

**No. 54**  
**JOURNAL OF THE HOUSE**

---

House Chamber, Lansing, Wednesday, June 11, 1997.

2:00 p.m.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Patrick Laughlin, Jr., student athlete from Eastern Michigan University, Ypsilanti, offered the following invocation:

“I join with the House of Representatives in this invocation today in thanking Jesus for the blessing of living in this state and in this country. I pray that we will continue the pursuit of our dreams—equality, justice, liberty and, most importantly, the protection of our children.

I pray for you, the 89th Michigan House of Representatives, that you will always appreciate your own courage and commitment to public service. Amen.”

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

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

### Second Reading of Bills

#### Senate Bill No. 166, entitled

A bill to make appropriations for the departments of consumer and industry services and Michigan jobs commission and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local 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. Martinez moved to amend the bill as follows:

1. Amend page 50, line 18, after “committees” by striking out “all” and inserting “any”.
2. Amend page 50, line 19, after “of” by striking out “local and state governmental child care organizations” and inserting “juvenile residential facilities operated by the family independence agency.”

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

Rep. Brewer moved to amend the bill as follows:

1. Amend page 48, line 23, after “budget” by inserting a comma and “senate and house appropriations committees, senate and house fiscal agencies, and senate and house standing committees having jurisdiction over technology issues”.
2. Amend page 68, line 6, after “budget” by inserting a comma and “senate and house appropriations committees, senate and house fiscal agencies, and senate and house standing committees having jurisdiction over technology issues”.

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

Rep. Price moved to amend the bill as follows:

1. Amend page 69, following line 8, by inserting:

“Sec. 434. Any funds received by interdepartmental grant, contract, or otherwise from the family independence agency for initiating an enhanced technical vocational program shall meet the criteria described in the family independence agency budget relative to that program.”

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

Rep. Mathieu moved to amend the bill as follows:

1. Amend page 21, line 4, by striking out “56,345,800” and inserting “58,970,800”.
2. Amend page 21, line 6, by striking out “9,169,100” and inserting “9,631,600”.
3. Amend page 22, line 9, by striking out “5,418,800” and inserting “8,506,300” and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 69, following line 8, following section 434, by inserting:

“Sec. 435. Of the funds appropriated in section 101 for employment training services, \$125,000.00 shall be allocated to provide additional state matching funds for federal rehabilitation services grants and, of the funds appropriated in section 101 for the Michigan career and technical institute, \$125,000.00 shall be allocated to provide additional state matching funds for federal rehabilitation services grants. These funds shall not be used to supplant funds which would otherwise be used as state match for federal rehabilitation services grants in fiscal year 1997-98.”

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

Rep. Bobier moved to amend the bill as follows:

1. Amend page 49, line 13, after "project." by inserting "Upon enactment of House Bill No. 4820 and House Bill No. 4821 of the 89th Legislature, up to \$200,000.00 shall be expended by the public service commission for the purpose of establishing a uniform system of reporting oil and gas volumes and values for the purposes of establishing revenues for the department of treasury, department of environmental quality, and department of natural resources."

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 34, following line 19, by inserting:

"Sec. 216. No appropriation or disbursement by the strategic fund or any other off-budget fund administered by the department of consumer and industry services or Michigan jobs commission shall be made without the authorization of the legislature."

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

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### Point of Order

Rep. Brackenridge requested a ruling of the Chair as to whether or not the amendment offered by Rep. Jaye is germane.

The Chair ruled that the amendment is germane. It attempts to regulate funds which are expended by agencies falling within the jurisdiction of the Jobs Commission or the Department of Consumer and Industry Services which are part of this budget.

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

Rep. Jaye moved that consideration of the amendment be postponed temporarily.

The motion prevailed.

Rep. Jaye moved to amend the bill as follows:

1. Amend page 34, following line 19, by inserting:

"Sec. 216. Any former classified or unclassified employee of the departments of consumer and industry services and Michigan jobs commission shall not do any of the following for at least 2 years from the date of separation from the department:

(a) Engage in any employment with, have a contractual relationship with, or have a financial interest in any individual or entity regulated by those departments.

(b) Appear before those departments or any agency or board of the departments on behalf of a regulated individual or entity or on behalf of an applicant seeking to enter into an activity regulated by those departments.

(c) Engage in any discussion with an employee of the departments on behalf of a regulated individual or entity or on behalf of an applicant seeking to enter into an activity regulated by those departments.

(d) Have a beneficial or financial interest in an individual or entity regulated by those departments."

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 449

### Yeas—75

Agee  
Alley  
Anthony  
Baade

DeHart  
Dobb  
Dobronski  
Frank

Law  
Leland  
Llewellyn  
Lowe

Quarles  
Raczkowski  
Rhead  
Rison

Baird	Freeman	Mans	Rocca
Bankes	Gagliardi	Martinez	Schermesser
Birkholz	Galloway	Mathieu	Scott
Bobier	Geiger	McBryde	Stallworth
Bodem	Gire	McManus	Tesanovich
Bogardus	Goschka	McNutt	Thomas
Brater	Gubow	Middleton	Vaughn
Brewer	Hale	Murphy	Voorhees
Brown	Hanley	Nye	Walberg
Callahan	Harder	Olshove	Wallace
Cherry	Hood	Oxender	Wetters
Ciaramitaro	Jansen	Parks	Whyman
Cropsey	Jaye	Perricone	Willard
Curtis	Jelinek	Price	Wojno
Dalman	Kaza	Prusi	

**Nays—27**

Brackenridge	Gilmer	Kelly	Profit
Byl	Godchaux	Kilpatrick	Richner
Cassis	Gustafson	Kukuk	Schroer
Crissman	Hammerstrom	LaForge	Scranton
DeVuyst	Horton	LeTarte	Sikkema
Fitzgerald	Jellema	London	Varga
Gernaat	Johnson	Middaugh	

In The Chair: Gire

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

Rep. Willard moved to amend the bill as follows:

1. Amend page 69, following line 8, following section 435, by inserting:

“Sec. 436. Of the money appropriated in section 101 to the department of Michigan jobs commission, none shall be used for the payment of international travel expenses of the governor.”

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

Rep. Willard demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 450****Yeas—38**

Anthony	DeHart	Hood	Schermesser
Baird	Dobronski	Jaye	Scott
Bogardus	Frank	Kelly	Stallworth
Brater	Freeman	Leland	Thomas
Brewer	Gagliardi	Murphy	Varga
Brown	Gire	Olshove	Vaughn

Callahan  
Cherry  
Ciaramitaro  
Curtis

Gubow  
Hale  
Hanley  
Harder

Parks  
Quarles  
Rison

Wallace  
Willard  
Wojno

**Nays—65**

Agee  
Alley  
Baade  
Banks  
Birkholz  
Bobier  
Bodem  
Brackenridge  
Byl  
Cassis  
Crissman  
Cropsey  
Dalman  
DeVuyst  
Dobb  
Fitzgerald  
Galloway

Geiger  
Gernaat  
Gilmer  
Godchaux  
Goschka  
Green  
Griffin  
Gustafson  
Hammerstrom  
Horton  
Jansen  
Jelinek  
Jellema  
Johnson  
Kaza  
Kilpatrick

Kukuk  
LaForge  
Law  
LeTarte  
Llewellyn  
London  
Lowe  
Mans  
Martinez  
Mathieu  
McBryde  
McManus  
McNutt  
Middaugh  
Middleton  
Nye

Oxender  
Perricone  
Price  
Profit  
Prusi  
Rackowski  
Rhead  
Richner  
Rocca  
Schauer  
Schroer  
Scranton  
Sikkema  
Tesanovich  
Voorhees  
Walberg

In The Chair: Gire



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

“Mr. Speaker and members of the House:

I voted ‘No’ on the Willard amendment because I strongly favor the power and influence of the Governor, regardless of party, to secure the ability to trade, thus producing more jobs in the state of Michigan.

Sixty-four of my colleagues voted with me to oppose this amendment because we recognize the importance of the head of this state to properly represent Michigan and to make his or her pitch for jobs and trade with other states and countries.

Some expenses are legitimate in state government, and giving our Governor, the head of our state the ability to communicate and visit with heads of other states and countries for jobs is only in the best interests of our citizens.”

Rep. Freeman moved to amend the bill as follows:

1. Amend page 50, following line 20, by inserting:

“Sec. 332. By October 1, 1997 the insurance commissioner shall file a written report with the regulatory subcommittees of the house and senate appropriations committees outlining the steps taken to insure that consumer protection issues have been addressed, including, but not limited to, the following:

- (a) Consumer complaints against insurance companies.
- (b) Rates and form filings.
- (c) Efforts by the commissioner to comply with regulatory and oversight requirements imposed by law.”.

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

Rep. Jellema moved to amend the bill as follows:

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

“Relocation of the office of the Michigan council for arts and cultural affairs ..... 100,000”  
and adjusting the subtotals, totals, and section 201 accordingly.

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

“Sec. 314. (1) The \$60,000.00 for an additional FTE appropriated in section 101 for administration in the council for arts and cultural affairs unit shall not be expended unless the \$100,000.00 for the relocation of the office of the Michigan council for arts and cultural affairs is enacted into law for fiscal year 1997-98.

(2) The office of the Michigan council for arts and cultural affairs shall be relocated to Lansing, Michigan, by October 31, 1997.”.

The question being on the adoption of the amendments offered by Rep. Jellema,  
Rep. Jellema demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 451**

**Yeas—45**

Baade	DeVuyst	Jaye	McManus
Bankes	Dobb	Jelinek	McNutt
Birkholz	Fitzgerald	Jellema	Middaugh
Bobier	Frank	Johnson	Nye
Bodem	Galloway	Kukuk	Oxender
Brackenridge	Geiger	Law	Perricone
Brewer	Gernaat	LeTarte	Rackowski
Byl	Goschka	Llewellyn	Sikkema
Cassis	Green	London	Voorhees
Crissman	Horton	Lowe	Walberg
Cropsey	Jansen	McBryde	Whyman
Dalman			

**Nays—61**

Agee	Gilmer	LaForge	Rison
Alley	Gire	Leland	Rocca
Anthony	Godchaux	Mans	Schauer
Baird	Griffin	Martinez	Schermesser
Bogardus	Gubow	Mathieu	Schroer
Brater	Gustafson	Middleton	Scott
Brown	Hale	Murphy	Scranton
Callahan	Hammerstrom	Olshove	Stallworth
Cherry	Hanley	Parks	Tesanovich
Ciaramitaro	Harder	Price	Thomas
Curtis	Hertel	Profit	Varga
DeHart	Hood	Prusi	Vaughn
Dobronski	Kaza	Quarles	Wallace
Emerson	Kelly	Rhead	Willard
Freeman	Kilpatrick	Richner	Wojno
Gagliardi			

In The Chair: Gire

Rep. Gilmer moved to amend the bill as follows:

1. Amend page 21, line 4, by striking out all of line 4 and inserting:  
“Employment training services—664.0 FTE positions ..... \$ 59,329,800”.
2. Amend page 21, lines 5 and 6, by striking out all of lines 5 and 6 and inserting:  
“Michigan career and technical institute—93.0 FTE positions ..... \$ 9,506,600”.
3. Amend page 22, line 9, by striking out “5,418,800” and inserting “8,740,300”.
4. Amend page 18, line 24, by striking out “1,209,100” and inserting “1,234,100”.
5. Amend page 19, line 12, by striking out “2,174,282” and inserting “2,199,282”.

6. Amend page 19, line 15, by striking out “5,372,600” and inserting “5,422,600”.
7. Amend page 20, line 7, by striking out “5,688,400” and inserting “5,738,400”.
8. Amend page 20, line 12, by striking out “13,809,500” and inserting “13,909,500”.
9. Amend page 21, line 1, by striking out “30,975,800” and inserting “31,075,800” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Gilmer moved that the amendment Nos. 1 through 3 and 4 through 9 be considered separately.

The motion prevailed.

The question being on the adoption of amendment Nos. 1 through 3 offered by Rep. Gilmer,

Rep. Gilmer withdrew the amendments.

The question being on the adoption of amendment Nos. 4 through 9 offered by Rep. Gilmer,

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

Rep. Mathieu moved to reconsider the vote by which the House adopted the amendments offered by Rep. Gilmer.

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

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

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

The Speaker resumed the Chair.

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

1. Amend page 22, line 13, by striking out “10,000,000” and inserting “34,000,000”.
2. Amend page 23, line 22, by striking out “42,658,400” and inserting “66,658,400” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Gilmer demanded the yeas and nays.

The demand was supported.

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

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

#### Roll Call No. 452

#### Yeas—49

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

#### Nays—54

Agee	Dobronski	Kelly	Rison
Alley	Emerson	Kilpatrick	Rocca
Anthony	Frank	LaForge	Schauer

Baade	Freeman	Leland	Schermesser
Baird	Gagliardi	Mans	Schroer
Bogardus	Gire	Martinez	Scott
Brater	Gubow	Mathieu	Stallworth
Brewer	Hale	Murphy	Tesanovich
Brown	Hanley	Olshove	Vaughn
Callahan	Harder	Parks	Wallace
Cherry	Hertel	Price	Wetters
Ciaramitaro	Hood	Prusi	Willard
Curtis	Jaye	Quarles	Wojno
DeHart	Kaza		

In The Chair: Hertel

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

“Mr. Speaker and members of the House:

I stand in the legislature today to speak on behalf of the Republican grass-roots, Independent voters, and those of us who seek to regain control of the Michigan state House.

The corporate welfare budget before us reflects the loss of vision that cost Republicans the state House last year. Republicans lost control for two reasons: failure to deliver the freedom agenda sought by the grass-roots on issues like the Second Amendment; and, more significantly, refusal to acknowledge the large bloc of Independent voters, especially in “swing districts” in metro Detroit.

All other excuses reflect an unwillingness to engage in a critical analysis of the 1996 election, including:

\* “The Democrats stole our (Republican) agenda.”

\* “The Democrats won through vote fraud.”

\* “Republican voter turnout was lower; Democratic turnout was higher.”

These are excuses that ignore the fundamental reasons: failure to deliver for the grass-roots; and ignoring the Independent bloc.

We analyze two state appropriations because they symbolize the loss of vision.

The corporate welfare budget illustrates the conflict with the Republican grass-roots.

The general government budget reflects the refusal to acknowledge the Independent bloc.

Why is there a conflict today between the Republican grass-roots and corporate welfare interests?

First, the conflict is not inherent. The modern Republican president who enjoyed the greatest electoral success—Ronald Reagan—built a successful coalition composed of the conservative and libertarian Republican grass-roots, the corporate establishment and the Reagan Democrats, including many who today call themselves “Independent.”

Republicans can learn a great deal by studying the successful Reagan electoral coalition.

Second, the conflict is not irreconcilable, the hard-liners notwithstanding. Regaining Republican control of the state House is possible if both sides treat each other with mutual respect, and accept the philosophical disagreements inherent in the process.

Unfortunately, that has not occurred during the debate around this corporate welfare budget.

It is a sign of a bankrupt philosophy when hard-liners defend corporate welfare by engaging in personal attacks on those Republican legislators who stand with the grass-roots in opposition to corporate welfare.

I am saddened by the personal attacks I witnessed during the subcommittee hearing on this appropriation. One of the hard-liners personally attacked the wife of a Republican legislator who testified against corporate welfare. Another accused me of “stupidity” for suggesting corporate welfare should be cut beginning with the district I represent.

These personal attacks on legislators and their families are sad to observe.

Those who engage in personal attacks on colleagues show lack of respect for differing opinions.

There were only three conservative Republicans in the 110-member state House in the mid-1980s. Today, there are five times that many, and within a decade conservatives will achieve a working majority in the Republican caucus. *Early in the 21st Century, it is possible a conservative Republican will be elected Speaker of the House for the first time since before the Great Depression.*

To the grass-roots: We have greater victories to win.”

Rep. Gilmer moved to amend the bill as follows:

1. Amend page 22, line 15, by striking out “4,300,000” and inserting “5,300,000”.

2. Amend page 23, line 22, by striking out “42,658,400” and inserting “43,658,400” 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. Voorhees moved to amend the bill as follows:

1. Amend page 52, line 7, after “disabilities.” by inserting “Before a school-to-work program may be implemented, the department shall have the program approved by the State Board of Education.”.

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 64, following line 6, by inserting:

“(3) Grant recipients under this section shall share with the department proprietary rights profits on any goods and services developed in proportion to the percentage of business overhead covered by the grant from the program.”.

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

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

Rep. Tesanovich moved to amend the bill as follows:

1. Amend page 69, following line 8, following section 435, by inserting:

“Sec. 436. None of the funds appropriated in section 101 for job training programs and distributed by workforce development boards shall be appropriated unless the workforce development board assumes liability for the distribution of job training grants within their local service delivery area.”.

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 69, following line 8, following section 436, by inserting:

“Sec. 437. Funds appropriated to the department of Michigan jobs commission for economic development job training grants shall not be expended to train employees above first level management in supervision hierarchy who are employed by a business organization whose gross annual revenues exceed \$1,000,000.00.”.

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

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The Speaker called the Speaker Pro Tempore to the Chair.

Rep. Palamara entered the House Chambers.

Rep. Voorhees moved to amend the bill as follows:

1. Amend page 69, following line 8, following section 437, by inserting:

“Sec. 438. All local workforce development boards shall be elected at large within its appropriate intermediate school districts.”.

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

Rep. Voorhees demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 453**

**Yeas—20**

Birkholz  
Cropsey  
Geiger  
Gernaat  
Goschka

Green  
Horton  
Jaye  
Kaza  
Kukuk

Law  
Lowe  
McManus  
Middaugh  
Perricone

Raczkowski  
Rocca  
Voorhees  
Whyman  
Willard

**Nays—84**

Agee	DeHart	Jellema	Price
Alley	DeVuyst	Johnson	Profit
Anthony	Dobb	Kelly	Prusi
Baade	Dobronski	Kilpatrick	Quarles
Baird	Fitzgerald	LaForge	Rhead
Banks	Frank	Leland	Richner
Bobier	Freeman	LeTarte	Rison
Bodem	Galloway	Llewellyn	Schauer
Bogardus	Gilmer	London	Schermesser
Brackenridge	Gire	Mans	Schroer
Brater	Godchaux	Martinez	Scott
Brewer	Griffin	Mathieu	Scranton
Brown	Gubow	McBryde	Sikkema
Byl	Gustafson	McNutt	Stallworth
Callahan	Hale	Middleton	Tesanovich
Cassis	Hammerstrom	Murphy	Thomas
Cherry	Hanley	Nye	Vaughn
Ciaramitaro	Harder	Olshove	Walberg
Crissman	Hood	Oxender	Wallace
Curtis	Jansen	Palamara	Wetters
Dalman	Jelinek	Parks	Wojno

In The Chair: Murphy

Rep. London moved to amend the bill as follows:

1. Amend page 20, line 11, by striking out “3,922,200” and inserting “4,422,200”.
2. Amend page 20, line 13, by striking out “7,492,500” and inserting “7,242,500”.
3. Amend page 20, line 16, by striking out “4,062,400” and inserting “3,812,400” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. London demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 454****Yeas—45**

Banks	Galloway	Johnson	Nye
Birkholz	Geiger	Kukuk	Oxender
Bobier	Gernaat	Law	Perricone
Bodem	Gilmer	LeTarte	Profit
Brackenridge	Godchaux	Llewellyn	Raczkowski
Byl	Goschka	London	Rhead
Cassis	Hammerstrom	McBryde	Richner
Crissman	Horton	McManus	Scranton
Dalman	Jansen	McNutt	Sikkema
DeVuyst	Jelinek	Middaugh	Voorhees
Dobb	Jellema	Middleton	Walberg
Fitzgerald			

**Nays—58**

Agee	Frank	Leland	Schauer
Anthony	Freeman	Lowe	Schermesser
Baade	Gire	Mans	Schroer
Baird	Green	Martinez	Scott
Bogardus	Gubow	Mathieu	Stallworth
Brater	Gustafson	Murphy	Tesanovich
Brewer	Hale	Olshove	Thomas
Brown	Hanley	Palamara	Varga
Callahan	Harder	Parks	Vaughn
Cherry	Hood	Price	Wallace
Ciaramitaro	Jaye	Prusi	Wetters
Cropsey	Kaza	Quarles	Whyman
Curtis	Kelly	Rison	Willard
DeHart	Kilpatrick	Rocca	Wojno
Dobronski	LaForge		

In The Chair: Murphy

Rep. McNutt moved to amend the bill as follows:

1. Amend page 4, line 13, by striking out all of lines 13 through line 16.
2. Amend page 4, line 18, by striking out all of line 18.
3. Amend page 4, line 26, by striking out “1,865,500” and inserting “84,980” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. McNutt demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 455****Yeas—101**

Agee	Fitzgerald	Kelly	Price
Anthony	Frank	Kilpatrick	Prusi
Baade	Freeman	Kukuk	Quarles
Baird	Galloway	LaForge	Raczkowski
Bankes	Geiger	Law	Rhead
Birkholz	Gernaat	Leland	Richner
Bobier	Gilmer	LeTarte	Rison
Bodem	Gire	Llewellyn	Rocca
Bogardus	Godchaux	London	Schauer
Brackenridge	Goschka	Lowe	Schermesser
Brater	Green	Mans	Schroer
Brewer	Gubow	Martinez	Scott
Brown	Gustafson	Mathieu	Scranton
Byl	Hale	McBryde	Sikkema
Callahan	Hammerstrom	McManus	Stallworth
Cassis	Hanley	McNutt	Tesanovich
Cherry	Harder	Middaugh	Thomas
Ciaramitaro	Hood	Middleton	Varga
Crissman	Horton	Murphy	Vaughn
Cropsey	Jansen	Nye	Voorhees
Curtis	Jaye	Olshove	Walberg

Dalman	Jelinek	Oxender	Wallace
DeHart	Jellema	Palamara	Whyman
DeVuyst	Johnson	Parks	Willard
Dobb	Kaza	Perricone	Wojno
Dobronski			

**Nays—0**

In The Chair: Murphy

Rep. Cassis moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. Jaye.

The question being on the motion by Rep. Cassis,

Rep. Cassis demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Cassis,

The motion did not prevail, a majority of the members not voting therefor, by yeas and nays, as follows:

**Roll Call No. 456****Yeas—29**

Banks	Fitzgerald	Horton	Perricone
Birkholz	Galloway	Jansen	Profit
Brackenridge	Geiger	Jelinek	Rackowski
Byl	Gilmer	Jellema	Rhead
Cassis	Green	Johnson	Richner
Crissman	Gustafson	LeTarte	Scranton
Dalman	Hammerstrom	London	Sikkema
Dobb			

**Nays—74**

Agee	Freeman	Leland	Quarles
Anthony	Gagliardi	Lowe	Rison
Baade	Gernaat	Mans	Rocca
Baird	Gire	Martinez	Schauer
Bobier	Godchaux	Mathieu	Schermesser
Bodem	Goschka	McBryde	Schroer
Bogardus	Griffin	McManus	Scott
Brater	Gubow	McNutt	Stallworth
Brewer	Hale	Middaugh	Tesanovich
Brown	Hanley	Middleton	Thomas
Callahan	Harder	Murphy	Varga
Cherry	Hertel	Nye	Vaughn
Ciaramitaro	Hood	Olshove	Voorhees
Cropsey	Jaye	Oxender	Walberg
Curtis	Kaza	Palamara	Wallace
DeHart	Kelly	Parks	Wetters
DeVuyst	Kilpatrick	Price	Willard
Dobronski	Kukuk	Prusi	Wojno
Frank	LaForge		

In The Chair: Murphy

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 69, following line 8, following section 437, by inserting:

“Sec. 438. Funds appropriated to the China office of the Michigan jobs commission shall not be appropriated to assist any company in establishing operations in that country unless it is certified that the company uses no prison labor and does not discriminate in hiring on the basis of religion.”.

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

Rep. Cropsey demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 457**

**Yeas—103**

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

**Nays—0**

In The Chair: Murphy

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 5, line 24, by striking out all of line 24 through line 7 on page 6 and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Cropsey demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 458****Yeas—19**

Birkholz	Goschka	Llewellyn	Richner
Brewer	Green	Lowe	Rocca
Cropsey	Jaye	McBryde	Voorhees
Frank	Kaza	Perricone	Whyman
Geiger	Kukuk	Raczkowski	

**Nays—88**

Agee	Dobb	Jellema	Price
Alley	Dobronski	Johnson	Profit
Anthony	Emerson	Kelly	Prusi
Baade	Fitzgerald	Kilpatrick	Quarles
Baird	Freeman	LaForge	Rhead
Bankes	Gagliardi	Law	Rison
Bobier	Galloway	Leland	Schauer
Bodem	Gernaat	LeTarte	Schermesser
Bogardus	Gilmer	London	Schroer
Brackenridge	Gire	Mans	Scott
Brater	Griffin	Martinez	Scranton
Brown	Gubow	Mathieu	Sikkema
Byl	Gustafson	McManus	Stallworth
Callahan	Hale	McNutt	Tesanovich
Cassis	Hammerstrom	Middaugh	Thomas
Cherry	Hanley	Middleton	Varga
Ciaramitaro	Harder	Murphy	Vaughn
Crissman	Hertel	Nye	Walberg
Curtis	Hood	Olshove	Wallace
Dalman	Horton	Oxender	Wetters
DeHart	Jansen	Palamara	Willard
DeVuyst	Jelinek	Parks	Wojno

In The Chair: Murphy

Rep. Jaye moved to amend the bill as follows:

1. Amend page 20, line 12, by striking out “13,809,500” and inserting “13,659,500” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 69, following line 8, following section 438, by inserting:

“Sec. 439. Of the funds appropriated in section 101 for job creation services, no funds shall be expended for the promotion of Michigan as a site for filming or movies.”.

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 40, line 21, after “quality.” by inserting “The council shall require that each applicant that is a county, city, village, township, or any combination of those entities state whether the county, city, village, or township has a residency requirement for employees. If such a requirement exists, the council shall deny any grant for which the entity may be eligible under this section.”.

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

Reps. Llewellyn and Profit moved to amend the bill as follows:

1. Amend page 14, line 10, by striking out “6,375,000” and inserting “6,376,000”.

2. Amend page 14, line 14, by striking out “6,375,000” and inserting “6,376,000” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Gubow moved to amend the bill as follows:

1. Amend page 50, following line 20, section 332, after “committees” by inserting “and the standing committees of the house and senate that deal with insurance issues”.

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

Rep. Bobier moved to amend the bill as follows:

1. Amend page 11, following line 18, by inserting:

“Grant to department of agriculture, wine industry council..... 424,100”.

2. Amend page 11, following line 22, by inserting:

“Non-retail liquor license revenue..... 424,100

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

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

Reps. Kaza and Cropsey moved to amend the bill as follows:

1. Amend page 50, following line 20, following section 332, by inserting:

“Sec. 333. Of the money appropriated in section 101, none shall be used to promote the North American Free Trade Agreement or its extension to other Latin American countries (fasttrack).”.

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

Rep. Mathieu moved to amend the bill as follows:

1. Amend page 25, following line 22, by inserting:

“State general fund/general purpose..... \$ (1,299,852)”.

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

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

Rep. Jaye withdrew the amendment.

Rep. Willard moved to amend the bill as follows:

1. Amend page 53, following line 13, by inserting:

“(2) No funds appropriated in section 101 to the department of Michigan jobs commission for economic development job training grants may be expended for the training of permanent striker replacement workers.” and renumbering the remaining subsections.

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

Rep. Gilmer moved to amend the bill as follows:

1. Amend page 53, line 20, by striking out all of subsection (4) and inserting:

“(4) An applicant may be a district, intermediate district, community college, public or private nonprofit college or university, public school academy, nonprofit organization that provides school-to-work transition programs or that provides employment and training services or vocational rehabilitation programs or state licensed accredited vocational or technical education programs, proprietary school licensed by the state board, local workforce development board, or a consortium consisting of any combination of districts, intermediate districts, community colleges, nonprofit organizations described in this subsection, licensed proprietary schools, or public or private nonprofit colleges or universities described in this subsection.”.

2. Amend page 57, line 15, after “grant.” by striking out the balance of the subsection.

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

Rep. Gilmer demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 459**

**Yeas—47**

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

## Nays—59

Agee	Frank	LaForge	Rocca
Alley	Freeman	Leland	Schauer
Anthony	Gagliardi	LeTarte	Schermesser
Baade	Gire	Lowe	Schroer
Baird	Griffin	Mans	Scott
Bogardus	Gubow	Martinez	Stallworth
Brater	Hale	Mathieu	Tesanovich
Brewer	Hanley	Murphy	Thomas
Brown	Harder	Olshove	Varga
Cherry	Hertel	Palamara	Vaughn
Ciaramitaro	Hood	Parks	Voorhees
Curtis	Jaye	Price	Wallace
DeHart	Kaza	Prusi	Willard
Dobronski	Kelly	Quarles	Wojno
Emerson	Kilpatrick	Rison	

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:

Republicans lost control of the state House last year because they failed to deliver for the grass-roots, and ignored the Independent bloc.

There is a lack of mutual respect on the part of corporate welfare interests for the Republican grass-roots.

In the 1996 election this lack of respect was, once again, the Achilles Heel of these corporate welfare interests. If you do not respect a group you will not support the policy agenda they seek to achieve. History records the result: *Republicans have controlled the Michigan House only once in a quarter-century, and defeated only one Democratic congressman while retaining that seat during the same time.* This history of defeat is a direct result of the lack of respect that corporate welfare interests have for the Republican grass-roots.

Corporate welfare interests have historically underestimated the broad, political appeal of the Republican grass-roots agenda:

\* They supported Gerald Ford against Ronald Reagan in 1976, and George Bush against Reagan in 1980. In both instances they incorrectly predicted Reagan’s nomination would prove a disastrous for Republicans.

\* They opposed enactment of the Headlee Amendment in 1978, and the passage of Term Limits in 1992. In both instances they incorrectly predicted these grass-roots ballot initiatives would provide disastrous for Michigan.

\* They predicted Republicans would win 65 state House seats in 1994, and 60 seats in 1996. In both instances they incorrectly overestimated the appeal of their corporate welfare agenda.

It is time for a critical, constructive analysis.

There are conservative Republicans who might accept the existence of a smaller Jobs Commission if they knew it would not result in corporate welfare schemes like School-To-Work, or boondoggles like the Strategic Fund, a taxpayer-subsidized government bank for corporate interests. Certainly the Republican grass-roots accept the agenda of cutting taxes, balancing the budget, and reducing economic regulations favored by corporate interests. But where is the corporate support for the Republican grass-roots freedom agenda?

Would President Reagan have risked alienating the conservative and libertarian Republican grass-roots in his coalition by ignoring the Second Amendment? No. The Republicans who regained control of Congress from the Democrats after 40 years did so by defending the Second Amendment, not walking away from it as Lansing corporate welfare interests have.

Would Reagan have risked alienating the Republican grass-roots by pushing for a primary offense seat belt law, or by defending the mandatory motorcycle helmet law? No. The Republicans who regained control of Congress immediately *rewarded* the grass-roots by repealing the act linking between federal transportation funds with the enactment of laws that attack individual liberty.

Mutual respect means reciprocity and leads to victory.

Contempt for the Republican grass-roots leads to defeat.

There needs to be mutual respect if Republicans hope to regain control of the state House.

The freedom agenda sought by the grass-roots needs to be acted upon.

The reform agenda sought by the Independent bloc needs to be addressed.

Today we stand for this Republican grass-roots vision and victory.”



Rep. Gagliardi moved that the bill be placed on the order of Third Reading of Bills.  
 The motion prevailed, a majority of the members voting therefor.  
 Rep. Gagliardi moved that the bill be placed on its immediate passage.  
 The motion prevailed, a majority of the members serving voting therefor.

—  
 The Speaker resumed the Chair.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

**Senate Bill No. 166, entitled**

A bill to make appropriations for the departments of consumer and industry services and Michigan jobs commission and certain other state purposes for the fiscal year ending September 30, 1998; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local 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. 460**

**Yeas—55**

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

**Nays—51**

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

In The Chair: Hertel

The House agreed to the title of the bill.

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

“Mr. Speaker and members of the House:

I voted no because these amendments were not adopted as part of this budget:

- 1) Require grant recipients to reimburse the state from profits of products developed with state assistance.
  - 2) Prohibit funding for the Export Development Authority, Michigan Overseas Office, and all other export related programs
  - 3) Prohibit travel outside the United States
  - 4) Reduce Arts Funding by 50%
  - 5) Prohibit destruction of healthy zoo animals without Appropriations Committee approval
  - 6) Prohibit job training for those earning over \$50,000 per year
  - 7) Prohibit funds for travel by department bureaucrats offering tax breaks or credits
  - 8) Eliminate funding for the Michigan Film Office
  - 9) Prohibit funding for pre-college engineering or science programs unless made available to all students regardless of race, ethnicity national origin, or gender. The department must also make the determination that the individuals are disadvantaged.
  - 10) Prohibit grants to fund nuclear emergency planning and response every year.
  - 11) Prohibit C.I.S. or Jobs Commission grants to entities supporting or maintaining minority preference programs
  - 12) Deny grants to municipalities which maintain residency requirements
  - 13) Prohibit sacrilegious art, art involving sex acts, U.S. flag desecration, and human excretions
  - 14) Prohibit disbursement of strategic fund money and all other off-budget funds without legislative authorization.
- The CIS budget is the “garbage can” budget full of more corporate welfare, pork, special projects and wasteful spending than any of the 15 other state budgets. This corporate welfare is paid by working men and women and small businesses who do not get tax breaks.”

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 Senate Bill 166 because it effectively guts much needed funds from the Michigan Jobs Commission, money that has been greatly used to retrain workers. One of my main concerns is to ensure that money is appropriated for Michigan’s workers, but this bill virtually takes it all away. Once again, the majority has forgotten the “little guy and gal”, the very people we are sworn to serve. Our workers need to be ever prepared and trained, but this bill takes away that opportunity. Mr. Speaker and Members, for the people of Saginaw County, particularly those in the labor force, I vote ‘No’ on SB 166.”

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

The question being on the motion by Rep. Gagliardi,

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Gagliardi,

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

**Roll Call No. 461**

**Yeas—54**

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

**Nays—51**

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

In The Chair: Hertel

**Second Reading of Bills****House Bill No. 4328, entitled**

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending sections 3 and 10 (MCL 474.53 and 474.60), section 3 as amended by 1984 PA 210 and section 10 as amended by 1993 PA 28, and by adding section 10a.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Transportation,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Gernaat 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. 4328, entitled**

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending sections 3 and 10 (MCL 474.53 and 474.60), section 3 as amended by 1984 PA 210 and section 10 as amended by 1993 PA 28, and by adding section 10a.

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

**Roll Call No. 462****Yeas—96**

Agee	Dobb	Johnson	Parks
Alley	Dobronski	Kelly	Perricone
Anthony	Fitzgerald	Kilpatrick	Price
Baade	Freeman	Kukuk	Prusi
Baird	Gagliardi	LaForge	Quarles
Banks	Galloway	Law	Raczkowski
Birkholz	Geiger	Leland	Richner
Bobier	Gernaat	LeTarte	Rison
Bodem	Gilmer	Llewellyn	Rocca
Bogardus	Gire	London	Schauer
Brackenridge	Godchaux	Lowe	Schermesser
Brewer	Goschka	Mans	Scott

Brown	Griffin	Martinez	Sikkema
Byl	Gubow	Mathieu	Stallworth
Callahan	Gustafson	McBryde	Tesanovich
Cassis	Hale	McManus	Thomas
Cherry	Hanley	McNutt	Vaughn
Ciaramitaro	Harder	Middaugh	Voorhees
Crissman	Hertel	Middleton	Walberg
Cropsey	Hood	Murphy	Wallace
Curtis	Horton	Nye	Wetters
Dalman	Jansen	Olshove	Whyman
DeHart	Jelinek	Oxender	Willard
DeVuyst	Jellema	Palamara	Wojno

### Nays—6

Frank	Jaye	Rhead	Scranton
Green	Kaza		

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 295, entitled "State transportation preservation act of 1976," by amending sections 3 and 10 (MCL 474.53 and 474.60), section 3 as amended by 1984 PA 210 and section 10 as amended by 1993 PA 28.

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.

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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 passage of HB 4328 because the railroad goes directly through the 66th District and the sale of this valuable asset potentially adversely impacts the district."

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Rep. Johnson asked and obtained an excuse from tomorrow's session.

Rep. Gubow asked and obtained an excuse from tomorrow's session.

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. Godchaux, Baird, Schroer, Quarles, Jansen, Martinez, Thomas, Kaza, Profit, Green, Gire, Bankes, Law, Rison, Brater, Galloway, Kelly, Rocca, Oxender, Bodem, Scott, Crissman and Perricone offered the following resolution:

#### House Resolution No. 75.

A resolution to memorialize the Congress of the United States to redirect some military spending to the states to enable them to meet domestic needs.

Whereas, Over the past two decades, the world has witnessed a remarkable shift in the balance of power in the world. The threats of the Cold War are no longer as imminent. Instead, the United States faces more specialized military challenges. We also face a host of significant domestic needs every bit as important to the security of our nation; and

Whereas, While there can be no disagreement that the United States must retain its position as the world's foremost military power, it is wise to realize that we continue to spend far more money on defense than all our adversaries combined. Even with moderation in spending by comparison to earlier appropriations, the United States has a military budget of \$265 billion for 1997, as opposed to a combined military budget of \$15 billion for the seven countries identified as our adversaries; and

Whereas, Several former military leaders and civilian executives have pointed out excess spending for certain projects and weaponry. Others have observed the influence of uncontrolled military spending—at the cost of domestic investment—as being a principal factor in the decline of the former Soviet Union; and

Whereas, It seems that the battlefields of the twenty-first century may well center on internal strengths. Resources for infrastructure, education, public health, environmental protection, feeding our people, and strengthening our economy are also cornerstones upon which our nation's future will be built. As budget negotiations establish the national priorities, this must be clear; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to redirect some military spending to the states to enable them to meet domestic needs; and be it further

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

The resolution was referred to the Committee on Appropriations.

Reps. Bogardus, Kelly, Profit, Hale, Martinez, Freeman, Baird, LaForge, Murphy, Hanley, Bodem, Goschka, Scott, Gilmer, Jelinek, Wetters, Brater, Richner, Scranton, Willard and Green offered the following resolution:

**House Resolution No. 76.**

A resolution to urge the Commodity Futures Trading Commission and the Chicago Board of Trade to refrain from closing Toledo's point of delivery for agricultural products.

Whereas, One of the distinguishing features of the American economy is its success in the distribution of goods. This has been especially true in the marketing of farm goods. Access to the market for farmers has helped bring stability in pricing and reliability for other components of food production. Having options available to farmers and others is critical to this access; and

Whereas, The Chicago Board of Trade has recommended that the Commodity Futures Trading Commission close the Toledo point of delivery, leaving the point of delivery on the northern Illinois River as the only option. For Michigan agriculture, as well as the entire corn and soybean producing regions of the eastern portion of the United States, this proposal would be a huge financial blow. Michigan's farmers use Toledo extensively; and

Whereas, Reducing points of delivery to a single location holds many risks. In addition to raising costs for those who use Toledo, costs would likely rise generally because of the unpredictability a single point of delivery would bring. The single site would be dependent on a single delivery system, river barge, which is susceptible to obstacles different from truck and/or rail transportation. The ultimate export market would also be restricted to a single location, the Gulf of Mexico; and

Whereas, The public comment period runs until June 15. With increased costs estimated at between five and twenty cents per bushel and untold indirect costs, Michigan has a strong stake in this decision; now, therefore, be it

Resolved by the House of Representatives, That we urge the Commodity Futures Trading Commission and the Chicago Board of Trade to refrain from closing Toledo's point of delivery for agricultural products; and be it further

Resolved, That copies of this resolution be transmitted to the Commodity Futures Trading Commission and the Chicago Board of Trade.

The resolution was referred to the Committee on Agriculture.

Reps. Rison, Kelly, Profit, Hale, Martinez, Gubow, Freeman, Baird, Murphy, Hanley, Quarles, Bodem, Dalman, Goschka, Scott, Crissman, Galloway, Cherry, Jelinek, Wetters, DeHart, Agee, Brater, Richner and Green offered the following resolution:

**House Resolution No. 77.**

A resolution honoring J. Merrill and Edith Prunty Spencer upon the occasion of their retirement.

Success depends on previous preparation, and without such preparation there is sure to be failure.

—Confucius

Whereas, It is a pleasure to join with the family, friends, and colleagues of J. Merrill and Edith Prunty Spencer in extending our best wishes upon the occasion of their retirement. At this milestone in their lives, we are proud to recognize all that J. Merrill and Edith Prunty Spencer have accomplished, not only throughout their association with the House of Spencer Mortuary, but also in all other aspects of their lives; and

Whereas, J. Merrill, a native of Georgia and a graduate of Moorehouse College, and Edith, a native of West Virginia and a graduate of Atlanta University, commenced their business partnership with the establishment of the House of Spencer, on November 3, 1955. Over the course of J. Merrill and Edith Prunty Spencer's long and productive service with the House of Spencer Mortuary, they have contributed to its growth and to the reputation it has developed during this period. In this, J. Merrill and Edith Prunty Spencer's personal sense of dedication, integrity, and thoroughness have proven invaluable; and

Whereas, Highlights of J. Merrill and Edith Prunty's accomplishment-filled careers are many. They include their educational efforts in mortuary science at Atlanta University and Wayne State University, respectively. However, their success reaches far beyond their business partnership, together they have sponsored and demonstrated their commitment to education by participating in various groups and activities. Indeed, these dedicated and talented professionals can look with great pride to all they have contributed to the Flint community over the past forty-two years; and

Whereas, With J. Merrill and Edith Prunty Spencer's forty-two years of experience, the people who have come to rely upon their enterprise have benefited enormously. This has helped to strengthen the House of Spencer Mortuary, and it has also proven once again the great human resources of the Great Lakes State. In the months and years to come, the example that J. Merrill and Edith Prunty Spencer set in all facets of their careers will continue to be of value; now, therefore, be it

Resolved by the House of Representatives, That we offer congratulations to J. Merrill and Edith Prunty Spencer as they embark upon the more leisurely pursuits of retirement. May the future be filled with ample time to enjoy life and the love of family and friends; and be it further

Resolved, That copies of this resolution be transmitted to J. Merrill and Edith Prunty Spencer as evidence of our congratulations on their retirement.

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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 78.**

A resolution honoring the Detroit Red Wings, the 1997 NHL Stanley Cup Champions.

Whereas, It is most appropriate for the Michigan House of Representatives to extend the highest praise and tribute to the Detroit Red Wings and their coaches, as well as the entire organization, and its owners, Mike and Marian Ilitch, in recognition of their success in becoming the 1997 Stanley Cup Champions of the National Hockey League; and

Whereas, The Detroit Red Wings have claimed their eighth Stanley Cup championship—the most of any franchise based in America—ending a 42-year-old absence of Lord Stanley's Cup from the Motor City and Michigan. The team and its organization have once again sipped from the Cup, the most coveted prize in all of professional sports. This trophy, awarded annually to the best pro hockey team in the world, has become the most recognizable award on Earth, from the United States, Canada, Russia, and Sweden, thanks to its enthusiastic display by loyal Detroit Red Wings fans, who have placed replicas of "The Cup" from numerous Motor City landmarks; and

Whereas, The Detroit Red Wings and its organization used character, hard work, dedication, sweat, teamwork, and encouragement from its fans worldwide to overcome many disappointments and take the 1997 Stanley Cup Championship. Head Coach Scotty Bowman and his staff began planning for this achievement after a disappointing finish in 1996, by assembling a tough and scrappy team driven by heart, pure hockey talent, and determination; and

Whereas, Detroit Red Wings fans experienced a sign of good things to come earlier this year against their nemesis, the Colorado Avalanche. With Bowman's newly retooled team sporting such weapons as the "Grind Line," the "Russian Five," featuring the "Vladinator," as well as new acquisitions such as Brendan Shanahan and Joe Kocur, plus the continued heart and dedication of Stevie Yzerman, the Avalanche learned the hard way that the Detroit Red Wings really "wanted Stanley." Indeed, the turning point of this year's season to winning the Cup came in a March 26th home game against the Avalanche in which the Red Wings came from behind to win 6-5 in overtime, using grit and toughness that "turtled" one opposing player. The Red Wings further proved they were destined for glory in the Western Conference Finals against Colorado. Doubting they were, one Avalanche player wondered aloud if Detroit's players were ready to pay the price for Stanley. The Red Wings answered that question, beating the Avalanche in six games, and then sweeping the Philadelphia Flyers in the Stanley Cup Finals; and

Whereas, Everyone who has contributed to the success of the Detroit Red Wings can be justifiably proud, for they teamed up with the Ilitchs and their Red Wings, and turned not only Detroit, but the Michigan Legislature and the entire state—from the Motor City to the Upper Peninsula—into "HOCKEYTOWN"; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body extend the highest commendation to the Detroit Red Wings; and be it further

Resolved, That copies of this resolution be transmitted to the following coaches and players as evidence of our highest esteem, thanks, and admiration:

## COACHES

Scotty Bowman Dave Lewis Barry Smith

## PLAYERS

Steve Yzerman	Bob Rouse	Jamie Pushor	Nick Lidstrom
Igor Larionov	Doug Brown	Slava Kozlov	Brendan Shanahan
Sergei Fedorov	Kirk Maltby	Joe Kocur	Vladimir Konstantinov
Slava Fetisov	Martin LaPointe	Darren McCarty	Larry Murphy
Kris Draper	Tomas Sandstrom	Mike Vernon	Chris Osgood
Tim Taylor	Aaron Ward	Mathieu Dandenault	Tomas Holmstrom
Mike Knuble	Kevin Hodson		

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. Godchaux, Baird, Schroer, Quarles, Martinez, Thomas, Kaza, Profit, Green, Gire, Bankes, Law, Rison, Brater, Galloway, Kelly, Rocca, Oxender, Bodem, Scott, Crissman and Perricone offered the following concurrent resolution:

**House Concurrent Resolution No. 44.**

A concurrent resolution to memorialize the Congress of the United States to redirect some military spending to the states to enable them to meet domestic needs.

Whereas, Over the past two decades, the world has witnessed a remarkable shift in the balance of power in the world. The threats of the Cold War are no longer as imminent. Instead, the United States faces more specialized military challenges. We also face a host of significant domestic needs every bit as important to the security of our nation; and

Whereas, While there can be no disagreement that the United States must retain its position as the world's foremost military power, it is wise to realize that we continue to spend far more money on defense than all our adversaries combined. Even with moderation in spending by comparison to earlier appropriations, the United States has a military budget of \$265 billion for 1997, as opposed to a combined military budget of \$15 billion for the seven countries identified as our adversaries; and

Whereas, Several former military leaders and civilian executives have pointed out excess spending for certain projects and weaponry. Others have observed the influence of uncontrolled military spending—at the cost of domestic investment—as being a principal factor in the decline of the former Soviet Union; and

Whereas, It seems that the battlefields of the twenty-first century may well center on internal strengths. Resources for infrastructure, education, public health, environmental protection, feeding our people, and strengthening our economy are also cornerstones upon which our nation's future will be built. As budget negotiations establish the national priorities, this must be clear; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to redirect some military spending to the states to enable them to meet domestic needs; and be it further

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

The concurrent resolution was referred to the Committee on Appropriations.

### Reports of Standing Committees

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

**House Bill No. 4055, entitled**

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

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 4055 To Report Out:**

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Kilpatrick, LaForge, Mans, Schermesser, Wetters, Birkholz, Bodem, Byl, DeVuyst, 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, June 11, 1997, at 10:30 a.m.,  
Present: Reps. Alley, Callahan, Anthony, Brater, Brown, Gire, Kilpatrick, LaForge, Mans, Schermesser, Wetters, Birkholz, Bodem, Byl, DeVuyst, McNutt, Walberg,  
Absent: Reps. Middaugh, McManus,  
Excused: Reps. Middaugh, McManus.

The Committee on Education, by Rep. Gire, Chair, reported

**House Bill No. 4181, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1206. 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 4181** To Report Out:

Yeas: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, Kilpatrick, LaForge, Schauer, Crissman, Jelinek, LeTarte,  
Nays: None.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 11, 1997, at 12:00 Noon,  
Present: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, Kilpatrick, LaForge, Schauer, Scott, Dalman, Crissman, Cropsey, Jelinek, LeTarte, McNutt, Middleton.

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

**House Bill No. 4304, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 266. 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 4304** To Report Out:

Yeas: Reps. Profit, Quarles, Hanley, Wallace, Wetters, Wojno, Brackenridge, Cassis, Dobb, Middleton, Whyman,  
Nays: None.

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

**House Bill No. 4561, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 266. 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 4561** To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Gubow, Hanley, Wallace, Wetters, Wojno, Goschka,  
Nays: Reps. Cassis, Dobb, Whyman.

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

**House Bill No. 4672, entitled**

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 203 (MCL 259.203).  
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 4672** To Report Out:

Yeas: Reps. Profit, Wallace, Perricone, Brackenridge, Cassis, Dobb, Goschka, Middleton, Whyman,  
Nays: Rep. Gubow.

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

**House Bill No. 4783, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 265 (MCL 206.265), as added by 1993 PA 128.

With the recommendation that the bill pass.

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

## Favorable Roll Call

**HB 4783** To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Gubow, Hanley, Wallace, Wojno, Perricone, Cassis, Dobb, Goschka, Whyman,  
Nays: None.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 11, 1997, at 9:00 a.m.,

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

Absent: Rep. Palamara,

Excused: Rep. Palamara.

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

**Senate Bill No. 171, entitled**

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

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

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

## Favorable Roll Call

**SB 171** To Report Out:

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

Nays: Reps. Johnson, McBryde, Oxender.

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

**Senate Bill No. 172, entitled**

A bill to make appropriations for the department of military affairs for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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

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

## Favorable Roll Call

**SB 172** To Report Out:

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

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

**Senate Bill No. 225, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 353d.

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

1. Amend page 1, line 2, after "1997" by striking out "ONLY".
2. Amend page 2, line 15, after "BE" by striking out the balance of the sentence and inserting: "CONSIDERED A WORK PROJECT, AND SHALL NOT BE RETURNED TO THE STATE FOR DEPOSIT IN THE FUND, SHALL REMAIN AVAILABLE FOR EXPENDITURE FOR THE PURPOSES FOR WHICH APPROPRIATED."

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

## Favorable Roll Call

**SB 225** To Report Out:

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

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hood, Chair of the Committee on Appropriations, was received and read:  
 Meeting held on: Wednesday, June 11, 1997, at 10:30 a.m.,

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

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Griffin, Chair of the Committee on Commerce, was received and read:  
 Meeting held on: Wednesday, June 11, 1997, at 9:00 a.m.,

Present: Reps. Griffin, Thomas, Alley, Callahan, Mans, Murphy, Olshove, Schermesser, Varga, Gernaat, Jaye, Kaza, Kukuk, Rhead, Richner, Walberg,  
 Absent: Rep. Palamara.

**Messages from the Senate****House Bill No. 4230, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5131, 5205, and 5207 (MCL 333.5131, 333.5205, and 333.5207), section 5131 as amended by 1994 PA 200 and sections 5205 and 5207 as added by 1988 PA 490, and by adding section 5204.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title of the bill.

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

**House Bill No. 4523, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 160a.

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4), ordered that it be given immediate effect pursuant to Joint Rule 20, inserted the full title of the bill.

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

**House Bill No. 4774, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1234 (MCL 380.1234).

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect pursuant to Joint Rule 20, inserted the full title of the bill.

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

**House Bill No. 4052, entitled**

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

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

The House agreed to the full title of the bill.

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

**House Bill No. 4391, entitled**

A bill to authorize a political subdivision to enact an ordinance allowing certain electrically powered vehicles to be operated on a highway within the political subdivision's boundaries; to require certain equipment for electrically powered vehicles; to provide for restrictions and limitations; to provide for exceptions; and to define terms.

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

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

**House Bill No. 4594, entitled**

A bill to amend 1965 PA 314, entitled "An act to authorize the investment of assets of public employee retirement systems or plans created and established by the state or any political subdivision; to provide for the payment of certain costs and investment expenses; to authorize investment in variable rate interest loans; to define and limit the investments which may be made by an investment fiduciary with the assets of a public employee retirement system; and to prescribe the powers and duties of investment fiduciaries and certain state departments and officers," by amending section 20c (MCL 38.1140c), as amended by 1996 PA 485.

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

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

**House Bill No. 4595, entitled**

A bill to amend 1909 PA 99, entitled "An act authorizing the county board of commissioners or the board of auditors in those counties having a board of county auditors, to designate a depository or depositories of public moneys received by county treasurers; prescribing the duties of certain officers; and prescribing penalties," by amending sections 1, 2, 3, 4, 6, 6a, and 10 (MCL 129.31, 129.32, 129.33, 129.34, 129.36, 129.36a, and 129.40).

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

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

**House Bill No. 4596, entitled**

A bill to amend 1932 (1st Ex Sess) PA 40, entitled "An act to provide for the designation of depositories for public moneys; to prescribe the effect thereof on the liability for such deposits; to suspend the requirement of surety bonds from depositories of public moneys; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 2 and 4 (MCL 129.12 and 129.14), by adding section 6; and to repeal acts and parts of acts.

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

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

**House Bill No. 4597, entitled**

A bill to amend 1943 PA 20, entitled "An act relative to the investment of surplus funds of political subdivisions of the state; and to validate certain investments," by amending section 1 (MCL 129.91), as amended by 1988 PA 239.

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

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

**House Bill No. 4598, entitled**

A bill to amend 1909 PA 321, entitled "An act to provide for the depositing and safeguarding of public moneys belonging to villages within the state of Michigan," by amending sections 1 and 3 (MCL 129.41 and 129.43) and by adding section 5.

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

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

**House Bill No. 4599, entitled**

A bill to amend 1934 (1st Ex Sess) PA 23, entitled "An act authorizing the investment in bonds of the home owners' loan corporation and bonds of federal home loan banks by the state and all its departments and political subdivisions, including municipal corporations, and instrumentalities, and by any insurance company, building and loan association or company, savings and loan association or company, bank, trust company or other financial institution, and by any executor, administrator, guardian, trustee or fiduciary; authorizing the use of such bonds as security by any depository of funds; and authorizing certain deposits with the state treasurer to be in such bonds," by amending section 1 (MCL 129.81).

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

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

**House Bill No. 4600, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 622, 1221, and 1223 (MCL 380.622, 380.1221, and 380.1223), sections 622 and 1223 as amended by 1986 PA 132 and section 1221 as amended by 1994 PA 416.

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

The House agreed to the full title of the bill.

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

**House Bill No. 4602, entitled**

A bill to amend 1982 PA 367, entitled "Surplus funds investment pool act," by amending section 2 (MCL 129.112). The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title of the bill.

The House agreed to the full title of the bill.

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

**House Bill No. 4604, entitled**

A bill to amend 1996 PA 354, entitled "Savings bank act," by amending section 508 (MCL 487.3508) and by adding section 302a.

The Senate has passed the bill by 2/3 vote, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title of the bill.

The House agreed to the full title of the bill.

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

**House Bill No. 4605, entitled**

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by amending section 606 (MCL 491.606), as amended by 1987 PA 106, and by adding section 300a.

The Senate has passed the bill by 2/3 vote, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title of the bill.

The House agreed to the full title of the bill.

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

**House Bill No. 4606, entitled**

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending sections 102, 103, 201, 202, 203, 204, 206, 207, 213, 301, 302, 303, 304, 305, 307, 308, 401, 402, 403, 404, 405, 501, 502, 503, 506, 509, 603, 701, 702, 703, 704, 705, 706, 801, 901, 902, 903, 904, 909, 910, 1002, and 1101 (MCL 450.4102, 450.4103,

450.4201, 450.4202, 450.4203, 450.4204, 450.4206, 450.4207, 450.4213, 450.4301, 450.4302, 450.4303, 450.4304, 450.4305, 450.4307, 450.4308, 450.4401, 450.4402, 450.4403, 450.4404, 450.4405, 450.4501, 450.4502, 450.4503, 450.4506, 450.4509, 450.4603, 450.4701, 450.4702, 450.4703, 450.4704, 450.4705, 450.4706, 450.4801, 450.4901, 450.4902, 450.4903, 450.4904, 450.4909, 450.4910, 450.5002, and 450.5101), sections 701, 702, 703, 705, and 706 as amended by 1994 PA 410, and by adding sections 214, 515, 705a, and 707.

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

The House agreed to the full title of the bill.

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

**House Bill No. 4766, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 33 (MCL 257.33), as amended by 1995 PA 140.

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

The House agreed to the full title of the bill.

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

**Senate Bill No. 351, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 145d. The Senate has passed the bill.

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

**Senate Bill No. 410, entitled**

A bill to amend 1971 PA 140, entitled "State revenue sharing act of 1971," by amending section 13 (MCL 141.913), as amended by 1996 PA 342.

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. 487, entitled**

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending section 126 (MCL 125.526).

The Senate has passed the bill.

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

**Senate Bill No. 513, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3a (MCL 722.623a), as added by 1996 PA 581.

The Senate has passed the bill.

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

**Senate Bill No. 515, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 7 and 8 (MCL 722.627 and 722.628), section 7 as amended by 1995 PA 225 and section 8 as amended by 1988 PA 372, and by adding sections 8b and 8c.

The Senate has passed the bill.

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

**Senate Bill No. 516, entitled**

A bill to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the

judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act," by amending sections 13a, 17, 17c, 19, and 19b of chapter XIIA (MCL 712A.13a, 712A.17, 712A.17c, 712A.18f, 712A.19, and 712A.19b), sections 13a and 17 as amended by 1996 PA 409, sections 17c and 19b as amended by 1994 PA 264, and section 19 as amended by 1996 PA 16, and by adding section 13c to chapter XIIA.

The Senate has passed the bill.

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

**Senate Bill No. 517, entitled**

A bill to amend 1984 PA 422, entitled "An act to create a state foster care review board program in the state court administrative office; to create local foster care review boards; to prescribe the powers and duties of certain public officers and certain public and private agencies; and to provide penalties," by amending sections 4, 5, 7, and 9 (MCL 722.134, 722.135, 722.137, and 722.139), as amended by 1989 PA 74.

The Senate has passed the bill.

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

**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, June 5:

<b>Senate Bill Nos.</b>	<b>566</b>	<b>569</b>	<b>570</b>	<b>571</b>	<b>572</b>	<b>573</b>	<b>574</b>	<b>575</b>	<b>576</b>	<b>580</b>	<b>581</b>	<b>582</b>	<b>583</b>	<b>584</b>
	<b>585</b>	<b>586</b>	<b>587</b>	<b>588</b>	<b>589</b>	<b>590</b>	<b>591</b>	<b>592</b>	<b>593</b>	<b>594</b>				

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, June 9:

<b>Senate Bill Nos.</b>	<b>545</b>	<b>547</b>	<b>548</b>	<b>549</b>	<b>550</b>	<b>551</b>	<b>552</b>	<b>553</b>	<b>554</b>	<b>555</b>	<b>556</b>	<b>557</b>	<b>558</b>	<b>559</b>
	<b>560</b>	<b>561</b>	<b>563</b>	<b>564</b>	<b>565</b>	<b>567</b>	<b>568</b>	<b>577</b>	<b>578</b>	<b>579</b>				

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

<b>House Bill Nos.</b>	<b>4874</b>	<b>4875</b>	<b>4876</b>	<b>4877</b>	<b>4878</b>	<b>4879</b>	<b>4880</b>	<b>4881</b>	<b>4882</b>	<b>4884</b>	<b>4885</b>	<b>4886</b>	<b>4887</b>	<b>4888</b>
	<b>4889</b>	<b>4890</b>	<b>4891</b>	<b>4892</b>	<b>4893</b>	<b>4894</b>	<b>4895</b>	<b>4896</b>	<b>4897</b>	<b>4898</b>				

The Clerk announced that the following Senate bills had been received on Wednesday, June 11:

<b>Senate Bill Nos.</b>	<b>113</b>	<b>165</b>	<b>415</b>	<b>521</b>	<b>532</b>	<b>543</b>	<b>544</b>	<b>566</b>
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**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: June 4, 1997  
Time: 8:17 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4093 (Public Act No. 13, I.E.), being**

An act to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 65a (MCL 791.265a), as amended by 1994 PA 217.

(Filed with the Secretary of State June 5, 1997, at 9:30 a.m.)

Date: June 4, 1997  
Time: 3:15 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4436 (Public Act No. 14, I.E.), being**

An act to co-designate a part of Michigan state highway M-85 as Matt McNeely boulevard; and to prescribe the duties of the state transportation department.

(Filed with the Secretary of State June 5, 1997, at 9:31 a.m.)

### Communications from State Officers

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

#### Notice of Filing Administrative Rules

May 28, 1997

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 3:10 p.m. this date, administrative rule (97-5-10) for the Department of Environmental Quality, Air Quality Division, entitled "*Air Pollution Control*", effective 15 days hereafter.

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

The communication was referred to the Clerk.

### Introduction of Bills

Rep. Gubow introduced

**House Bill No. 4905, entitled**

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

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

Rep. Griffin introduced

**House Bill No. 4906, entitled**

A bill to amend 1980 PA 395, entitled "Community convention or tourism marketing act," by amending sections 2 and 6 (MCL 141.872 and 141.876), section 2 as amended by 1993 PA 224.

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

Rep. Cherry moved that the House adjourn.

The motion prevailed, the time being 5:40 p.m.

The Speaker declared the House adjourned until Thursday, June 12, at 10:00 a.m.

MARY KAY SCULLION  
Clerk of the House of Representatives.

