

No. 33
JOURNAL OF THE HOUSE

House Chamber, Lansing, Wednesday, April 23, 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—excused	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—present	Wallace—present
DeHart—present	Jaye—present	Oxender—present	Wetters—present
DeVuyst—present	Jelinek—present	Palamara—present	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

The Reverend Russell Carlson, Pastor, Forest Park Covenant Church, Norton Shores, offered the following invocation:

“O God, It is our privilege to be here today. We thank You for these people who have come to do Your work and to do the work here within the state of Michigan in representing the people. We thank You for what they give to the citizens of this state. We thank You for those who have given the gift of life in a time of great tragedy in their own lives so that people such as myself might have a second chance at living. We ask that You would give wisdom to the Representatives today as they go about the business of this House. We ask this in Jesus’ name, Amen.”

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

Second Reading of Bills

House Bill No. 4309, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 1998; to make appropriations for state building authority rent and insurance; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, 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. Gilmer moved to amend the bill as follows:

1. Amend page 22, line 16, by striking out all of section 416 and inserting:

“Sec. 416. It is the intent of the legislature that the appropriations in section 101 for university operations provide for an expansion of the undergraduate research opportunities at the following state research and doctoral universities:

- (a) Michigan State University.
- (b) Michigan Technological University.
- (c) University of Michigan - Ann Arbor.
- (d) Wayne State University.
- (e) Western Michigan University.”.

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

Rep. Brewer moved to amend the bill as follows:

1. Amend page 22, following line 23, by inserting:

“Sec. 417. The legislature shall reduce the appropriations in section 101 for a state institution of higher education by the amount expended by that state institution of higher education to fulfill an outstanding obligation of athletic personnel contracts before the end of the contract term.”.

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

Rep. Gilmer demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 189

Yeas—59

Agee	Frank	Leland	Schauer
Anthony	Freeman	Llewellyn	Schermesser
Bodem	Gagliardi	Lowe	Scott
Bogardus	Goschka	Mans	Stallworth
Brewer	Green	McManus	Tesanovich
Brown	Griffin	McNutt	Thomas
Byl	Gubow	Murphy	Varga

Callahan	Hale	Olshove	Vaughn
Cassis	Hanley	Parks	Voorhees
Cherry	Harder	Perricone	Walberg
Cropsey	Horton	Prusi	Wetters
Curtis	Jansen	Quarles	Whyman
DeHart	Jaye	Raczkowski	Willard
Dobb	Kaza	Rhead	Wojno
Dobronski	Kilpatrick	Rocca	

Nays—45

Alley	Fitzgerald	Kelly	Nye
Baird	Galloway	Kukuk	Owen
Banks	Geiger	LaForge	Oxender
Birkholz	Gernaat	Law	Palamara
Bobier	Gilmer	LeTarte	Price
Brackenridge	Godchaux	London	Profit
Brater	Gustafson	Martinez	Richner
Ciaramitaro	Hammerstrom	Mathieu	Schroer
Crissman	Jelinek	McBryde	Scranton
Dalman	Jellema	Middaugh	Sikkema
DeVuyst	Johnson	Middleton	Wallace
Emerson			

In The Chair: Hertel

The Speaker called the Speaker Pro Tempore to the Chair.

Rep. Jaye moved to amend the bill as follows:

1. Amend page 10, following line 2, by inserting:

“Sec. 207. (1) Included in the appropriation in section 101 to each state institution of higher education is an amount equal to 10% of the entire operating budget for each state institution of higher education. This set-aside amount is the incentive for equal treatment grant. To be eligible to receive the set-aside amount under this grant, a state institution of higher education shall certify to the state budget director by October 1, 1997, that all of the following are true:

(a) That the state institution does not and will not use funds appropriated in section 101 to implement an admissions policy that includes any quota, set-aside, numerical goal, timetable, extension of application deadlines, grade adjustment, or other objective based on race, color, religion, sex, or national origin.

(b) That the state institution of higher education does not and will not use funds appropriated in section 101 for scholarships, employment, or contracts that are based on any quota, set-aside, numerical goal, timetable, grade adjustment, or other objective based on race, color, religion, sex, or national origin.

(2) By October 15, 1997, the state budget director shall allocate any remaining funding under the incentive for equal treatment grant among the eligible institutions pro rata to the total amount described in subsection (1) for all eligible institutions. The incentive for equal treatment grant funding shall be paid out of the state treasury in the same manner and time as provided in section 202.”

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 190**Yeas—42**

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

Nays—63

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

In The Chair: Murphy

Rep. Gilmer moved to amend the bill as follows:

1. Amend page 22, following line 23, following section 417, by inserting:

“Sec. 418. No state funds shall be used by any state university to undertake a collaborative effort with any other university that would have the effect of increasing its enrollment of first-time professional law degree seeking students.”.

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

Rep. Gilmer demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 191**Yeas—81**

Agee	Fitzgerald	Kukuk	Quarles
Anthony	Frank	LaForge	Raczkowski
Baird	Freeman	Law	Richner
Bankes	Galloway	Leland	Rison

Birkholz	Geiger	LeTarte	Rocca
Bobier	Gernaat	London	Schauer
Bodem	Gire	Lowe	Schermesser
Bogardus	Godchaux	Mans	Schroer
Brackenridge	Green	Mathieu	Scranton
Brater	Griffin	McBryde	Sikkema
Brown	Gubow	McNutt	Stallworth
Byl	Gustafson	Middaugh	Thomas
Callahan	Harder	Middleton	Varga
Cassis	Horton	Nye	Vaughn
Cherry	Jansen	Olshove	Voorhees
Crissman	Jaye	Oxender	Walberg
Cropsey	Jelinek	Palamara	Wetters
Curtis	Jellema	Perricone	Whyman
Dalman	Johnson	Profit	Willard
DeVuyst	Kaza	Prusi	Wojno
Dobb			

Nays—20

Alley	Goschka	Kilpatrick	Price
Ciaramitaro	Hale	Llewellyn	Rhead
DeHart	Hammerstrom	Martinez	Scott
Dobronski	Hanley	Murphy	Tesanovich
Gagliardi	Kelly	Parks	Wallace

In The Chair: Murphy

Rep. Walberg moved to amend the bill as follows:

1. Amend page 22, following line 23, following section 418, by inserting:

“Sec. 419. To be eligible to receive funding appropriated in section 101 for special maintenance, a state university must certify to the state budget director by October 1, 1997, that the university does not extend employee benefits, other than prenatal and postnatal care, to the unmarried partners of the university’s employees.”.

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

Rep. Walberg demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 192**Yeas—52**

Birkholz	Goschka	Law	Oxender
Bodem	Green	LeTarte	Palamara
Brackenridge	Griffin	Llewellyn	Perricone
Brown	Gustafson	London	Raczkowski
Callahan	Hammerstrom	Lowe	Rhead
Cassis	Harder	Mans	Richner
Cropsey	Horton	McBryde	Rocca
Dalman	Jansen	McManus	Scranton
DeVuyst	Jaye	McNutt	Sikkema
Fitzgerald	Jelinek	Middaugh	Voorhees
Frank	Jellema	Middleton	Walberg
Geiger	Kaza	Nye	Whyman
Gernaat	Kukuk	Olshove	Wojno

Nays—52

Agee	Dobronski	Kelly	Rison
Anthony	Freeman	Kilpatrick	Schauer
Baird	Gagliardi	LaForge	Schermesser
Bankes	Galloway	Leland	Schroer
Bobier	Gilmer	Martinez	Scott
Bogardus	Gire	Mathieu	Stallworth
Brater	Godchaux	Murphy	Tesanovich
Brewer	Gubow	Owen	Thomas
Cherry	Hale	Parks	Varga
Crissman	Hanley	Price	Vaughn
Curtis	Hertel	Profit	Wallace
DeHart	Hood	Prusi	Wetters
Dobb	Johnson	Quarles	Willard

In The Chair: Murphy

Rep. Cassis moved to amend the bill as follows:

1. Amend page 22, following line 23, following section 418, by inserting:

“Sec. 419. (1) Included in the appropriation in section 101 to each state university is an amount that is greater by 3% than that appropriated for the fiscal year ending September 30, 1997. This increased funding is the Michigan legislative tuition restraint initiative. To be eligible to receive the increased funding under this initiative, a state university shall certify to the state budget director by October 1, 1997, that the increase in required annual tuition and fees for upper and lower division undergraduate students as established by the university’s board of control for the 1997-98 academic year, is not greater than the projected increase in the Detroit consumer price index, as determined by the May 1997 consensus revenue conference established under section 367b of the management and budget act, 1984 PA 431, MCL 18.1367b, or 3%, whichever is greater.

(2) By October 15, 1997, the state budget director shall allocate any remaining funding under the Michigan legislative tuition restraint initiative among the eligible universities pro rata to the total appropriations in section 101 for all eligible universities. The Michigan legislative tuition restraint initiative funding shall be paid out of the state treasury in the same manner and time as provided in section 202.”.

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

Rep. Cassis demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 193**Yeas—90**

Alley	Freeman	Kukuk	Prusi
Anthony	Galloway	LaForge	Quarles
Baird	Geiger	Leland	Raczkowski
Bankes	Gernaat	Llewellyn	Rhead
Birkholz	Gilmer	London	Richner
Bobier	Godchaux	Lowe	Rison
Bodem	Goschka	Mans	Rocca
Bogardus	Green	Mathieu	Schauer
Brackenridge	Gustafson	McBryde	Schermesser
Brown	Hammerstrom	McManus	Scott
Byl	Hanley	McNutt	Scranton
Callahan	Harder	Middaugh	Sikkema
Cassis	Hertel	Middleton	Stallworth
Cherry	Hood	Murphy	Tesanovich

Crissman	Horton	Nye	Thomas
Cropsey	Jansen	Olshove	Vaughn
Dalman	Jaye	Owen	Walberg
DeHart	Jelinek	Oxender	Wallace
DeVuyst	Jellema	Palamara	Wetters
Dobb	Johnson	Parks	Whyman
Dobronski	Kaza	Perricone	Willard
Fitzgerald	Kelly	Price	Wojno
Frank	Kilpatrick		

Nays—10

Agee	Gubow	LeTarte	Profit
Brater	Hale	Martinez	Schroer
Curtis	Law		

In The Chair: Murphy

Rep. Crissman moved to amend the bill as follows:

1. Amend page 10, following line 2, by inserting:

“Sec. 207. A state institution of higher education shall not use funds appropriated in section 101 to adjust a test score, use a different cut-off score, or otherwise alter the results of a test on the basis of religion, race, color, national origin, or sex for the purpose of selecting or referring an applicant or candidate for employment or a current administrator or employee for promotion at that state institution of higher education.”.

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

Rep. Crissman demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 194**Yeas—81**

Alley	Dobb	Horton	Nye
Anthony	Dobronski	Jansen	Olshove
Bankes	Fitzgerald	Jaye	Oxender
Birkholz	Frank	Jelinek	Palamara
Bobier	Freeman	Jellema	Perricone
Bodem	Gagliardi	Johnson	Prusi
Bogardus	Galloway	Kaza	Raczkowski
Brackenridge	Geiger	Kukuk	Rhead
Brewer	Gernaat	Law	Richner
Brown	Gilmer	LeTarte	Rocca
Byl	Gire	Llewellyn	Schauer
Callahan	Godchaux	London	Schermesser
Cassis	Goschka	Lowe	Scranton
Cherry	Green	Mans	Sikkema
Ciaramitaro	Griffin	Mathieu	Tesanovich
Crissman	Gubow	McBryde	Voorhees
Cropsey	Gustafson	McManus	Walberg
Curtis	Hammerstrom	McNutt	Whyman
Dalman	Harder	Middaugh	Willard
DeHart	Hertel	Middleton	Wojno
DeVuyst			

Nays—26

Agee	Kelly	Parks	Stallworth
Baird	Kilpatrick	Price	Thomas
Brater	LaForge	Profit	Varga
Emerson	Leland	Quarles	Vaughn
Hale	Martinez	Rison	Wallace
Hanley	Murphy	Scott	Wetters
Hood	Owen		

In The Chair: Murphy

Rep. Dalman moved to amend the bill as follows:

1. Amend page 22, following line 23, following section 419, by inserting:

“Sec. 420. (1) An institution receiving funding under this act and also subject to the student right-to-know and campus security act, Public Law 101-522, 104 Stat. 2381, shall furnish by September 1, 1997 to the Michigan department of education, a copy of all material prepared pursuant to the public information reporting requirements under the crime awareness and campus security act of 1990, title II of the student right-to-know and campus security act, Public Law 101-542, 104 Stat. 2381.

(2) The Michigan department of education shall compile and make this information available in written and electronic Internet format for school districts, parents, and students.”.

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

Rep. Dalman demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 195**Yeas—106**

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

Dobronski
Fitzgerald
Frank

Johnson
Kaza
Kelly

Perricone
Price

Willard
Wojno

Nays—0

In The Chair: Murphy

Rep. McBryde moved to amend the bill as follows:

1. Amend page 2, line 17, by striking out “70,563,782” and inserting “74,330,534”.
2. Amend page 2, line 20, by striking out “71,401,248” and inserting “75,168,000”.
3. Amend page 2, line 22, by striking out “71,401,248” and inserting “75,168,000”.
4. Amend page 2, line 24, by striking out “75,788,767” and inserting “77,624,195”.
5. Amend page 3, line 1, by striking out “76,673,372” and inserting “78,508,800”.
6. Amend page 3, line 3, by striking out “76,673,372” and inserting “78,508,800”.
7. Amend page 3, line 12, by striking out “45,626,770” and inserting “48,062,305”.
8. Amend page 3, line 14, by striking out “46,167,165” and inserting “48,602,700”.
9. Amend page 3, line 16, by striking out “46,167,165” and inserting “48,602,700”.
10. Amend page 3, line 18, by striking out “12,477,002” and inserting “12,758,061”.
11. Amend page 3, line 20, by striking out “12,642,941” and inserting “12,924,000”.
12. Amend page 3, line 22, by striking out “12,642,941” and inserting “12,924,000”.
13. Amend page 4, line 16, by striking out “41,596,547” and inserting “43,632,883”.
14. Amend page 4, line 18, by striking out “42,218,914” and inserting “44,255,250”.
15. Amend page 4, line 20, by striking out “42,218,914” and inserting “44,255,250”.
16. Amend page 4, line 22, by striking out “22,187,337” and inserting “23,159,873”.
17. Amend page 4, line 25, by striking out “22,435,114” and inserting “23,407,650”.
18. Amend page 5, line 1, by striking out “22,435,114” and inserting “23,407,650”.
19. Amend page 5, line 9, by striking out “22,847,657” and inserting “23,771,351”.
20. Amend page 5, line 11, by striking out “23,214,306” and inserting “24,138,000”.
21. Amend page 5, line 13, by striking out “23,214,306” and inserting “24,138,000”.
22. Amend page 5, line 15, by striking out “19,470,946” and inserting “19,813,995”.
23. Amend page 5, line 17, by striking out “20,262,451” and inserting “20,605,500”.
24. Amend page 5, line 19, by striking out “20,262,451” and inserting “20,605,500” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. McBryde demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 196

Yeas—28

Bogardus
Brown
Cherry
Crissman
Cropsey
Curtis
DeHart

DeVuyst
Dobb
Frank
Gagliardi
Geiger
Goschka
Green

Gustafson
Horton
Jansen
Kelly
Mathieu
McBryde
Middleton

Owen
Profit
Rackowski
Rhead
Rison
Sikkema
Voorhees

Nays—79

Agee
Alley

Gernaat
Gilmer

Law
Leland

Quarles
Richner

Anthony	Gire	LeTarte	Rocca
Baird	Godchaux	Llewellyn	Schauer
Bankes	Griffin	London	Schermesser
Birkholz	Gubow	Lowe	Schroer
Bobier	Hale	Mans	Scott
Bodem	Hammerstrom	Martinez	Scranton
Brackenridge	Hanley	McManus	Stallworth
Brater	Harder	McNutt	Tesanovich
Brewer	Hertel	Middaugh	Thomas
Byl	Hood	Murphy	Varga
Callahan	Jaye	Nye	Vaughn
Cassis	Jelinek	Olshove	Walberg
Ciaramitaro	Jellema	Oxender	Wallace
Dalman	Johnson	Palamara	Wetters
Dobronski	Kaza	Parks	Whyman
Fitzgerald	Kilpatrick	Perricone	Willard
Freeman	Kukuk	Price	Wojno
Galloway	LaForge	Prusi	

In The Chair: Murphy

Rep. Gubow moved to amend the bill as follows:

1. Amend page 22, following line 23, following section 420, by inserting:

“Sec. 421. Central Michigan university shall report by April 1, 1998 and September 30, 1998, to the house and senate appropriations committees and the house and senate fiscal agencies, the following information on the activities and effectiveness of the higher education charter school center for which an appropriation is provided in section 101:

(a) Each public school academy provided assistance.

(b) The type of assistance provided.

(c) The result of the assistance provided.

(d) An itemized accounting of all revenues and expenditures of the center.”.

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

Rep. Gubow demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 197

Yeas—57

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

Nays—43

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

In The Chair: Murphy

Rep. Walberg moved to amend the bill as follows:

1. Amend page 22, following line 23, following section 421, by inserting:

“Sec. 422. Funds appropriated in section 101 shall not be used to extend employee benefits, other than prenatal and postnatal care, to the unmarried partners of the university’s employees. The universities shall report by May 1, 1998, to the department of management and budget and the house and senate fiscal agencies their compliance with this section.”.

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

Rep. Walberg demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 198**Yeas—51**

Birkholz	Geiger	Kukuk	Palamara
Bodem	Gernaat	Law	Perricone
Brackenridge	Goschka	Llewellyn	Raczkowski
Brown	Green	London	Rhead
Byl	Gustafson	Lowe	Richner
Callahan	Hammerstrom	Mans	Rocca
Cassis	Harder	McBryde	Scranton
Cropsey	Horton	McManus	Sikkema
Curtis	Jansen	McNutt	Voorhees
Dalman	Jaye	Middaugh	Walberg
DeVuyst	Jelinek	Nye	Whyman
Frank	Jellema	Olshove	Wojno
Galloway	Kaza	Oxender	

Nays—55

Agee	Emerson	Kilpatrick	Rison
Alley	Fitzgerald	LaForge	Schauer
Anthony	Freeman	Leland	Schermesser
Baird	Gagliardi	LeTarte	Schroer
Bankes	Gilmer	Martinez	Scott

Bobier	Gire	Mathieu	Stallworth
Brater	Godchaux	Middleton	Tesanovich
Brewer	Gubow	Murphy	Thomas
Cherry	Hale	Owen	Varga
Ciaramitaro	Hanley	Parks	Vaughn
Crissman	Hertel	Price	Wallace
DeHart	Hood	Profit	Wetters
Dobb	Johnson	Prusi	Willard
Dobronski	Kelly	Quarles	

In The Chair: Murphy

Rep. Perricone moved to amend the bill as follows:

1. Amend page 22, following line 23, following section 420, by inserting:

“Sec. 421. To be eligible to receive funding appropriated in section 101 for special maintenance, a state university must certify to the state budget director by October 1, 1997, that the percentage of out-of-state students attending does not exceed 30% of the undergraduate students attending the institution.”.

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

Rep. Perricone demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 199

Yeas—50

Bankes	Fitzgerald	Kaza	Perricone
Bodem	Frank	Kukuk	Raczkowski
Bogardus	Galloway	Leland	Rhead
Brewer	Geiger	LeTarte	Rocca
Brown	Goschka	Llewellyn	Scranton
Byl	Green	Lowe	Sikkema
Callahan	Gustafson	McManus	Tesanovich
Cassis	Harder	McNutt	Voorhees
Crissman	Horton	Middaugh	Walberg
Cropsey	Jansen	Middleton	Whyman
Curtis	Jaye	Nye	Willard
DeVuyst	Jelinek	Olshove	Wojno
Dobb	Johnson		

Nays—53

Agee	Godchaux	London	Quarles
Alley	Griffin	Mans	Richner
Anthony	Gubow	Martinez	Rison
Baird	Hale	Mathieu	Schauer
Bobier	Hammerstrom	McBryde	Schermesser
Brackenridge	Hanley	Murphy	Schroer
Brater	Hertel	Owen	Scott
Cherry	Hood	Oxender	Stallworth
Dalman	Jellema	Palamara	Thomas
DeHart	Kelly	Parks	Varga
Dobronski	Kilpatrick	Price	Vaughn

Freeman
Gernaat
Gilmer

LaForge
Law

Profit
Prusi

Wallace
Wetters

In The Chair: Murphy

Reps. Jaye, Jelinek, Geiger, DeVuyst, Voorhees, Rocca, Jansen, McManus, Birkholz, Cassis, Perricone, Goschka, Green, Horton, Kukuk, Cropsey, Raczkowski, Lowe, Kaza, Whyman and Llewellyn moved to amend the bill as follows:

1. Amend page 10, following line 2, following section 207, by inserting:

“Sec. 208. (1) Included in the appropriation in section 101 to each state institution of higher education is an amount equal to 10% of the appropriation to each state institution of higher education. This set-aside amount is the incentive for abortion-free health benefits grant. To be eligible to receive the set-aside amount under this grant, a state institution of higher education shall certify to the state budget director that all of the following are true:

(a) That the state institution does not and will not use funds appropriated in section 101 to purchase or secure health care benefits for employees of the institution or their dependents, which provide coverage in whole or part for abortion services, other than for spontaneous abortion or to prevent the death of the woman upon whom the abortion is performed, which are not included in a current collective bargaining agreement.

(b) The state institution eliminates through the collective bargaining process health care benefits which provides in whole or in part for abortion services, other than for spontaneous abortion or to prevent the death of the woman upon whom the abortion is performed.

(2) The state budget director shall allocate any remaining funding under the incentive for abortion-free health benefits grant among the eligible institutions pro rata to the total amount described in subdivision (a) for all eligible institutions. The incentive for abortion-free health benefits grant funding shall be paid out of the state treasury in the same manner and time as provided in section 202.”

The question being on the adoption of the amendment offered by Reps. Jaye, Jelinek, Geiger, DeVuyst, Voorhees, Rocca, Jansen, McManus, Birkholz, Cassis, Perricone, Goschka, Green, Horton, Kukuk, Cropsey, Raczkowski, Lowe, Kaza, Whyman and Llewellyn,

Rep. Jaye demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Jaye, Jelinek, Geiger, DeVuyst, Voorhees, Rocca, Jansen, McManus, Birkholz, Cassis, Perricone, Goschka, Green, Horton, Kukuk, Cropsey, Raczkowski, Lowe, Kaza, Whyman and Llewellyn,

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

Roll Call No. 200

Yeas—51

Alley	Geiger	Kukuk	Owen
Birkholz	Gernaat	Law	Palamara
Bodem	Goschka	Llewellyn	Perricone
Brown	Green	London	Raczkowski
Byl	Gustafson	Lowe	Rhead
Callahan	Hammerstrom	Mathieu	Richner
Cassis	Harder	McBryde	Rocca
Ciaramitaro	Horton	McManus	Sikkema
Cropsey	Jansen	McNutt	Voorhees
Dalman	Jaye	Middaugh	Walberg
DeVuyst	Jelinek	Middleton	Whyman
Frank	Jellema	Nye	Wojno
Gagliardi	Kaza	Olshove	

Nays—55

Agee	Dobronski	Kilpatrick	Schauer
Anthony	Emerson	LaForge	Schermesser

Baird	Fitzgerald	Leland	Schroer
Bankes	Freeman	LeTarte	Scott
Bobier	Galloway	Mans	Scranton
Bogardus	Gilmer	Martinez	Stallworth
Brackenridge	Gire	Murphy	Tesanovich
Brater	Godchaux	Oxender	Thomas
Brewer	Gubow	Parks	Varga
Cherry	Hale	Price	Vaughn
Crissman	Hanley	Profit	Wallace
Curtis	Hood	Prusi	Wetters
DeHart	Johnson	Quarles	Willard
Dobb	Kelly	Rison	

In The Chair: Murphy

Rep. Bogardus moved to amend the bill as follows:

1. Amend page 28, line 2, after "undergraduate" by inserting "and graduate".

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

Rep. Curtis demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 201

Yeas—33

Alley	DeHart	Jaye	Rhead
Anthony	Dobb	Kilpatrick	Rison
Bodem	Frank	Llewellyn	Rocca
Bogardus	Goschka	Mans	Scott
Brewer	Gustafson	Mathieu	Voorhees
Brown	Hanley	Olshove	Whyman
Callahan	Harder	Owen	Willard
Crissman	Jansen	Quarles	Wojno
Curtis			

Nays—71

Baird	Galloway	LaForge	Profit
Bankes	Geiger	Law	Prusi
Birkholz	Gernaat	Leland	Rackowski
Bobier	Gilmer	LeTarte	Richner
Brackenridge	Gire	London	Schauer
Brater	Godchaux	Lowe	Schermesser
Byl	Green	McBryde	Schroer
Cassis	Gubow	McManus	Scranton
Cherry	Hale	McNutt	Sikkema
Ciaramitaro	Hammerstrom	Middaugh	Stallworth
Cropsey	Hertel	Middleton	Tesanovich
Dalman	Hood	Murphy	Thomas
DeVuyst	Horton	Nye	Varga
Dobronski	Jelinek	Oxender	Vaughn
Emerson	Jellema	Palamara	Walberg

Fitzgerald
Freeman
Gagliardi

Johnson
Kelly
Kukuk

Parks
Perricone
Price

Wallace
Wetters

In The Chair: Murphy

Rep. Wallace moved to amend the bill as follows:

1. Amend page 28, following line 6, by inserting:

“Sec. 709. To be eligible to receive funding appropriated in section 101, a state university must certify to the state budget director by October 1, 1997, that no artificial barriers exist for the purpose of selecting an individual for admission, or employment into that state institution.”.

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

Rep. Brater moved that Rep. Schroer be excused from the balance of today’s session.
The motion prevailed.

The Speaker resumed the Chair.

Reps. McManus, Goschka, Cropsey, Kukuk, Johnson, Bodem, Dalman, Llewellyn, Rhead, Perricone, Geiger, Hammerstrom, Birkholz, Law, Godchaux, Raczkowski, Jaye, Richner, Rocca, DeVuyst, Voorhees, Whyman, Horton, Galloway, Walberg, Jellema, Lowe, Sikkema, London and Oxender moved to amend the bill as follows:

1. Amend page 10, following line 2, following section 207, by inserting:

“Sec. 208. A state institution of higher education shall not use funds appropriated in section 101 to discriminate or grant preferential treatment based upon religion, race, color, national origin, or sex for the purpose of admissions or the granting of scholarships at that state institution of higher education.”.

The question being on the adoption of the amendment offered by Reps. McManus, Goschka, Cropsey, Kukuk, Johnson, Bodem, Dalman, Llewellyn, Rhead, Perricone, Geiger, Hammerstrom, Birkholz, Law, Godchaux, Raczkowski, Jaye, Richner, Rocca, DeVuyst, Voorhees, Whyman, Horton, Galloway, Walberg, Jellema, Lowe, Sikkema, London and Oxender,

Rep. McManus demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. McManus, Goschka, Cropsey, Kukuk, Johnson, Bodem, Dalman, Llewellyn, Rhead, Perricone, Geiger, Hammerstrom, Birkholz, Law, Godchaux, Raczkowski, Jaye, Richner, Rocca, DeVuyst, Voorhees, Whyman, Horton, Galloway, Walberg, Jellema, Lowe, Sikkema, London and Oxender,

Rep. Perricone moved to amend the McManus, Goschka, Cropsey, Kukuk, Johnson, Bodem, Dalman, Llewellyn, Rhead, Perricone, Geiger, Hammerstrom, Birkholz, Law, Godchaux, Raczkowski, Jaye, Richner, Rocca, DeVuyst, Voorhees, Whyman, Horton, Galloway, Walberg, Jellema, Lowe, Sikkema, London and Oxender amendment as follows:

1. Amend the McManus amendment, page 10, following line 2, after “origin,” by striking out “or sex” and inserting “gender, relationship to a financial contributor, or relationship to a political or public figure”.

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

Rep. McManus demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 202

Yeas—48

Birkholz
Bodem
Brackenridge
Byl

Geiger
Gernaat
Goschka
Green

Kukuk
LeTarte
Llewellyn
London

Oxender
Perricone
Raczkowski
Rhead

Cassis	Gustafson	Lowe	Richner
Crissman	Hammerstrom	McBryde	Rocca
Cropsey	Horton	McManus	Scranton
Curtis	Jansen	McNutt	Sikkema
DeVuyst	Jaye	Middaugh	Voorhees
Dobb	Jelinek	Middleton	Walberg
Fitzgerald	Johnson	Nye	Whyman
Galloway	Kaza	Olshove	Willard

Nays—54

Agee	DeHart	Jellema	Prusi
Alley	Dobronski	Kelly	Quarles
Anthony	Emerson	Kilpatrick	Rison
Baird	Frank	LaForge	Schauer
Bankes	Freeman	Leland	Schermesser
Bobier	Gagliardi	Mans	Scott
Bogardus	Gilmer	Martinez	Stallworth
Brater	Gire	Mathieu	Tesanovich
Brewer	Gubow	Murphy	Thomas
Brown	Hale	Owen	Vaughn
Callahan	Hanley	Palamara	Wallace
Cherry	Harder	Parks	Wetters
Ciaramitaro	Hertel	Price	Wojno
Dalman	Hood		

In The Chair: Hertel

Rep. Wallace moved to amend the McManus, Goschka, Cropsey, Kukuk, Johnson, Bodem, Dalman, Llewellyn, Rhead, Perricone, Geiger, Hammerstrom, Birkholz, Law, Godchaux, Raczkowski, Jaye, Richner, Rocca, DeVuyst, Voorhees, Whyman, Horton, Galloway, Walberg, Jellema, Lowe, Sikkema, London and Oxender amendment as follows:

1. Amend the McManus amendment, page 10, following line 2, after “origin,” by striking out “or sex” and inserting “gender, athletic ability, musical ability, relationship to alumni, relationship to school employees, relationship to a financial contributor, or relationship to a political or public figure”.

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 Reps. McManus, Goschka, Cropsey, Kukuk, Johnson, Bodem, Dalman, Llewellyn, Rhead, Perricone, Geiger, Hammerstrom, Birkholz, Law, Godchaux, Raczkowski, Jaye, Richner, Rocca, DeVuyst, Voorhees, Whyman, Horton, Galloway, Walberg, Jellema, Lowe, Sikkema, London and Oxender,

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

Roll Call No. 203**Yeas—61**

Birkholz	Frank	Johnson	Oxender
Bobier	Galloway	Kaza	Palamara
Bodem	Geiger	Kukuk	Perricone
Bogardus	Gernaat	Law	Raczkowski
Brackenridge	Gilmer	Llewellyn	Rhead
Brewer	Godchaux	London	Richner
Brown	Goschka	Lowe	Rocca
Callahan	Green	Mans	Schauer
Cassis	Gustafson	McBryde	Scranton
Crissman	Hammerstrom	McManus	Sikkema

Cropsey	Harder	McNutt	Voorhees
Dalman	Horton	Middaugh	Walberg
DeVuyst	Jansen	Middleton	Whyman
Dobb	Jaye	Nye	Willard
Dobronski	Jelinek	Olshove	Wojno
Fitzgerald			

Nays—42

Agee	Gagliardi	Leland	Quarles
Anthony	Gire	LeTarte	Rison
Baird	Gubow	Martinez	Scott
Bankes	Hale	Mathieu	Stallworth
Brater	Hanley	Murphy	Tesanovich
Byl	Hertel	Owen	Thomas
Cherry	Hood	Parks	Varga
Ciaramitaro	Jellema	Price	Vaughn
Curtis	Kelly	Profit	Wallace
Emerson	Kilpatrick	Prusi	Wetters
Freeman	LaForge		

In The Chair: Hertel

Rep. Crissman moved to amend the bill as follows:

1. Amend page 10, following line 2, following section 208, by inserting:

“Sec. 209. A state institution of higher education shall not use funds appropriated in section 101 to adjust a test score, use a different test or cut-off score, or otherwise alter the results of a test on the basis of religion, race, color, national origin, or gender for the purpose of selecting an individual for admission into that state institution of higher education, determining class rank or class status of an individual, or determining an individual’s eligibility to participate in any program of that state institution of higher education.”.

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

Rep. Wallace moved to amend the Crissman amendment as follows:

1. Amend the Crissman amendment, page 10, following line 2, after “origin,” by striking out “or gender” and inserting “gender, athletic ability, musical ability, relationship to alumni, relationship to school employees, relationship to a financial contributor, or relationship to a political or public figure”.

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. Crissman,

Rep. Crissman demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 204**Yeas—85**

Alley	Dobronski	Jellema	Oxender
Anthony	Fitzgerald	Johnson	Palamara
Bankes	Frank	Kaza	Perricone
Birkholz	Freeman	Kelly	Profit
Bobier	Gagliardi	Kukuk	Prusi
Bodem	Galloway	Law	Quarles
Bogardus	Geiger	LeTarte	Raczkowski
Brackenridge	Gernaat	Llewellyn	Rhead
Brewer	Gilmer	London	Richner

Brown	Gire	Lowe	Rocca
Byl	Godchaux	Mans	Schauer
Callahan	Goschka	Martinez	Schermesser
Cassis	Green	Mathieu	Scranton
Cherry	Gubow	McBryde	Sikkema
Ciaramitaro	Gustafson	McManus	Tesanovich
Crissman	Hammerstrom	McNutt	Voorhees
Cropsey	Harder	Middaugh	Walberg
Curtis	Horton	Middleton	Wetters
Dalman	Jansen	Nye	Whyman
DeHart	Jaye	Olshove	Willard
DeVuyst	Jelinek	Owen	Wojno
Dobb			

Nays—18

Agee	Hertel	Murphy	Stallworth
Baird	Hood	Parks	Thomas
Brater	Kilpatrick	Price	Vaughn
Hale	LaForge	Scott	Wallace
Hanley	Leland		

In The Chair: Hertel

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

The question being on the motion by Rep. Gustafson,

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 205**Yeas—49**

Alley	Gagliardi	Jellema	Nye
Birkholz	Geiger	Kaza	Olshove
Bodem	Gernaat	Kukuk	Owen
Brown	Goschka	Law	Perricone
Byl	Green	Llewellyn	Raczkowski
Callahan	Gustafson	London	Richner
Cassis	Hammerstrom	Lowe	Rocca
Ciaramitaro	Harder	Mathieu	Sikkema
Cropsey	Horton	McBryde	Voorhees
Dalman	Jansen	McManus	Walberg
DeVuyst	Jaye	McNutt	Whyman
Fitzgerald	Jelinek	Middaugh	Wojno
Frank			

Nays—52

Agee	Dobb	Kelly	Rison
Anthony	Dobronski	Kilpatrick	Schauer

Baird	Freeman	LaForge	Schermesser
Bankes	Galloway	Leland	Scott
Bobier	Gilmer	LeTarte	Scranton
Bogardus	Gire	Mans	Stallworth
Brackenridge	Godchaux	Martinez	Tesanovich
Brater	Gubow	Murphy	Thomas
Brewer	Hale	Oxender	Varga
Cherry	Hanley	Parks	Vaughn
Crissman	Hertel	Price	Wallace
Curtis	Hood	Prusi	Wetters
DeHart	Johnson	Quarles	Willard

In The Chair: Hertel

Reps. McManus, Cropsey, Kukuk, Johnson, Llewellyn, Rhead, Perricone, Geiger, Hammerstrom, Law, Birkholz, Godchaux, Goschka, Raczkowski, Jaye, Richner, Rocca, DeVuyst, Voorhees, Whyman, Horton, Galloway, Walberg, Bodem, Dalman, Jellema, Lowe, Sikkema, London and Oxender moved to amend the bill as follows:

1. Amend page 10, following line 2, following section 209, by inserting:

“Sec. 210. A state institution of higher education shall not use funds appropriated in section 101 to discriminate or grant preferential treatment based upon religion, race, color, national origin, or sex for the purpose of employment or promotion of administrators or employees or for the purpose of awarding contracts at that state institution of higher education.”.

The question being on the adoption of the amendment offered by Reps. McManus, Cropsey, Kukuk, Johnson, Llewellyn, Rhead, Perricone, Geiger, Hammerstrom, Law, Birkholz, Godchaux, Goschka, Raczkowski, Jaye, Richner, Rocca, DeVuyst, Voorhees, Whyman, Horton, Galloway, Walberg, Bodem, Dalman, Jellema, Lowe, Sikkema, London and Oxender,

Rep. McManus demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. McManus, Cropsey, Kukuk, Johnson, Llewellyn, Rhead, Perricone, Geiger, Hammerstrom, Law, Birkholz, Godchaux, Goschka, Raczkowski, Jaye, Richner, Rocca, DeVuyst, Voorhees, Whyman, Horton, Galloway, Walberg, Bodem, Dalman, Jellema, Lowe, Sikkema, London and Oxender,

Rep. Wallace moved to amend the McManus, Cropsey, Kukuk, Johnson, Llewellyn, Rhead, Perricone, Geiger, Hammerstrom, Law, Birkholz, Godchaux, Goschka, Raczkowski, Jaye, Richner, Rocca, DeVuyst, Voorhees, Whyman, Horton, Galloway, Walberg, Bodem, Dalman, Jellema, Lowe, Sikkema, London and Oxender amendment as follows:

1. Amend the McManus amendment, page 10, following line 2, after “origin,” by striking out “or sex” and inserting “gender, athletic ability, musical ability, relationship to alumni, relationship to school employees, relationship to a financial contributor, or relationship to a political or public figure”.

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

Rep. Perricone demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 206

Yeas—53

Agee	Emerson	Kilpatrick	Rison
Alley	Frank	LaForge	Schauer
Anthony	Freeman	Leland	Schermesser
Baird	Gagliardi	Mans	Scott
Bogardus	Gire	Martinez	Stallworth
Brater	Goschka	Mathieu	Tesanovich
Brewer	Gubow	Murphy	Thomas
Brown	Hale	Olshove	Varga

Callahan	Hanley	Owen	Vaughn
Cherry	Harder	Parks	Wallace
Ciaramitaro	Hertel	Price	Wetters
Curtis	Hood	Prusi	Willard
DeHart	Kelly	Quarles	Wojno
Dobronski			

Nays—51

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

In The Chair: Hertel

Rep. Perricone moved to amend the McManus, Cropsey, Kukuk, Johnson, Llewellyn, Rhead, Perricone, Geiger, Hammerstrom, Law, Birkholz, Godchaux, Goschka, Raczkowski, Jaye, Richner, Rocca, DeVuyst, Voorhees, Whyman, Horton, Galloway, Walberg, Bodem, Dalman, Jellema, Lowe, Sikkema, London and Oxender amendment as follows:

1. Amend the McManus amendment, page 10, following line 2, after "origin," by striking out "or sex" and inserting "gender, relationship to a financial contributor, or relationship to a political or public figure".

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

Rep. Perricone demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 207**Yeas—50**

Birkholz	Gernaat	Kukuk	Perricone
Bodem	Godchaux	Llewellyn	Raczkowski
Brackenridge	Goschka	London	Rhead
Cassis	Green	Lowe	Richner
Crissman	Gustafson	McBryde	Rocca
Cropsey	Hammerstrom	McManus	Scranton
Curtis	Harder	McNutt	Sikkema
DeVuyst	Horton	Middaugh	Voorhees
Dobb	Jansen	Middleton	Walberg
Fitzgerald	Jaye	Nye	Whyman
Frank	Jelinek	Olshove	Willard
Galloway	Johnson	Oxender	Wojno
Geiger	Kaza		

Nays—46

Agee	DeHart	Kilpatrick	Quarles
Anthony	Dobronski	LaForge	Rison
Baird	Freeman	Leland	Schauer
Bankes	Gagliardi	Mans	Schermesser
Bobier	Gire	Martinez	Scott
Bogardus	Gubow	Mathieu	Stallworth
Brater	Hale	Murphy	Tesanovich
Brewer	Hanley	Owen	Thomas
Byl	Hertel	Parks	Vaughn
Cherry	Hood	Price	Wallace
Ciaramitaro	Jellema	Prusi	Wetters
Dalman	Kelly		

In The Chair: Hertel

The question being on the adoption of the amendment offered previously by Reps. McManus, Cropsey, Kukuk, Johnson, Llewellyn, Rhead, Perricone, Geiger, Hammerstrom, Law, Birkholz, Godchaux, Goschka, Raczkowski, Jaye, Richner, Rocca, DeVuyst, Voorhees, Whyman, Horton, Galloway, Walberg, Bodem, Dalman, Jellema, Lowe, Sikkema, London and Oxender,

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

Roll Call No. 208**Yeas—62**

Birkholz	Galloway	Kaza	Owen
Bobier	Geiger	Kukuk	Oxender
Bodem	Gernaat	Law	Perricone
Brackenridge	Gilmer	LeTarte	Raczkowski
Brewer	Godchaux	Llewellyn	Rhead
Brown	Goschka	London	Richner
Callahan	Green	Lowe	Rocca
Cassis	Gustafson	Mans	Schauer
Crissman	Hammerstrom	McBryde	Scranton
Cropsey	Harder	McManus	Sikkema
Dalman	Horton	McNutt	Voorhees
DeVuyst	Jansen	Middaugh	Walberg
Dobb	Jaye	Middleton	Whyman
Dobronski	Jelinek	Nye	Willard
Fitzgerald	Jellema	Olshove	Wojno
Frank	Johnson		

Nays—33

Agee	Gire	LaForge	Schermesser
Anthony	Gubow	Leland	Scott
Baird	Hale	Martinez	Stallworth
Bankes	Hanley	Murphy	Thomas
Brater	Hertel	Parks	Varga
Cherry	Hood	Price	Vaughn
Curtis	Kelly	Prusi	Wallace
DeHart	Kilpatrick	Rison	Wetters
Freeman			

In The Chair: Hertel

Rep. Richner moved to amend the bill as follows:

1. Amend page 22, following line 23, following section 421, by inserting:

“Sec. 422. Funds appropriated in section 101 shall not be used to offer courses or programs in casino management or casino operations.”.

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

Rep. Richner demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 209

Yeas—45

Birkholz	Galloway	Jellema	Nye
Bobier	Geiger	Johnson	Oxender
Bodem	Gernaat	Kaza	Palamara
Brackenridge	Goschka	Kukuk	Perricone
Byl	Green	Law	Rackowski
Cassis	Gustafson	LeTarte	Richner
Crissman	Harder	London	Rocca
Cropsey	Horton	Lowe	Sikkema
Curtis	Jansen	McBryde	Voorhees
Dalman	Jaye	McManus	Walberg
DeVuyst	Jelinek	Middleton	Whyman
Fitzgerald			

Nays—58

Agee	Frank	Leland	Rison
Alley	Freeman	Mans	Schauer
Anthony	Gagliardi	Martinez	Schermesser
Baird	Gilmer	Mathieu	Scott
Bankes	Gire	McNutt	Scranton
Bogardus	Godchaux	Middaugh	Stallworth
Brater	Gubow	Murphy	Tesanovich
Brewer	Hale	Olshove	Thomas
Brown	Hammerstrom	Owen	Varga
Callahan	Hanley	Parks	Vaughn
Cherry	Hertel	Price	Wallace
Ciaramitaro	Hood	Prusi	Wetters
DeHart	Kelly	Quarles	Willard
Dobb	Kilpatrick	Rhead	Wojno
Dobronski	LaForge		

In The Chair: Hertel

—

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

“Mr. Speaker and members of the House:

It would seem that the members of the House now want to dictate what universities can teach, a clear violation of the spirit of our constitution and an assault on academic freedom. This is made more ironic by the fact that Michigan’s legislators can’t even agree on when they go on vacation. God help us if they start dictating what rational men and woman can teach!

I wish I didn’t have to vote on such drivel but if I must vote, I must vote “no.” ”

Rep. Gilmer 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. 4309, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 1998; to make appropriations for state building authority rent and insurance; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, 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. 210

Yeas—66

Agee	Dobronski	Llewellyn	Prusi
Alley	Emerson	Mans	Quarles
Anthony	Frank	Martinez	Rison
Baird	Freeman	Mathieu	Rocca
Bodem	Gagliardi	McBryde	Schauer
Bogardus	Gilmer	McNutt	Schermesser
Brater	Gire	Middaugh	Scott
Brewer	Gubow	Middleton	Stallworth
Brown	Hale	Murphy	Tesanovich
Callahan	Hanley	Olshove	Thomas
Cherry	Harder	Owen	Varga
Ciaramitaro	Hertel	Oxender	Vaughn
Crissman	Hood	Palamara	Wallace
Curtis	Kelly	Parks	Wetters
Dalman	Kilpatrick	Price	Willard
DeHart	LaForge	Profit	Wojno
Dobb	Leland		

Nays—40

Bankes	Geiger	Jelinek	Nye
Birkholz	Gernaat	Jellema	Perricone
Bobier	Godchaux	Johnson	Raczkowski
Brackenridge	Goschka	Kaza	Rhead
Byl	Green	Kukuk	Richner
Cassis	Gustafson	Law	Scranton
Cropsey	Hammerstrom	LeTarte	Sikkema
DeVuyst	Horton	London	Voorhees
Fitzgerald	Jansen	Lowe	Walberg
Galloway	Jaye	McManus	Whyman

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 make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 1998; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The motion prevailed.

The House agreed to the title as amended.

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

“Mr. Speaker and members of the House:

I voted against this budget bill because it is approximately 43 million over budget. This House has also passed in excess of 200 million in tax cuts with no way to pay for them. We must start holding the line on deficit spending.”

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 cannot in good conscience vote for House Bill 4309 when it omits the very reasonable and much needed floor funding amendment of \$4500 per student. Clearly, certain public universities have been declared as winners in this bill, but the majority of our schools have been declared as losers as well.

Not only would Saginaw Valley State University gain from increasing the floor funding, but so also would Central Michigan University, Eastern Michigan University, Grand Valley State University, Lake Superior State University, Oakland University, the University of Michigan-Dearborn and the University of Michigan-Flint. All of the hardworking taxpayers of this state deserve proper funding for their local public university, and this bill is woefully inadequate in accomplishing this goal.

Mr. Speaker and members of this House, I cannot vote for this bill because it promotes a funding disparity that is unjust. Who are we to take hard earned taxpayer dollars from Saginaw county and other areas of the state, and giving them to a select few? Shame!!!!”

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. 211

Yeas—56

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

Nays—47

Bankes	Fitzgerald	Jellema	Nye
Birkholz	Galloway	Johnson	Oxender
Bobier	Geiger	Kaza	Perricone
Bodem	Gernaat	Kukuk	Rackowski
Brackenridge	Godchaux	Law	Rhead
Byl	Goschka	LeTarte	Richner
Cassis	Green	London	Scranton
Crissman	Gustafson	Lowe	Sikkema
Cropsey	Hammerstrom	McBryde	Voorhees
Dalman	Horton	McManus	Walberg

DeVuyst
DobbJansen
JelinekMiddaugh
Middleton

Whyman

In The Chair: Hertel

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

“Mr. Speaker and members of the House:

I voted against this budget bill because it is approximately 43 million over budget. This House has also passed in excess of 200 million in tax cuts with no way to pay for them. We must start holding the line on deficit spending.”

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

“Mr. Speaker and members of the House:

I cannot in good conscience vote for House Bill 4309 when it omits the very reasonable and much needed floor funding amendment of \$4500 per student. Clearly, certain public universities have been declared as winners in this bill, but the majority of our schools have been declared as losers as well.

Not only would Saginaw Valley State University gain from increasing the floor funding, but so also would Central Michigan University, Eastern Michigan University, Grand Valley State University, Lake Superior State University, Oakland University, the University of Michigan-Dearborn and the University of Michigan-Flint. All of the hardworking taxpayers of this state deserve proper funding for their local public university, and this bill is woefully inadequate in accomplishing this goal.

Mr. Speaker and members of this House, I cannot vote for this bill because it promotes a funding disparity that is unjust. Who are we to take hard earned taxpayer dollars from Saginaw county and other areas of the state, and giving them to a select few? Shame!!!!”

Reps. Jelinek, Raczkowski and Cassis, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted against the Higher Education budget because of its inflationary increases of approximately 5% over current year levels.

House bi-partisan support for the Cassis amendment to hold the line on tuition increases is positive but we need to go further to ensure that higher education will not be beyond the reach of middle class people.

As the budget process continues and further restraints are put on this higher education budget, I will be able to support it.”

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

“Mr. Speaker and members of the House:

A majority of constituents in Troy and Rochester Hills have asked me to support repeal or modification of the state’s existing affirmative action policies. This legislation does not fully address their concerns about the unfairness and reverse discrimination inherent in the affirmative action policies at our state’s institutions of higher education.”

Rep. Vaughn asked and obtained an excuse from tomorrow’s session.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Forestry and Mineral Rights, by Rep. Anthony, Chair, reported

House Bill No. 4273, entitled

A bill to amend 1945 PA 200, entitled “An act to define a marketable record title to an interest in land; to require the filing of notices of claim of interest in such land in certain cases within a definite period of time and to require the recording thereof; to make invalid and of no force or effect all claims with respect to the land affected thereby where no such notices of claim of interest are filed within the required period; to provide for certain penalties for filing slanderous notices of claim of interest, and to provide certain exceptions to the applicability and operation thereof,” by amending the title and sections 1, 2, 3, and 6 (MCL 565.101, 565.102, 565.103, and 565.106) and by adding sections 2a and 2b.

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 4273 To Report Out:

Yeas: Reps. Anthony, Callahan, Alley, Bogardus, Brater, Middleton, DeVuyst, Lowe,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 22, 1997, at 10:30 a.m.,

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

Absent: Rep. Gernaat,

Excused: Rep. Gernaat.

The Committee on Commerce, by Rep. Griffin, Chair, reported

House Bill No. 4587, entitled

A bill to amend 1978 PA 53, entitled "Statutory joint account act," by amending section 4 (MCL 487.714).

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 4587 To Report Out:

Yeas: Reps. Griffin, Thomas, Alley, Callahan, Mans, Murphy, Olshove, Schermesser, Varga, Gernaat, Jaye, Kukuk, Rhead, Richner, Walberg,

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

House Bill No. 4588, entitled

A bill to amend 1965 PA 114, entitled "An act relating to dry, edible beans; to create a bean commission and prescribe its functions; to levy and collect assessments on bean production; and to provide penalties for violation of this act," by amending section 7 (MCL 290.557).

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 4588 To Report Out:

Yeas: Reps. Griffin, Thomas, Alley, Callahan, Mans, Murphy, Olshove, Schermesser, Varga, Gernaat, Jaye, Kukuk, Rhead, Richner, Walberg,

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

House Bill No. 4589, entitled

A bill to amend 1915 PA 59, entitled "An act to provide for the construction, improvement and maintenance of highways; for the levying, spreading and collecting of taxes and of special assessments therefor; to authorize the borrowing of money and the issuance of bonds under certain restrictions, regulations and limitations; to prescribe the powers and duties of certain officers with reference thereto; and to validate certain proceedings heretofore taken," by amending section 25 (MCL 247.425).

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 4589 To Report Out:

Yeas: Reps. Griffin, Thomas, Alley, Callahan, Mans, Murphy, Olshove, Schermesser, Varga, Gernaat, Jaye, Kukuk, Rhead, Richner, Walberg,

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

House Bill No. 4590, entitled

A bill to amend 1925 PA 381, entitled "An act to authorize certain counties to combine for the purpose of planning systems of inter-county highways, super-highways and limited access highways; to define the terms "super-highways" and "limited access highways"; to authorize the establishment of inter-county highway commissions; to prescribe their powers and duties; to provide for the appropriation of funds therefor; and to empower counties to legislate with respect thereto," by amending section 6 (MCL 252.6).

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 4590 To Report Out:

Yeas: Reps. Griffin, Thomas, Alley, Callahan, Mans, Murphy, Olshove, Schermesser, Varga, Gernaat, Jaye, Kukuk, Rhead, Richner, Walberg,

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

House Bill No. 4591, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 26c (MCL 774.26c), as amended by 1980 PA 506.

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 4591 To Report Out:

Yeas: Reps. Griffin, Thomas, Alley, Callahan, Mans, Murphy, Olshove, Schermesser, Varga, Gernaat, Jaye, Kukuk, Rhead, Richner, Walberg,

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

House Bill No. 4592, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 35 (MCL 432.35).

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 4592 To Report Out:

Yeas: Reps. Griffin, Thomas, Alley, Callahan, Mans, Murphy, Olshove, Schermesser, Varga, Gernaat, Jaye, Kukuk, Rhead, Richner, Walberg,

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

House Bill No. 4593, entitled

A bill to amend 1954 PA 70, entitled "An act relative to agreements providing for the final disposition of a dead human body; and to prescribe penalties for violations of the provisions of this act," by amending section 1 (MCL 328.201), as amended by 1982 PA 366.

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 4593 To Report Out:

Yeas: Reps. Griffin, Thomas, Alley, Callahan, Mans, Murphy, Olshove, Schermesser, Varga, Gernaat, Jaye, Kukuk, Rhead, Richner, Walberg,

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

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.

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 4594 To Report Out:

Yeas: Reps. Griffin, Thomas, Alley, Callahan, Mans, Murphy, Olshove, Schermesser, Varga, Gernaat, Jaye, Kukuk, Rhead, Richner, Walberg,

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

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).

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 4595 To Report Out:

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

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

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.

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 4596 To Report Out:

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

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

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.

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 4597 To Report Out:

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

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

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.

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 4598 To Report Out:

Yeas: Reps. Griffin, Thomas, Callahan, Mans, Murphy, Olshove, Schermesser, Varga, Gernaat, Jaye, Kaza, Kukuk, Rhead, Richner, Walberg,

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

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).

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 4599 To Report Out:

Yeas: Reps. Griffin, Thomas, Callahan, Mans, Murphy, Olshove, Schermesser, Varga, Gernaat, Jaye, Kaza, Kukuk, Rhead, Richner, Walberg,

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

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 1986 PA 416.

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 4600 To Report Out:

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

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

House Bill No. 4601, entitled

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," by amending sections 3 and 7 (MCL 21.143 and 21.147), section 3 as amended by 1990 PA 8 and section 7 as amended by 1994 PA 44; and to repeal acts and parts of acts.

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 4601 To Report Out:

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

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

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).

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 4602 To Report Out:

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

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

House Bill No. 4603, entitled

A bill to amend 1969 PA 319, entitled "Banking code of 1969," by amending sections 171 and 231 (MCL 487.471 and 487.531), section 171 as amended by 1996 PA 405 and section 231 as amended by 1991 PA 12.

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 4603 To Report Out:

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

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

House Bill No. 4604, entitled

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

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 4604 To Report Out:

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

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

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.

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 4605 To Report Out:

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

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

Senate Bill No. 229, entitled

A bill to amend 1965 PA 232, entitled "Agricultural commodities marketing act," by amending section 8 (MCL 290.658), as amended by 1996 PA 216.

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 229 To Report Out:

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

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

Senate Bill No. 230, entitled

A bill to amend 1957 PA 4, entitled "Charter water authority act," by amending section 17 (MCL 121.17).

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 230 To Report Out:

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

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

Senate Bill No. 233, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," by amending section 77 (MCL 41.77), as amended by 1989 PA 77.

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 233 To Report Out:

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

Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

Senate Bill No. 234, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 142 (MCL 389.142), as amended by 1984 PA 299.

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

SB 234 To Report Out:

Yeas: Reps. Griffin, Thomas, Alley, Callahan, Mans, Murphy, Olshove, Schermesser, Varga, Gernaat, Jaye, Kukuk, Rhead, Richner, Walberg,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 23, 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,

Excused: Rep. Palamara.

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

House Bill No. 4642, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 1996 PA 435.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4642 To Report Out:

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

Nays: Reps. Agee, Freeman.

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

House Bill No. 4643, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 1996 PA 436.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4643 To Report Out:

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

Nays: Reps. Agee, Freeman.

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, April 23, 1997, at 9:00 a.m.,

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Olshove, Chair of the Committee on Public Utilities, was received and read:

Meeting held on: Tuesday, April 22, 1997, at 4:05 p.m.,

Present: Reps. Olshove, Thomas, Dobronski, Griffin, Hanley, Leland, Murphy, Wetters, Dobb, Cassis, Galloway, Gustafson, Kukuk, LeTarte, Middaugh, Raczkowski, Whyman,

Absent: Reps. Alley, Baade, Gubow, Profit,

Excused: Reps. Alley, Baade, Gubow, Profit.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 23, 1997, at 10:30 a.m.,

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 23, 1997, at 12:00 Noon,

Present: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, Kilpatrick, LaForge, Schauer, Scott, Dalman, Crissman, Cropsey, Jelinek, LeTarte, McNutt, Middleton.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 23, 1997, at 12:00 Noon,

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

Messages from the Senate

Senate Bill No. 133, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 40 (MCL 436.40), as amended by 1994 PA 421.

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. 227, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2001 (MCL 339.2001), as amended by 1992 PA 103.

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. 228, entitled

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending section 904 (MCL 450.4904).

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. 306, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," by amending the title and sections 1, 2, 4, and 6 (MCL 691.1401, 691.1402, 691.1404, and 691.1406), the title and section 1 as amended by 1986 PA 175 and section 2 as amended by 1996 PA 150, and by adding sections 2a and 2b.

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. 340, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending sections 11, 18, 19, 20, 23, 25, and 31 (MCL 567.231, 567.238, 567.239, 567.240, 567.243, 567.245, and 567.251); and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Notices

The following is a change of meeting rooms for two Standing Committees for the 1997-98 legislative session:

Wednesday	10:30 a.m.	Colleges and Universities	Room 424 Capitol Building
Wednesday	10:30 a.m.	Conservation, Environment and Recreation	Rooms 425-426 Capitol Building

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, Monday, April 21:

Senate Bill Nos.	346	347	348	349	350	351	352	353	354	355	356	357	358	359
	360	361	362	363	364	365	366	367	368	369	370	371	372	373

374	375	376	377	378	379	380	381	382	383	384	385	386	387
388	389	390	391	392	393	394	395	396	397	398	399	400	401
402	403	404	405	406									

The Clerk announced that the following Senate bills had been received on Wednesday, April 23:

Senate Bill Nos. 306 340

Introduction of Bills

Rep. Voorhees introduced

House Bill No. 4664, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," (MCL 432.201 to 432.216) by adding section 17.

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

Rep. Voorhees introduced

House Bill No. 4665, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," (MCL 432.201 to 432.216) by adding section 9a.

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

Rep. Voorhees introduced

House Bill No. 4666, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," (MCL 432.201 to 432.216) by adding section 10a.

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

Reps. Profit, Palamara and Wallace introduced

House Bill No. 4667, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 626 (MCL 330.1626).

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

Reps. Profit, Palamara and Wallace introduced

House Bill No. 4668, entitled

A bill to amend 1978 PA 642, entitled "Revised probate code," by amending section 431 (MCL 700.431), as amended by 1984 PA 377.

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

Reps. Profit, Palamara, Wallace, Quarles, Brater, Hanley, Cassis and Perricone introduced

House Bill No. 4669, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39c.

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

Reps. Profit, Palamara, Wallace, Quarles, Brater, Hanley, Cassis and Perricone introduced

House Bill No. 4670, entitled

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

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

Reps. Profit, Palamara, Wallace, Quarles, Hanley, Cassis and Perricone introduced

House Bill No. 4671, entitled

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

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

Reps. Profit, Palamara, Wallace, Quarles, Brackenridge and Perricone introduced

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).

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

Reps. Alley and Willard introduced

House Bill No. 4673, 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," (MCL 38.1132 to 38.1140i) by adding section 13b.

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

Reps. Martinez, Wallace, Baird, Gubow, Brater, LaForge, Schroer, Hanley, Vaughn, Varga, Schauer, Rison, Bogardus, Thomas, Kilpatrick and Agee introduced

House Bill No. 4674, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 147b (MCL 750.147b), as added by 1988 PA 371.

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

Reps. Bobier, Freeman, Llewellyn, London, Kukuk, Middleton, Jelinek, Raczkowski, LeTarte, Godchaux, DeVuyst, Scranton, Jansen, Birkholz, Jellema, Kaza, Martinez, McManus, Goschka, Ciaramitaro, Hale, McBryde, Bodem, Dobb, Fitzgerald, Gilmer, Gernaat, Cherry, Baird, Prusi, Dalman, Richner and Jaye introduced

House Bill No. 4675, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 508.

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

Rep. Nye introduced

House Bill No. 4676, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2255.

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

Rep. Brackenridge introduced

House Bill No. 4677, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," by amending sections 107 and 109 (MCL 55.107 and 55.109), section 107 as amended by 1993 PA 96 and section 109 as amended by 1984 PA 301.

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

Rep. Brackenridge introduced

House Bill No. 4678, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending the title and sections 217 and 1060 (MCL 450.1217 and 450.2060), section 217 as amended by 1989 PA 121 and section 1060 as amended by 1993 PA 91.

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

Rep. Brackenridge introduced

House Bill No. 4679, entitled

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages, for the requiring of a civil license in order to marry, and the due registration of the same, and to provide a penalty for the violation of the provisions of the same," by amending the title and sections 3 and 3a (MCL 551.103 and 551.103a), section 3 as amended by 1984 PA 346 and section 3a as amended by 1989 PA 270.

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

Rep. Ciaramitaro moved that the House adjourn.
The motion prevailed, the time being 6:40 p.m.

The Speaker declared the House adjourned until Thursday, April 24, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

