, 1998

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

Financial Audit, Including the Provisions
of the Single Audit Act, of the
Department of Civil Rights
October 1, 1994 through September 30, 1996

April 8, 1998

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

Financial Audit, Including the Provisions
of the Single Audit Act, of the
Michigan Jobs Commission
October 1, 1994 through September 30, 1996

April 8, 1998

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

Performance Audit of the
Correctional Mental Health Program
Bureau of Forensic Mental Health Services
Department of Community Health
April 1998

April 8, 1998

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

Financial Audit of the
Information Technology Revolving Fund
Department of Management and Budget
October 1, 1994 through September 30, 1996

April 14, 1998

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

Performance Audit of the
Michigan Higher Education Assistance Authority
and the
Michigan Higher Education Student Loan Authority
Department of Treasury
April 1998

April 16, 1998

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

Performance Audit of
At Risk Programs
Department of Education

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

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

The following communications from the Michigan Supreme Court were received and read:

March 18, 1998

Enclosed are the results of the statewide survey of the Circuit Court Family Counseling Services Fund. The survey is presented in two parts—a statewide narrative with breakdowns by category and individual reports from the circuit courts.

Please do not hesitate to contact me if you have any questions or need additional information.

April 3, 1998

Enclosed please find the evaluative summary of the Citizen Advisory Committee Annual Report to the Legislature.

Sincerely,
John D. Ferry, Jr.
State Court Administrator

The communications were referred to the Clerk.

The following communications from the Department of Management and Budget were received and read:

April 3, 1998

Pursuant to section 38(1) of the Public Acts of 1943, there is hereby submitted to the legislature the actuarial valuation for the State employees' Retirement System for the fiscal year ended September 30, 1997. This transmittal conforms to the requirement of section 38(1).

April 7, 1998

Enclosed please find copies of Annual Reports for the Michigan Public School Employees Retirement System, the Michigan State Employees Retirement System, the Michigan State Police Retirement System, and the Michigan Judges Retirement System for the fiscal year ending September 30, 1997.

Sincerely,
Janet E. Phipps
Director
Dept. of Management and Budget

The communications were referred to the Clerk.

The following communication from the Saginaw Midland Bay Michigan Works! Administration was received and read:

April 3, 1998

Enclosed you will find the summaries of the Saginaw Midland Bay Michigan Works! Biennial plans for the following funding sources.

Title IIA
Title IIC
Title IIB SYETP

Comments on the Title IIA, IIC, and Title IIB summaries are requested by April 24, 1998. The plans will be available for review on that date.

Full copies of the final plans may be reviewed on May 1, 1998 at the address listed below.

The 120 day (for a proposed plan) and 80 day (for a final plan) requirements for review, comment and publication pursuant to Sections 105 (a) (1) and (a) (2), of the Act are hereby waived. Plan summaries may be submitted to required parties simultaneously on the date of the submission of the plan to Michigan Jobs Commission.

Please send any comments in writing to:

Dennis Brieske, Director
Saginaw, Midland Bay/Michigan Works!
Administration
1600 N. Michigan Avenue, Room 400
Saginaw, Michigan 48602
Telephone (517) 754-1144

The communication was referred to the Clerk.

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

April 14, 1998

Enclosed are the summaries of the PY 1998 JTPA Titles IIA, IIB, and IIC Local Biennial Job Training Plans for the Livingston County Michigan Works! Agency (MWA).

These summaries are being forwarded in accordance with the provisions of the Job Training Partnership Act requiring that a copy of the plan, or plan summary be submitted to the appropriate persons in the State Legislature.

The summaries identify the proposed activities, budget and planned number to be served. Copies of the complete plans are available for review and may be requested.

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

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

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

Sincerely,
William S. Sleight
Director

The communication was referred to the Clerk.

Introduction of Bills

Reps. Rhead and Llewellyn introduced

House Bill No. 5742, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding sections 1203a and 1203b.

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

Reps. Gernaat, McBryde, Voorhees, McNutt, Lowe, Walberg and Goschka introduced

House Bill No. 5743, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 10.

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

Reps. Gernaat, McBryde, Voorhees, McNutt, Lowe, Walberg and Goschka introduced

House Bill No. 5744, entitled

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

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

Reps. Walberg, Schermesser, Galloway, Law, Voorhees, LeTarte, Cropsey and Goschka introduced

House Bill No. 5745, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 1997 PA 156.

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

Rep. Scranton introduced

House Bill No. 5746, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 217 (MCL 257.217), as amended by 1996 PA 59.

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

Rep. Middleton introduced

House Bill No. 5747, entitled

A bill to amend 1964 PA 286, entitled "An act to provide for the organization, powers, and duties of the state transportation commission and the state transportation department; to provide for the appointment, powers, and duties of the state transportation director; to abolish the office of state highway commissioner and the commissioner's advisory board and to transfer their powers and duties; to provide for penalties and remedies; and to repeal certain acts and parts of acts," (MCL 247.801 to 247.816) by adding section 807b.

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

Rep. Scranton moved that the House adjourn.

The motion prevailed, the time being 4:25 p.m.

The Associate Speaker Pro Tempore declared the House adjourned until Wednesday, April 22, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.