

No. 45
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House of Representatives
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House Chamber, Lansing, Wednesday, May 13, 1998.

2:00 p.m.

The House was called to order by the 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—excused	Freeman—present	LaForge—present	Raczkowski—present
Baird—present	Gagliardi—present	Law—present	Rhead—present
Bankes—present	Galloway—present	Leland—present	Richner—present
Basham—present	Geiger—excused	LeTarte—present	Rison—present
Birkholz—excused	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—excused
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—excused	Hood—present	Owen—present	Walberg—present
Curtis—present	Horton—present	Oxender—present	Wallace—present
Dalman—excused	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

Rep. John Llewellyn, from the 100th District, offered the following invocation:

“Heavenly Father, as the words You gave us through St. Paul . . . ‘In everything set them an example by doing what is good. In your teachings show integrity, seriousness and soundness of speech, that cannot be condemned. So that those who oppose You may be ashamed because they have nothing bad to say about You.’ Amen.”

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

Rep. Hammerstrom moved that Reps. Birkholz, Cropsey, Dalman and Geiger be excused from today’s session.
The motion prevailed.

Rep. Cherry moved that Rep. Wetters be excused temporarily from today’s session.
The motion prevailed.

Third Reading of Bills

House Bill No. 5000, entitled

A bill to amend 1986 PA 87, entitled “An act regarding warranties on new motor vehicles; to require certain repairs thereto; and to provide remedies for the failure to repair such vehicles,” by amending sections 1, 3, 6, and 9 (MCL 257.1401, 257.1403, 257.1406, and 257.1409).

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

Roll Call No. 392

Yeas—97

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

Nays—2

Kaza

Kukuk

In The Chair: Murphy

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 1986 PA 87, entitled “An act regarding warranties on new motor vehicles; to require certain repairs thereto; and to provide remedies for the failure to repair such vehicles,” by amending the title and sections 1, 3, 6, and 8 (MCL 257.1401, 257.1403, 257.1406, and 257.1408).

The motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 5595, entitled

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 1999, and supplemental appropriations for the fiscal year ending September 30, 1998; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 1999; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Baird moved to amend the bill as follows:

1. Amend page 12, following line 13, by inserting:

“Office of legislative health care advisor 500,000”.

2. Amend page 12, following line 15, by inserting:

“Interdepartmental grant revenues:

IDG from MDCH 500,000”

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

3. Amend page 49, following line 4, following section 631, by inserting:

“Sec. 632. The office of legislative health care advisor is established to provide technical assistance, advice, and information to the legislature on medicaid managed care programs. The office shall do all of the following:

(a) Analyze health care data collected by the department of community health.

(b) Analyze medicaid laws, regulations, and policies related to managed care.

(c) Assess the performance of health plans serving the medicaid population.

(d) Coordinate efforts with the contractors for medicaid ombudsman services, external quality assurance, evaluation, and enrollment services.

(e) Report its findings and recommendations to the legislature by January 31 of each year.

(f) Perform other tasks as requested by members of the legislature.”.

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

Rep. Gustafson moved to reconsider the vote by which the House adopted the amendments.

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

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

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 393**Yeas—56**

Agee
Alley

Dobronski
Emerson

Kelly
Kilpatrick

Prusi
Quarles

Anthony	Frank	LaForge	Rison
Baird	Freeman	Leland	Schauer
Basham	Gagliardi	Mans	Schermesser
Bogardus	Gire	Martinez	Scott
Brater	Goschka	Mathieu	Stallworth
Brewer	Griffin	Murphy	Tesanovich
Brown	Gubow	Olshove	Thomas
Callahan	Hale	Owen	Varga
Cherry	Hanley	Palamara	Vaughn
Ciaramitaro	Harder	Parks	Wallace
Curtis	Hertel	Price	Willard
DeHart	Hood	Profit	Wojno

Nays—46

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

In The Chair: Murphy

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. 394**Yeas—57**

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

Nays—46

Bankes	Godchaux	Law	Oxender
Bodem	Goschka	LeTarte	Perricone

Brackenridge	Green	Llewellyn	Raczkowski
Byl	Gustafson	London	Rhead
Cassis	Hammerstrom	Lowe	Richner
Crissman	Horton	McBryde	Rocca
DeVuyst	Jansen	McManus	Sanborn
Dobb	Jelinek	McNutt	Scranton
Fitzgerald	Jellema	Middaugh	Voorhees
Galloway	Johnson	Middleton	Walberg
Gernaat	Kaza	Nye	Whyman
Gilmer	Kukuk		

In The Chair: Murphy

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 make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 1999; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 1999; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The motion prevailed.

The House agreed to the title as amended.

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

“Mr. Speaker and members of the House:

I voted No on HB 5595 because of the inclusion of an ombudsman for medical affairs and medicaid affairs. I believe we do not need yet another bureaucrat, especially when the departments have many medical and medicaid experts. In addition, the amendment to include this ombudsman was defeated by roll call vote on Tuesday, May 12, and passed at the voice of the speaker without a roll call on Wednesday, May 13, just prior to acting on the bill as a whole.”

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

“Mr. Speaker and members of the House:

I voted No on HB 5595, General Government, because it is over \$44,000,000.00 over budget. Additionally, this bill reduces lottery advertisement by about \$15,000,000. This could take millions of dollars from K-12 education. We as legislators should not be micro-managing Michigan lottery.”

Rep. Goschka, 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 ‘no’ on House Bill 5595 because it is seriously flawed in one area in particular, that being revenue sharing. While millions of dollars are going to the city of Detroit in the form of revenue sharing, the rural areas of Michigan are receiving mere pennies. That is so grossly unfair!

I certainly support the community policing in this bill, and I hail its passage. I also support the overall increase in revenue sharing. However, I don’t agree with the bulk of it being sent to Detroit!

Mr. Speaker and members, we owe it to the citizens of outstate Michigan to have a more balanced distribution of revenue sharing on a per capita basis! My constituents in Saginaw County deserve it and so do all of the citizens of this great state.”

Second Reading of Bills

House Bill No. 5590, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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. Ciaramitaro moved to amend the bill as follows:

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

“Sec. 521. The department shall not expend funds appropriated in part 1 to pay for the placement of a child in an out-of-state facility unless all of the following conditions are met:

- (a) There is no appropriate placement available in this state.
- (b) The out-of-state facility meets all of the licensing standards of this state for a comparable facility.
- (c) The out-of-state facility meets all of the applicable licensing standards of the state in which it is located.
- (d) The department has done an on-site visit to the out-of-state facility, reviewed the facility records, and reviewed licensing records and reports on the facility and believes that the facility is an appropriate placement for the child.”.

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

Rep. Rison moved to amend the bill as follows:

1. Amend page 4, line 12, after “project—” by striking out “4.0” and inserting “5.0”.
2. Amend page 4, line 12, by striking out “308,400” and inserting “358,400”.
3. Amend page 4, line 25, by striking out “26,387,300” and inserting “26,437,300” 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. Jansen moved to amend the bill as follows:

1. Amend page 6, line 3, by striking out “247,171,600” and inserting “274,891,600”.
2. Amend page 6, line 9, by striking out “292,033,200” and inserting “264,313,200”.
3. Amend page 9, line 13, by striking out “702,324,600” and inserting “713,104,600”.
4. Amend page 9, line 18, by striking out “402,607,800” and inserting “391,827,800” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Jansen demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 395

Yeas—46

Bankes	Gilmer	Kukuk	Oxender
Bobier	Godchaux	Law	Perricone
Bodem	Goschka	LeTarte	Rackowski
Brackenridge	Green	Llewellyn	Rhead
Byl	Gustafson	London	Richner
Cassis	Hammerstrom	Lowe	Rocca
Crissman	Horton	McBryde	Sanborn
DeVuyst	Jansen	McManus	Scranton
Dobb	Jelinek	McNutt	Sikkema
Fitzgerald	Jellema	Middleton	Walberg
Galloway	Johnson	Nye	Whyman
Gernaat	Kaza		

Nays—52

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

In The Chair: Murphy

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

Rep. Jansen moved to amend the bill as follows:

1. Amend page 7, line 10, by striking out "279,923,200" and inserting "277,098,200".
2. Amend page 7, line 20, by striking out "262,983,900" and inserting "261,571,400".
3. Amend page 7, line 24, by striking out "160,290,500" and inserting "158,878,000" and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 46, line 10, by striking out all of section 630.

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

Rep. Jansen demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 396**Yeas—44**

Alley	Gilmer	Kukuk	Oxender
Bobier	Godchaux	Law	Perricone
Bodem	Goschka	Llewellyn	Rackowski
Brackenridge	Green	London	Rhead
Byl	Gustafson	Lowe	Richner
Cassis	Hammerstrom	McBryde	Rocca
Crissman	Horton	McManus	Sanborn
DeVuyst	Jansen	McNutt	Scranton
Fitzgerald	Jelinek	Middaugh	Sikkema
Galloway	Jellema	Middleton	Walberg
Gernaat	Kaza	Nye	Whyman

Nays—53

Agee	Emerson	Kilpatrick	Prusi
Anthony	Frank	LaForge	Quarles

Baird	Freeman	Leland	Rison
Basham	Gagliardi	LeTarte	Schauer
Bogardus	Gire	Mans	Schermesser
Brater	Griffin	Martinez	Scott
Brewer	Gubow	Mathieu	Stallworth
Brown	Hale	Murphy	Tesanovich
Callahan	Hanley	Owen	Thomas
Cherry	Harder	Palamara	Vaughn
Ciaramitaro	Hertel	Parks	Wallace
Curtis	Hood	Price	Willard
DeHart	Kelly	Profit	Wojno
Dobronski			

In The Chair: Murphy

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

1. Amend page 54, following line 26, by inserting:

“Sec. 648. (1) The family independence agency shall periodically compare its records of individuals who receive or use food stamps or coupons, food stamp access devices, or food stamp program benefits with the records of individuals committed to the jurisdiction of the department of corrections or individuals sentenced to a term of imprisonment in a county jail to identify and terminate the eligibility of individuals who are ineligible for those food stamps or coupons, food stamp access devices, or food stamp program benefits because of their conviction and incarceration.

(2) By September 30, 1999, the department shall report to the house and senate appropriation subcommittees on the family independence agency budget the results of the actions required by this section.”.

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

Rep. Martinez moved to amend the bill as follows:

1. Amend page 26, line 6, by striking out all of subsection (2) and inserting:

“(2) A work first client must be informed of their right to request a face to face meeting with both their work first and FIA caseworkers if the client meets either of the following criteria:

(a) The client has been negatively terminated from work first at least once and has at least 1 child who has a severe physical or mental disability, and is likely to need publicly supported child care in order to maintain employment.

(b) The client has been negatively terminated from work first employment 2 or more times.”.

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

Rep. Sanborn moved to amend the bill as follows:

1. Amend page 54, following line 26, following section 648, by inserting:

“Sec. 649. To the extent allowed under federal law, the department shall establish a program to identify deceased individuals counted as members of food stamp households for purposes of calculating benefits by periodically conducting computer matches comparing individuals in food stamp households with data in the social security administration’s comprehensive death master file. The department shall report the results of the matches to the house and senate appropriations subcommittees on the family independence agency budget. The report shall include at a minimum all of the following:

(a) The number of deceased individuals who were included as members of households that received food stamp benefits and the estimated value of the improper benefits that were issued to those households.

(b) Whether computer matching or other methods are effective means for identifying deceased individuals counted as members of food stamp households.”.

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

Reps. Horton and Perricone moved to amend the bill as follows:

1. Amend page 54, following line 26, following section 649, by inserting:

“Sec. 650. The department shall consult with local groups and community action agencies that have previously provided community service placement opportunities for welfare recipients to determine if the United States department of labor’s April 1997 ruling that workfare programs are subject to the provisions of the fair labor standards act, the occupational safety and health act, unemployment insurance, and other laws and regulations has adversely affected the willingness and ability of such groups to accept community service placements. The department shall report its findings to the house and senate appropriations subcommittees on the family independence agency. If the United States department of labor ruling adversely affects the availability of community service opportunities for welfare recipients, the department shall seek any exemption or limitation on the applicability of the ruling that may be

granted from the United States department of labor, the United States department of health and human services, or both.”.

The question being on the adoption of the amendment offered by Reps. Horton and Perricone,

Rep. Horton demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Horton and Perricone,

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

Roll Call No. 397**Yeas—48**

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

Nays—52

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

In The Chair: Murphy

Rep. Gagliardi moved to reconsider the vote by which the House did not adopt the amendment.

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

The question being on the adoption of the amendment offered by Reps. Horton and Perricone,

Rep. Gagliardi demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Horton and Perricone,

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

Roll Call No. 398**Yeas—44**

Bobier	Gilmer	Kukuk	Perricone
Bodem	Godchaux	Law	Raczkowski

Brackenridge	Goschka	LeTarte	Rhead
Byl	Green	Llewellyn	Richner
Cassis	Gustafson	Lowe	Rocca
Crissman	Hammerstrom	McBryde	Sanborn
DeVuyst	Horton	McManus	Scranton
Dobb	Jansen	Middaugh	Sikkema
Fitzgerald	Jelinek	Middleton	Voorhees
Galloway	Jellema	Nye	Walberg
Gernaat	Johnson	Oxender	Whyman

Nays—54

Agee	Dobronski	Kilpatrick	Quarles
Alley	Emerson	LaForge	Rison
Anthony	Frank	Leland	Schauer
Baird	Freeman	Mans	Schermesser
Banks	Gagliardi	Martinez	Scott
Basham	Gire	Mathieu	Stallworth
Bogardus	Griffin	Murphy	Tesanovich
Brater	Gubow	Owen	Thomas
Brown	Hale	Palamara	Varga
Callahan	Hanley	Parks	Vaughn
Cherry	Harder	Price	Wetters
Ciaramitaro	Hertel	Profit	Willard
Curtis	Hood	Prusi	Wojno
DeHart	Kelly		

In The Chair: Murphy

Rep. Johnson asked and obtained an excuse from the balance of today's session.

Rep. Horton moved to amend the bill as follows:

1. Amend page 54, following line 26, following section 649, by inserting:

"Sec. 650. Effective October 1, 1998, in determining the eligibility of a resident alien for any means-tested assistance program funded under part 1, the family independence agency shall include as the income and resources of the alien both of the following:

(a) The income and resources of any person who executed an affidavit of support on behalf of the alien under section 213a of chapter 2 of title III of the immigration and nationality act, chapter 477, 110 Stat. 2271, 8 U.S.C. 1183a.

(b) The income and resources of the spouse, if any, of the person who executed the affidavit described in subdivision (a)."

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

Rep. Horton demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 399**Yeas—45**

Bobier	Goschka	LeTarte	Perricone
Bodem	Green	Llewellyn	Raczkowski

Brackenridge	Gustafson	London	Rhead
Byl	Hammerstrom	Lowe	Richner
Cassis	Horton	McBryde	Rocca
DeVuyst	Jansen	McManus	Sanborn
Dobb	Jelinek	McNutt	Scranton
Fitzgerald	Jellema	Middaugh	Sikkema
Galloway	Kaza	Middleton	Voorhees
Gernaat	Kukuk	Nye	Walberg
Gilmer	Law	Oxender	Whyman
Godchaux			

Nays—50

Agee	Emerson	Kilpatrick	Rison
Alley	Frank	LaForge	Schauer
Anthony	Freeman	Leland	Schermesser
Baird	Gagliardi	Mans	Scott
Bankes	Gire	Mathieu	Stallworth
Basham	Griffin	Murphy	Tesanovich
Bogardus	Gubow	Olshove	Thomas
Brater	Hale	Palamara	Varga
Callahan	Hanley	Parks	Vaughn
Cherry	Harder	Price	Wetters
Ciaramitaro	Hertel	Prusi	Willard
DeHart	Hood	Quarles	Wojno
Dobronski	Kelly		

In The Chair: Murphy

Rep. McManus moved to amend the bill as follows:

1. Amend page 54, following line 26, following section 649, by inserting:

“Sec. 650. Effective October 1, 1998, the department shall establish the payment amount for a family independence assistance group based on the number of children in the household at the time eligibility is determined. If a child is born more than 10 months after the date on which eligibility is determined, the amount of the payment to the family independence assistance group shall not be increased, but vouchers for food shall be given to the household for that child. This section does not apply to a child who was included in the eligibility determination under section 57(1)(d)(ii) of the social welfare act, 1939 PA 280, MCL 400.57.”.

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

Rep. McManus demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 400**Yeas—38**

Bodem	Gustafson	London	Rackowski
Brackenridge	Hammerstrom	Lowe	Rhead
Cassis	Horton	McBryde	Richner
Crissman	Jansen	McManus	Rocca
DeVuyst	Jelinek	Middaugh	Sanborn
Fitzgerald	Jellema	Middleton	Sikkema
Galloway	Kaza	Nye	Voorhees

Gernaat
Goschka
Green

Kukuk
Law
Llewellyn

Oxender
Perricone

Walberg
Whyman

Nays—57

Agee
Alley
Anthony
Baird
Banks
Basham
Bogardus
Brater
Brewer
Brown
Byl
Callahan
Cherry
Ciaramitaro
Curtis

Dobb
Dobronski
Frank
Gagliardi
Gilmer
Gire
Godchaux
Gubow
Hale
Hanley
Harder
Hertel
Hood
Kelly

Kilpatrick
LaForge
Leland
LeTarte
Martinez
Mathieu
Murphy
Olshove
Owen
Palamara
Parks
Price
Profit
Prusi

Quarles
Rison
Schauer
Schermesser
Scott
Scranton
Stallworth
Tesanovich
Thomas
Varga
Vaughn
Wetters
Willard
Wojno

In The Chair: Murphy

Rep. McManus moved to amend the bill as follows:

1. Amend page 54, following line 26, following section 649, by inserting:

“Sec. 650. (1) The family independence agency may require substance abuse testing as a condition for family independence assistance. If the family independence agency implements substance abuse testing as provided for by this section as a condition of receiving family independence assistance, an individual who tests positive for substance abuse shall enroll in substance abuse treatment, which treatment shall become a part of the recipient’s social contract under section 57e of the social welfare act, 1939 PA 280, MCL 400.57e. Before implementing substance abuse testing as provided for by this section, the family independence agency shall notify the senate and house standing committees having jurisdiction over the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, and the senate and house appropriations subcommittees having jurisdiction over the family independence agency budget of the planned implementation.

(2) If the family independence agency implements substance abuse testing under subsection (3), the family independence agency shall submit a report on the testing program no later than September 30, 1999 to the senate and house standing committees having jurisdiction over the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, and the senate and house appropriations subcommittees having jurisdiction over the family independence agency budget. The report shall include at least all of the following information:

(a) The number of individuals tested, the substances tested for, the results of the testing, and the number of referrals for treatment.

(b) The costs of the testing and the resulting treatment.

(c) Sanctions, if any, that have been imposed on recipients as a result of the testing program.

(d) The percentage and number of households receiving family independence assistance that include an individual who has tested positive for substance abuse under the program and that also include an individual who has been substantiated for child abuse or neglect under the child protection law, 1975 PA 238, MCL 722.621 to 722.638.”.

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

Rep. McManus demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 401

Yeas—47

Bobier
Bodem

Galloway
Gernaat

Kukuk
Law

Perricone
Raczkowski

Brackenridge	Gilmer	LeTarte	Richner
Brewer	Goschka	Llewellyn	Rocca
Brown	Green	London	Sanborn
Byl	Gustafson	Lowe	Scranton
Callahan	Hammerstrom	McManus	Sikkema
Cassis	Horton	McNutt	Voorhees
Crissman	Jansen	Middaugh	Walberg
DeVuyst	Jelinek	Middleton	Whyman
Fitzgerald	Jellema	Nye	Wojno
Frank	Kaza	Oxender	

Nays—46

Agee	Emerson	LaForge	Quarles
Alley	Freeman	Leland	Rison
Anthony	Gagliardi	Martinez	Schauer
Baird	Gire	Mathieu	Scott
Bankes	Gubow	Murphy	Stallworth
Basham	Hale	Olshove	Tesanovich
Brater	Hanley	Palamara	Thomas
Cherry	Harder	Parks	Varga
Ciaramitaro	Hertel	Price	Vaughn
Curtis	Hood	Profit	Wetters
Dobb	Kelly	Prusi	Willard
Dobronski	Kilpatrick		

In The Chair: Murphy

Rep. McManus moved to amend the bill as follows:

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

“Sec. 521. The department shall make a comprehensive report concerning children’s protective services (CPS) to the legislature by January 1, 1999, that shall include all of the following:

(a) Statistical information including, at a minimum, all of the following:

(i) The total number of reports of abuse or neglect investigated under the child protection law, 1975 PA 238, MCL 722.621 to 722.638, and the number of cases that were substantiated and the number that were unsubstantiated.

(ii) Characteristics of perpetrators of abuse or neglect and the child victims, such as age, relationship, socioeconomic status, race, and ethnicity.

(iii) The mandatory reporter category in which the individual who made the report fits, or other categorization if the individual is not within a group required to report under the child protection law, 1975 PA 238, MCL 722.621 to 722.638.

(b) New policies related to children’s protective services including, but not limited to, major policy changes and court decisions affecting the children’s protective services system during the immediately preceding 12-month period.”.

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

Rep. Gire moved to amend the bill as follows:

1. Amend page 55, line 9, after “offenders” by inserting “and the following:

(a) To better address gang, drug, and youth violence.

(b) For training, equipment, and technology.

(c) For the establishment of programs that protect students and school personnel from drug, gang, and youth violence”.

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

Rep. Price moved to amend the bill as follows:

1. Amend page 9, line 9, by striking out “278,891,600” and inserting “300,091,600”.

2. Amend page 9, line 13, by striking out “702,324,600” and inserting “712,324,600”.

3. Amend page 9, line 18, by striking out “402,607,800” and inserting “413,807,800” 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. Jansen moved to amend the bill as follows:

1. Amend page 54, following line 26, following section 649, by inserting:

“Sec. 650. Effective January 1, 1999, the department shall commence using the federal systematic alien verification for entitlement (SAVE) program in order to verify the eligibility of aliens claiming federally funded benefits.”.

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

Rep. Jansen moved to amend the bill as follows:

1. Amend page 54, following line 26, following section 650, by inserting:

“Sec. 651. The department shall notify the United States immigration and naturalization service if an undocumented alien applies for cash or medical assistance under the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, including a person who applies for emergency medical services and who refuses or is unable to provide satisfactory verification of his or her status as an alien.”.

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

Rep. Hanley moved that Rep. Kelly be excused temporarily from today's session.
The motion prevailed.

Rep. Raczkowski moved to amend the bill as follows:

1. Amend page 54, following line 26, following section 651, by inserting:

“Sec. 652. The department shall implement an automated finger imaging system designed to prevent a single individual from receiving family independence assistance, food stamps, or other welfare benefits under more than 1 name. Once the automated finger imaging system is implemented, individuals applying for benefits shall provide the department with an automated finger image or images as a condition of eligibility. The department shall provide confidentiality protections for the finger images but may use them for determining eligibility and for reducing fraud. The department shall not implement the automated finger imaging system unless it is determined to be cost-effective and until the department has submitted an implementation plan to the house and senate appropriation subcommittees on the family independence agency budget and the standing committees of the house and senate that have jurisdiction over human services and children's issues.”.

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

Rep. Raczkowski demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 402

Yeas—42

Bobier	Gernaat	Llewellyn	Rhead
Bodem	Gilmer	London	Richner
Bogardus	Goschka	Lowe	Rocca
Brackenridge	Green	McBryde	Sanborn
Cassis	Gustafson	McManus	Scranton
DeHart	Hammerstrom	Middaugh	Sikkema
DeVuyst	Horton	Middleton	Voorhees
Dobb	Jansen	Oxender	Walberg
Fitzgerald	Jelinek	Perricone	Whyman
Frank	Kukuk	Raczkowski	Wojno
Galloway	Law		

Nays—52

Agee	Dobronski	Kilpatrick	Profit
Alley	Emerson	LaForge	Prusi
Anthony	Freeman	Leland	Quarles

Baird	Gagliardi	LeTarte	Rison
Bankes	Gire	Mans	Schauer
Basham	Godchaux	Martinez	Scott
Brater	Gubow	Mathieu	Stallworth
Brewer	Hale	McNutt	Tesanovich
Brown	Hanley	Murphy	Thomas
Byl	Harder	Owen	Varga
Callahan	Hood	Palamara	Vaughn
Cherry	Jellema	Parks	Wetters
Crissman	Kaza	Price	Willard

In The Chair: Murphy

Rep. Kaza, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

There is no role in a free society for corporate or social welfare engineered by government. These are functions better handled by private, voluntary organizations.

This amendment would subject social welfare recipients to compulsory fingerprinting. But it would not require corporate welfare recipients to provide their fingerprints in a similar manner. It is further proof of the hypocrisy that says corporate welfare is justified while social welfare is not acceptable.

We should work to eliminate social and corporate welfare. Supporters of this amendment, who defend corporate welfare while masquerading as “welfare reformers,” reveal not only their intellectual bankruptcy, but also betray the rank hypocrisy of the political position they have staked out on this issue.

Send this amendment to the legislative dustbin that it so richly deserves.”

Rep. Alley, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

An amendment that subjects welfare recipients to mandatory fingerprinting, drug testing or any other such political gimmick is an assault on the citizens of this state. This amendment sends the message to the struggling men, women and children of Michigan that anyone who is poor and in need of temporary help is likely just trying to rip off the state.

This is not welfare reform. True welfare reform saves taxpayer dollars and assists individuals in re-entering the work force. This amendment does neither.

This amendment needs to be discussed in full committee and not attached to an appropriations bill. The Michigan Catholic Conference opposes this concept, stating that it is “a direct attack on human dignity.”

Rep. McBryde moved to reconsider the vote by which the House did not adopt the amendment offered previously by Rep. McManus.

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

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

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 403

Yeas—47

Bobier	Galloway	Law	Raczkowski
Bodem	Gernaat	LeTarte	Rhead
Brackenridge	Gilmer	Llewellyn	Richner
Brown	Goschka	London	Rocca
Byl	Green	Lowe	Sanborn

Callahan	Gustafson	McBryde	Scranton
Cassis	Hammerstrom	McManus	Sikkema
Crissman	Horton	McNutt	Voorhees
DeHart	Jansen	Middaugh	Walberg
DeVuyst	Jelinek	Middleton	Whyman
Fitzgerald	Jellema	Oxender	Wojno
Frank	Kukuk	Perricone	

Nays—46

Agee	Freeman	LaForge	Quarles
Alley	Gagliardi	Leland	Rison
Anthony	Gire	Mans	Schauer
Baird	Godchaux	Martinez	Scott
Banks	Gubow	Mathieu	Stallworth
Basham	Hale	Olshove	Tesanovich
Brater	Hanley	Palamara	Thomas
Brewer	Harder	Parks	Varga
Cherry	Hood	Price	Vaughn
Ciaramitaro	Kaza	Profit	Wetters
Dobb	Kelly	Prusi	Willard
Dobronski	Kilpatrick		

In The Chair: Murphy

Rep. Hanley moved that Reps. LaForge and Schermesser be excused temporarily from today's session.
The motion prevailed.

Rep. Whyman moved to amend the bill as follows:

1. Amend page 53, line 8, after "645." by striking out the balance of the section and inserting "From the funds appropriated in part 1, the department shall not use state, local, or federal funds, unless specifically required to use those funds by state or federal statute, to assist aliens to gain United States citizenship if the purpose of gaining citizenship, wholly or in part, is to make them eligible for state or federal funded welfare benefits.".

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

Rep. Whyman demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 404**Yeas—52**

Alley	Frank	Kaza	Oxender
Banks	Galloway	Kukuk	Perricone
Bobier	Gernaat	Law	Profit
Bodem	Gilmer	LeTarte	Rhead
Brackenridge	Godchaux	Llewellyn	Richner
Brown	Goschka	London	Rocca
Byl	Green	Lowe	Sanborn
Callahan	Gustafson	McBryde	Sikkema

Cassis	Hammerstrom	McManus	Voorhees
Crissman	Horton	McNutt	Walberg
DeVuyst	Jansen	Middaugh	Wetters
Dobb	Jelinek	Middleton	Whyman
Fitzgerald	Jellema	Nye	Wojno

Nays—36

Agee	Gagliardi	Leland	Schauer
Anthony	Gire	Martinez	Scott
Baird	Gubow	Murphy	Scranton
Basham	Hale	Owen	Stallworth
Bogardus	Hanley	Parks	Tesanovich
Brater	Harder	Price	Thomas
DeHart	Hertel	Prusi	Varga
Dobronski	Kelly	Quarles	Vaughn
Freeman	Kilpatrick	Rison	Willard

In The Chair: Murphy

Rep. Jansen 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. 5590, entitled**

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 1999; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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

Roll Call No. 405**Yeas—58**

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

Nays—44

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

In The Chair: Murphy

The House agreed to the title of the bill.

The Speaker assumed the Chair.

House Bill No. 5424, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1311a. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 406**Yeas—96**

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

Nays—7

Godchaux
Green

LeTarte
McNutt

Nye
Scranton

Walberg

In The Chair: Hertel

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

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

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1311 (MCL 380.1311), as amended by 1995 PA 250, and by adding section 1311b.

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. Agee, Anthony, Bodem, Bogardus, Brackenridge, Brown, Byl, Callahan, Cassis, DeHart, Dobb, Freeman, Gagliardi, Horton, Jansen, Jelinek, Jellema, Kelly, Kilpatrick, Kukuk, Law, London, Middaugh, Owen, Oxender, Perricone, Prusi, Raczkowski, Rocca, Sanborn, Tesanovich, Vaughn, Wetters and Wojno were named co-sponsors of the bill.

Senate Bill No. 313, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1311a.

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

Roll Call No. 407**Yeas—98**

Agee
Alley
Anthony
Baird
Banks
Basham
Bobier
Bodem
Bogardus
Brackenridge
Brater
Brewer
Brown
Byl
Callahan
Cassis
Cherry
Ciaramitaro
Crissman
Curtis
DeHart
DeVuyst
Dobb
Dobronski
Emerson

Fitzgerald
Frank
Freeman
Gagliardi
Galloway
Gernaat
Gilmer
Gire
Goschka
Green
Griffin
Gubow
Gustafson
Hale
Hammerstrom
Hanley
Harder
Hertel
Hood
Horton
Jansen
Jelinek
Jellema
Kaza
Kelly

Kukuk
LaForge
Law
Leland
LeTarte
Llewellyn
London
Lowe
Mans
Martinez
Mathieu
McBryde
McManus
McNutt
Middaugh
Middleton
Murphy
Nye
Olshove
Owen
Oxender
Palamara
Perricone
Price

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

Nays—3

Godchaux

Kilpatrick

Scranton

In The Chair: Hertel

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

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts.”.

The House agreed to the full title.

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.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Bankes, LaForge, Perricone, Gernaat, Crissman, Dobronski, Lowe, McBryde, Scranton, Kukuk, Kelly, Goschka, Brackenridge, Schauer, Martinez, Tesanovich, Johnson, Fitzgerald, Horton, Oxender, London, Hammerstrom, McNutt, Llewellyn, Middaugh, Cassis, Jellema, Galloway, Law, Walberg, Godchaux, Thomas, Baird, Voorhees, Richner, Rocca, Jelinek, Green, Middleton, Profit, Palamara, Rhead, Scott, Gilmer and Dobb offered the following resolution:

House Resolution No. 295.

A resolution of tribute to Lieutenant Governor Connie Binsfeld.

Whereas, It is a great pleasure to pay tribute to Lieutenant Governor Connie Binsfeld as she is honored by the Michigan Women's Commission for her 30 years of caring community service and her impressive role in Michigan legislative history. This special honor is being bestowed upon Lieutenant Governor Binsfeld as the Michigan Women's Commission celebrates its 30th Anniversary; and

Whereas, The goal of the Michigan Women's Commission is to serve as a valuable resource for women and to provide leadership in the areas of improving the economic independence and health and safety of women. A few of the objectives the commission is currently addressing include: improving child care options, identifying businesses with family friendly policies, educating the public about domestic violence laws, promoting awareness about women's health and safety concerns, increasing self-esteem of middle school age girls and encouraging the passage of child support enforcement; and

Whereas, A former social studies teacher, Lieutenant Governor Binsfeld was named Michigan Mother of the Year in 1977, and in 1978, became the first lawmaker to introduce legislation addressing domestic violence. Lieutenant Governor Connie Binsfeld has been Michigan's Lieutenant Governor for eight years and is the only woman in Michigan history to hold leadership positions in the House, Senate and Executive Office; and

Whereas, Kathy DeGrow stated: “Lieutenant Governor Binsfeld boldly opened new doors for others to follow her through by addressing often controversial or sensitive issues affecting women, children, and families”; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body commend Lieutenant Governor Connie Binsfeld as she is honored by the Michigan Women's Commission for her 30 years of caring community service. May she and her family know of our warmest wishes for health and happiness; and be it further

Resolved, That a copy of this resolution be transmitted to Lieutenant Governor Binsfeld as evidence of our heartfelt congratulations.

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

Reps. Bodem, LaForge, Perricone, Gernaat, Crissman, Dobronski, Lowe, McBryde, Kelly, Goschka, Brackenridge, Fitzgerald, Horton, Oxender, London, Hammerstrom, McNutt, Llewellyn, Middaugh, Cassis, Jellema, Galloway, Baird, Voorhees, Richner, Jelinek, Green, Bankes, Profit, Palamara, Rhead, Scott and Dobb offered the following resolution:

House Resolution No. 296.

A resolution honoring Mr. Robert Greenwood upon his retirement from the Northern Michigan Community Mental Health Board.

Whereas, With his retirement from his responsibilities as a member of the Northern Michigan Community Mental Health Board, Mr. Robert Greenwood is bringing to a close an important chapter in his life. With gratitude for his unselfish efforts in this capacity, we salute Robert Greenwood and thank him for his commitment to help those persons with special needs; and

Whereas, Robert Greenwood demonstrated his commitment to this country by serving in the United States Army, having been post sergeant major at Camp Grayling his last two tours. He is a lifelong resident of Cheboygan County and has been a mental health board member since March 1974 which included serving a term as chairman. The period of his service has been filled with many changes, challenges, and often controversy in how to serve those with mental, emotional, and other problems. Mr. Greenwood's expertise, combined with the unselfishness symbolized by his extensive participation in other volunteer endeavors, has proven invaluable; and

Whereas, Other examples of Robert Greenwood's value to northern Michigan include his service as a commissioner on the Cheboygan County Road Commission and as a trustee to the County Road Association of the Workers' Compensation Board. His civic leadership has been exemplified through services he has provided through his posts on the Cheboygan School Board, the Social Services Board, the Cheboygan County Board of Commissioners, and as chairman for both the Northeast Michigan Manpower Consortium, and the statewide Department of Labor CETA Plan Review and Monitoring Committee. Clearly, his work has had a major positive influence on life in Michigan; now, therefore, be it

Resolved by the House of Representatives, That tribute be hereby accorded to honor Robert Greenwood for this twenty-four years of dedication on the Northern Michigan Community Mental Health Board; and be it further

Resolved, That a copy of this resolution be transmitted to Mr. Greenwood as a token 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.

Reports of Standing Committees

The Committee on Conservation, Environment and Recreation, by Rep. Alley, Chair, reported

House Bill No. 5717, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 82126a, 82126b, and 82126c.

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

1. Amend page 2, line 15, after "MOBILE" by striking out "AT AN IMMODERATE RATE OF SPEED OR".
2. Amend page 3, following line 2, by inserting:

"(3) UPON A PERSON'S CONVICTION OF A VIOLATION UNDER THIS SECTION, THE COURT MAY ISSUE AN ORDER PROHIBITING THE PERSON FROM OPERATING A SNOWMOBILE IN THIS STATE FOR A PERIOD OF 2 OR MORE YEARS IN THE DISCRETION OF THE COURT. AN ORDER ISSUED UNDER THIS SECTION IS AN ADDITION TO ANY OTHER PENALTY AUTHORIZED UNDER THIS PART."

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

Favorable Roll Call

HB 5717 To Report Out:

Yeas: Reps. Alley, Callahan, Brater, Brown, LaForge, Mans, Schermesser, Basham, Middaugh, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Alley, Chair of the Committee on Conservation, Environment and Recreation, was received and read:

Meeting held on: Wednesday, May 13, 1998, at 10:30 a.m.,

Present: Reps. Alley, Callahan, Anthony, Brater, Brown, LaForge, Mans, Schermesser, Wetters, Basham, Middaugh, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg,

Absent: Reps. Kilpatrick, Birkholz,

Excused: Reps. Kilpatrick, Birkholz.

The Committee on Colleges and Universities, by Rep. Cherry, Chair, reported

House Bill No. 5786, entitled

A bill to amend 1996 PA 195, entitled "Police officer's and fire fighter's survivor tuition act," by amending the title and sections 1, 2, and 3 (MCL 390.1241, 390.1242, and 390.1243).

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 5786 To Report Out:

Yeas: Reps. Cherry, Brown, Brater, Curtis, Quarles, LeTarte, Scranton, Walberg,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cherry, Chair of the Committee on Colleges and Universities, was received and read:

Meeting held on: Wednesday, May 13, 1998, at 10:30 a.m.,

Present: Reps. Cherry, Brown, Brater, Curtis, Quarles, LeTarte, Scranton, Walberg,

Absent: Rep. Dalman,

Excused: Rep. Dalman.

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, May 13, 1998, at 9:00 a.m.,

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

Absent: Rep. Freeman,

Excused: Rep. Freeman.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 13, 1998, at 12:00 Noon,

Present: Reps. Gire, Agee, Brown, Schauer, Scott, Crissman, LeTarte, McNutt, Middleton,

Absent: Reps. Bogardus, Cherry, Curtis, Kilpatrick, LaForge, Dalman, Cropsey, Jelinek,

Excused: Reps. Bogardus, Cherry, Curtis, Kilpatrick, LaForge, Dalman, Cropsey, Jelinek.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Baird, Chair of the Committee on Mental Health, was received and read:

Meeting held on: Wednesday, May 13, 1998, at 12:00 Noon,

Present: Reps. Baird, Brater, Gubow, LaForge, Wallace, Scranton, Cassis, Green, Hammerstrom.

Messages from the Senate**House Bill No. 5250, entitled**

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending section 217 (MCL 38.2217), as amended by 1996 PA 525.

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. 5251, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 821a.

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.

Senate Bill No. 610, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 1993 PA 46.

The Senate has passed the bill.

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

Senate Bill No. 615, entitled

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

The Senate has passed the bill.

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, May 7:

Senate Bill Nos. 1100 1101 1102 1103 1104 1109 1110 1111 1112

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, May 8:

Senate Bill Nos. 1106 1107 1108 1113 1114 1115 1116 1117

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, May 11:

Senate Bill Nos. 1121 1122 1124 1125 1126

Communications from State Officers

The following communications from the Secretary of State were received and read:

Notices of Filing
Administrative Rules

May 4, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:15 P.M. this date, administrative rule (98-05-1) for the Department of State Police, Forensic Science Division, entitled "*DNA Profiling*", effective 15 days hereafter.

May 5, 1998

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:15 P.M. this date, administrative rule (98-05-2) for the Department of Treasury, Revenue Division, entitled "*Income Tax*", effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Helen Kruger, Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

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

April 22, 1998

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

Title IIA Job Training Plan #98-00
Title IIA 5% Job Training Plan #98-00
Title IIB Job Training Plan #98-01
Title IIC Job Training Plan #98-00
Title III Job Training Plan #98-00

Sincerely,
Ralph F. Loeschner
President

The communication was referred to the Clerk.

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

May 8, 1998

In accordance with 20 CFR 628.425 of the Job Training Partnership Act (JTPA), enclosed please find South Central Michigan Works! Title III proposed plan for review and comment.

If you have any questions, please contact me at our toll free number 1-888-MI WORKS or (517) 437-0090 extension 108. Thank you.

Sincerely,
Scott A. Menzel
Executive Director

The communication was referred to the Clerk.

The following communication from the Northeast Michigan Consortium was received and read:

May 8, 1998

The Workforce Development Board of Northeast Michigan Consortium has prepared the final IIA plan for program year 1998.

The following is a summary of the planned activities for the target groups that are eligible under the Job Training Partnership Act:

<u>Total IIA Program Funds Planned for PY98: \$537,988</u>	
Direct Training.....	\$359,587
Training/Related.....	\$215,752

A copy of the Plan is available at Northeast Michigan Consortium, P.O. Box 711, Onaway, Michigan 49765. Please address questions or comments to Terry L. Basel, Program Coordinator.

Sincerely,
Terry L. Basel
Program Coordinator

The communication was referred to the Clerk.

The following communication from the Ottawa County Michigan Works! was received and read:

May 12, 1998

Copies of the following information regarding the proposed JTPA services for the Ottawa County Michigan Works! Agency are available for your review and comment by contacting the MWA office:

- 1) IIA Plan, Period 07/01/98 - 06/30/99
Narrative, Budget Information, Participant Plan Summary
- 2) IIC Plan, Period 07/01/98 - 06/30/99
Narrative, Budget Information, Participant Plan Summary
- 3) EDWAAA Plan, Period 07/01/98 - 06/30/99
Narrative, Budget Information, Participant Plan Summary
- 4) IIB SYET Plan, Period 10/01/97 - 09/30/98
Narrative, Budget Information, Participant Plan Summary
- 5) 5% Older Worker Plan, Period 07/01/98 - 06/30/99
Narrative, Budget Information, Participant Plan Summary
- 6) 8% Plan, Period 07/01/98 - 06/30/99
Narrative, Budget Information

Sincerely,
Cathy Simons
Director

The communication was referred to the Clerk.

Introduction of Bills

Rep. Law introduced

House Bill No. 5852, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding chapter 10A.

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

Rep. Law introduced

House Bill No. 5853, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," by amending the title and sections 13a, 18a, 19, 20, 20a, 35, 36, 41a, 46, 48, 66, 78, 78a, 78b, and 79 (MCL 780.763a, 780.768a, 780.769, 780.770, 780.770a, 780.785, 780.786, 780.791a, 780.796, 780.798, 780.816, 780.828, 780.828a, 780.828b, and 780.829), sections 13a, 20a, 41a, and 78b as added and sections 18a, 35, 36, 46, 66, and 78 as amended by 1993 PA 341, sections 19, 48, and 78a as amended by 1996 PA 105, and section 79 as added by 1988 PA 21, and by adding section 12a.

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

Reps. Schermesser, DeHart, Kelly, Brewer, Hale, Wojno, Hood, Brown, Callahan and Parks introduced

House Bill No. 5854, entitled

A bill to amend 1993 PA 92, entitled "Seller disclosure act," by amending the title and section 10 (MCL 565.960).

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

Reps. McManus, Sanborn, Horton, London, Whyman, Llewellyn, Goschka, Law, Gustafson, Johnson, Jansen and Perricone introduced

House Bill No. 5855, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57b (MCL 400.57b), as added by 1995 PA 223.

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

Rep. Martinez introduced

House Bill No. 5856, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 14h.

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

Reps. Ciaramitaro and DeHart introduced

House Bill No. 5857, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending sections 104, 110a, 217, 401a, 504, 701, 702, 705, 706, and 711 (MCL 38.2104, 38.2110a, 38.2217, 38.2401a, 38.2504, 38.2651, 38.2652, 38.2655, 38.2656, and 38.2661), section 104 as amended by 1995 PA 193, sections 110a, 401a, 705, 706, and 711 as added by 1996 PA 523, section 217 as amended by 1996 PA 525, and sections 701 and 702 as amended by 1998 PA 66, and by adding sections 701a, 707a, and 718a.

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

Rep. Hammerstrom introduced

House Bill No. 5858, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2012 and 2014 (MCL 339.2012 and 339.2014), as amended by 1992 PA 103.

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

Reps. Hanley, Thomas, Hale, Wojno, Mans and Cassis introduced

House Bill No. 5859, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7ff (MCL 211.7ff), as amended by 1998 PA 18.

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

Reps. Bogardus, Gire, LeTarte, Jelinek, Brown, LaForge, Schauer and Agee introduced

House Bill No. 5860, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1279 (MCL 380.1279), as amended by 1997 PA 175.

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

Rep. Hood moved that the House adjourn.

The motion prevailed, the time being 5:15 p.m.

The Speaker declared the House adjourned until Thursday, May 14, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.