

No. 41
JOURNAL OF THE HOUSE

House Chamber, Lansing, Tuesday, May 13, 1997.

2:00 p.m.

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

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

Agee—present	Fitzgerald—present	Kaza—present	Price—present
Alley—present	Frank—present	Kelly—present	Profit—present
Anthony—present	Freeman—present	Kilpatrick—excused	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—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

Rep. Jack Horton, from the 73rd District, offered the following invocation:

“Almighty God, We come before You today with gratitude and in humility, grateful to be granted the opportunity to serve the citizens of this great state, but also humble as we acknowledge our own failures and limitations.

We ask today for Your wisdom, guidance and blessing. We pray that our deliberations will bring results that not only mirror our intentions but also reflect Your will.

We ask this in the name of Your precious son, Jesus Christ. Amen.”

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

Third Reading of Bills

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).

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

Roll Call No. 297

Yeas—107

Agee	Fitzgerald	Kaza	Profit
Alley	Frank	Kelly	Prusi
Anthony	Freeman	Kukuk	Quarles
Baade	Gagliardi	LaForge	Raczkowski
Baird	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	Griffin	Mathieu	Scranton
Byl	Gubow	McBryde	Sikkema
Callahan	Gustafson	McManus	Stallworth
Cassis	Hale	McNutt	Tesanovich
Cherry	Hammerstrom	Middaugh	Thomas
Ciaramitaro	Hanley	Middleton	Varga
Crissman	Harder	Murphy	Vaughn
Cropsey	Hertel	Nye	Voorhees
Curtis	Hood	Olshove	Walberg
Dalman	Horton	Owen	Wallace
DeHart	Jansen	Oxender	Wetters
DeVuyst	Jaye	Palamara	Whyman
Dobb	Jelinek	Parks	Willard
Dobronski	Jellema	Perricone	Wojno
Emerson	Johnson	Price	

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

House Bill No. 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.

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

Roll Call No. 298**Yeas—107**

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

House Bill No. 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.

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

Roll Call No. 299**Yeas—107**

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

House Bill No. 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.

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

Roll Call No. 300**Yeas—107**

Agee	Emerson	Johnson	Price
Alley	Fitzgerald	Kaza	Profit

Anthony	Frank	Kelly	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	Scott
Brewer	Green	Martinez	Scranton
Brown	Griffin	Mathieu	Sikkema
Byl	Gubow	McBryde	Stallworth
Callahan	Gustafson	McManus	Tesanovich
Cassis	Hale	McNutt	Thomas
Cherry	Hammerstrom	Middaugh	Varga
Ciaramitaro	Hanley	Middleton	Vaughn
Crissman	Harder	Murphy	Voorhees
Cropsey	Hertel	Nye	Walberg
Curtis	Hood	Olshove	Wallace
Dalman	Horton	Owen	Wetters
DeHart	Jansen	Oxender	Whyman
DeVuyst	Jaye	Palamara	Willard
Dobb	Jelinek	Parks	Wojno
Dobronski	Jellema	Perricone	

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

House Bill No. 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).

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

Roll Call No. 301**Yeas—107**

Agee	Fitzgerald	Kaza	Profit
Anthony	Frank	Kelly	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	Griffin	Mathieu	Scranton
Byl	Gubow	McBryde	Sikkema
Callahan	Gustafson	McManus	Stallworth
Cassis	Hale	McNutt	Tesanovich
Cherry	Hammerstrom	Middaugh	Thomas
Ciaramitaro	Hanley	Middleton	Varga
Crissman	Harder	Murphy	Vaughn
Cropsey	Hertel	Nye	Voorhees
Curtis	Hood	Olshove	Walberg
Dalman	Horton	Owen	Wallace
DeHart	Jansen	Oxender	Wetters
DeVuyst	Jaye	Palamara	Whyman
Dobb	Jelinek	Parks	Willard
Dobronski	Jellema	Perricone	Wojno
Emerson	Johnson	Price	

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

House Bill No. 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.

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

Roll Call No. 302**Yeas—104**

Agee	Dobronski	Johnson	Perricone
Alley	Emerson	Kaza	Price
Anthony	Fitzgerald	Kelly	Profit
Baade	Frank	Kukuk	Prusi
Baird	Freeman	LaForge	Quarles
Bankes	Gagliardi	Law	Raczkowski
Birkholz	Galloway	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	Griffin	Mathieu	Scranton

Byl	Gubow	McBryde	Sikkema
Callahan	Gustafson	McManus	Stallworth
Cassis	Hale	McNutt	Tesanovich
Cherry	Hammerstrom	Middaugh	Thomas
Ciaramitaro	Hanley	Middleton	Varga
Crissman	Harder	Murphy	Vaughn
Cropsey	Hertel	Nye	Walberg
Curtis	Hood	Olshove	Wallace
Dalman	Horton	Owen	Wetters
DeHart	Jaye	Oxender	Whyman
DeVuyst	Jelinek	Palamara	Willard
Dobb	Jellema	Parks	Wojno

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

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).

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

Roll Call No. 303**Yeas—106**

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.
Rep. Gagliardi moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 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.

Was read a third time and passed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 304**Yeas—107**

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.
Rep. Gagliardi moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 4604, entitled

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

Was read a third time and passed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 305**Yeas—107**

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

Nays—0

In The Chair: Gire

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

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

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

The motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 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.

Was read a third time and passed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 306**Yeas—104**

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

Nays—0

In The Chair: Gire

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

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

A bill to amend 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 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.

Rep. Gagliardi moved that Rep. Hertel be excused temporarily from today's session.

The motion prevailed.

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.

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

Roll Call No. 307**Yeas—105**

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

Nays—0

In The Chair: Gire

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

“An act relating to the marketing of agricultural commodities; to provide for marketing programs, agreements, referendums by producers, assessments on producers, and commodity committees; and to prescribe the functions of the department of agriculture relative thereto including powers of enforcement of this act; and to prescribe penalties,”

The House agreed to the full title of the bill.

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

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

Senate Bill No. 230, entitled

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

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

Roll Call No. 308**Yeas—106**

Agee	Emerson	Kaza	Price
Alley	Fitzgerald	Kelly	Profit
Anthony	Frank	Kukuk	Prusi
Baade	Freeman	LaForge	Quarles

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

Nays—0

In The Chair: Gire

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

“An act to provide for the incorporation of municipal authorities to acquire, own and operate water supply and transmission systems; to provide a municipal charter therefor; and to prescribe the powers and functions thereof,”

The House agreed to the full title of the bill.

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

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

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.

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

Roll Call No. 309**Yeas—105**

Agee	Fitzgerald	Kaza	Profit
Alley	Frank	Kelly	Prusi
Anthony	Freeman	Kukuk	Quarles
Baade	Gagliardi	Law	Raczkowski
Baird	Galloway	Leland	Rhead
Bankes	Geiger	LeTarte	Richner
Birkholz	Gernaat	Llewellyn	Rison
Bobier	Gilmer	London	Rocca
Bodem	Gire	Lowe	Schauer
Bogardus	Godchaux	Mans	Schermesser
Brackenridge	Goschka	Martinez	Schroer

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

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.

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

Roll Call No. 310**Yeas—106**

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

Curtis	Jansen	Oxender	Wallace
Dalman	Jaye	Palamara	Wetters
DeHart	Jelinek	Parks	Whyman
DeVuyst	Jellema	Perricone	Willard
Dobb	Johnson	Price	Wojno
Dobronski	Kaza		

Nays—0

In The Chair: Gire

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

“An act to revise and consolidate the laws relating to community colleges; to provide for the creation of community college districts; to provide a charter for such districts; to provide for the government, control and administration of such districts; to provide for the election of a board of trustees; to define the powers and duties of the board of trustees; to provide for the assessment, levy, collection and return of taxes therefor; and to repeal certain acts and parts of acts,”

The House agreed to the full title of the bill.

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

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

Second Reading of Bills

House Bill No. 4610, 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 section 2 (MCL 129.12).

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

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

Rep. Nye 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. 4610, 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 section 2 (MCL 129.12).

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

Roll Call No. 311

Yeas—104

Agee	Dobronski	Jellema	Perricone
Alley	Emerson	Johnson	Price
Anthony	Fitzgerald	Kaza	Profit
Baade	Frank	Kelly	Prusi

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

Nays—0

In The Chair: Gire

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

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

A bill to amend 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) and by adding section 6.

The motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 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.

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

Roll Call No. 312**Yeas—107**

Agee	Emerson	Kaza	Profit
Alley	Fitzgerald	Kelly	Prusi
Anthony	Frank	Kukuk	Quarles
Baade	Freeman	LaForge	Rackowski
Baird	Gagliardi	Law	Rhead
Bankes	Galloway	Leland	Richner
Birkholz	Geiger	LeTarte	Rison

Bobier	Gernaat	Llewellyn	Rocca
Bodem	Gilmer	London	Schauer
Bogardus	Gire	Lowe	Schermesser
Brackenridge	Godchaux	Mans	Schroer
Brater	Goschka	Martinez	Scott
Brewer	Green	Mathieu	Scranton
Brown	Griffin	McBryde	Sikkema
Byl	Gubow	McManus	Stallworth
Callahan	Gustafson	McNutt	Tesanovich
Cassis	Hale	Middaugh	Thomas
Cherry	Hammerstrom	Middleton	Varga
Ciaramitaro	Hanley	Murphy	Vaughn
Crissman	Harder	Nye	Voorhees
Cropsey	Hood	Olshove	Walberg
Curtis	Horton	Owen	Wallace
Dalman	Jansen	Oxender	Wetters
DeHart	Jaye	Palamara	Whyman
DeVuyst	Jelinek	Parks	Willard
Dobb	Jellema	Perricone	Wojno
Dobronski	Johnson	Price	

Nays—0

In The Chair: Gire

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

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

A bill to amend 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 motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 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.

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

Roll Call No. 313**Yeas—106**

Agee	Frank	Kelly	Profit
Anthony	Freeman	Kukuk	Prusi
Baade	Gagliardi	LaForge	Quarles
Baird	Galloway	Law	Raczkowski
Bankes	Geiger	Leland	Rhead
Birkholz	Gernaat	LeTarte	Richner
Bobier	Gilmer	Llewellyn	Rison
Bodem	Gire	London	Rocca
Bogardus	Godchaux	Lowe	Schauer
Brackenridge	Goschka	Mans	Schermesser

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

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.

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

Roll Call No. 314**Yeas—106**

Agee	Fitzgerald	Kaza	Profit
Alley	Frank	Kelly	Prusi
Anthony	Freeman	Kukuk	Quarles
Baade	Gagliardi	Law	Raczkowski
Baird	Galloway	Leland	Rhead
Bankes	Geiger	LeTarte	Richner
Birkholz	Gernaat	Llewellyn	Rison
Bobier	Gilmer	London	Rocca
Bodem	Gire	Lowe	Schauer
Bogardus	Godchaux	Mans	Schermesser
Brackenridge	Goschka	Martinez	Schroer
Brater	Green	Mathieu	Scott
Brewer	Griffin	McBryde	Scranton
Brown	Gubow	McManus	Sikkema
Byl	Gustafson	McNutt	Stallworth
Callahan	Hale	Middaugh	Tesanovich
Cassis	Hammerstrom	Middleton	Thomas
Cherry	Hanley	Murphy	Varga

Crissman	Harder	Nye	Vaughn
Cropsey	Hertel	Olshove	Voorhees
Curtis	Hood	Owen	Walberg
Dalman	Horton	Oxender	Wallace
DeHart	Jansen	Palamara	Wetters
DeVuyst	Jaye	Parks	Whyman
Dobb	Jelinek	Perricone	Willard
Dobronski	Jellema	Price	Wojno
Emerson	Johnson		

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

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

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

House Bill No. 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).

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

Roll Call No. 315**Yeas—105**

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.
Rep. Gagliardi moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

House Bill No. 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).

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

Roll Call No. 316**Yeas—106**

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.
Rep. Gagliardi moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Gagliardi moved that Rep. Hertel be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of
Messages from the Senate

The Speaker laid before the House

House Bill No. 4202, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 803e and 803i (MCL 257.803e and 257.803i), as amended by 1994 PA 104.

(The bill was received from the Senate on May 6, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 7.)

The question being on concurring in the adoption of the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 317

Yeas—106

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

Nays—0

In The Chair: Gire

The House agreed to the title as amended.

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

Reps. Birkholz, Bodem, Emerson, Jansen, Jellema, Lowe, Mathieu, Rhead, Richner and Willard were named co-sponsors of the bill.

The Speaker laid before the House

House Bill No. 4219, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 1201, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1214, 1217, and 1218 (MCL 339.1201, 339.1204, 339.1205, 339.1206, 339.1207, 339.1208, 339.1209, 339.1210, 339.1211, 339.1214, 339.1217, and 339.1218), sections 1204, 1205, 1207, 1208, 1209, 1211, and 1214 as amended by 1988 PA 463, and by adding sections 1203a, 1203b, and 1210a; and to repeal acts and parts of acts.

(The bill was received from the Senate on May 6, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 7.)

The question being on concurring in the adoption of the substitute (S-1) made to the bill by the Senate, Reps. Varga, Hale and Quarles moved to amend the substitute (S-1) as follows:

1. Amend page 2, following line 18, by inserting:

“(v) NATURAL HAIR CULTIVATION.”

2. Amend page 3, line 24, after “WAVING,” by inserting “WEAVING, PLAITING, CRIMPING, BRAIDING,”.

3. Amend page 4, line 22, after “HAIR” by striking out the balance of the subdivision and inserting a period and: “(N) “NATURAL HAIR CULTURIST” MEANS A PERSON ENGAGED IN NATURAL HAIR CULTIVATION.”

and relettering the remaining subdivisions.

4. Amend page 6, line 5, after the second “SERVICES,” by inserting “NATURAL HAIR CULTIVATION,”.

5. Amend page 6, line 10, after the first “SERVICES” by inserting a comma and “NATURAL HAIR CULTIVATION,”.

6. Amend page 6, line 11, after “MANICURIST” by inserting a comma and “NATURAL HAIR CULTURIST,”.

7. Amend page 6, line 14, after “MANICURIST” by inserting a comma and “NATURAL HAIR CULTURIST,”.

8. Amend page 7, line 26, after “SERVICES” by inserting a comma and “NATURAL HAIR CULTIVATION,”.

9. Amend page 13, line 18, after the second “A” by inserting “NATURAL HAIR CULTIVATION,”.

10. Amend page 14, line 11, after “IN” by inserting “NATURAL HAIR CULTIVATION,”.

11. Amend page 15, line 16, after “MANICURIST” by inserting a comma and “NATURAL HAIR CULTURIST,”.

12. Amend page 16, line 20, after “which” by inserting “NATURAL HAIR CULTIVATION,”.

13. Amend page 18, line 21, after “AFTER” by striking out “DECEMBER 31, 1999” and inserting “THE EXPIRATION OF 12 MONTHS AFTER THE EFFECTIVE DATE OF THE 1997 AMENDATORY ACT THAT AMENDED THIS SECTION”.

14. Amend page 19, line 7, after “(E)” by inserting “IF AN EXAMINATION IS AVAILABLE,”.

15. Amend page 19, line 9, after “UNTIL” by striking out “DECEMBER 31, 1999” and inserting “THE EXPIRATION OF 12 MONTHS AFTER THE EFFECTIVE DATE OF THE 1997 AMENDATORY ACT THAT ADDED THIS SUBSECTION”.

16. Amend page 19, line 16, after “HAVING” by striking out “BEEN TRAINED” and inserting “OBTAINED THE EQUIVALENT OF 6 MONTHS OF FULL-TIME EXPERIENCE”.

17. Amend page 19, line 17, after “STATE” by striking out the balance of the subdivision and inserting “WITHIN THE 12 MONTHS IMMEDIATELY PRECEDING THE DATE OF APPLICATION.”.

18. Amend page 19, line 18, after “(E)” by inserting “IF AN EXAMINATION IS AVAILABLE,”.

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

“SEC. 1210A. (1) AFTER THE EXPIRATION OF 12 MONTHS AFTER THE EFFECTIVE DATE OF THE 1997 AMENDATORY ACT THAT ADDED THIS SECTION, THE DEPARTMENT SHALL ISSUE A LICENSE TO PRACTICE NATURAL HAIR CULTIVATION TO AN INDIVIDUAL WHO FULFILLS ALL OF THE FOLLOWING:

(A) IF AN EXAMINATION IS AVAILABLE, HAS PASSED AN EXAMINATION PRESCRIBED BY THE DEPARTMENT AND THE BOARD.

(B) IS AT LEAST 17 YEARS OF AGE.

(C) IS OF GOOD MORAL CHARACTER.

(D) HAS AN EDUCATION EQUIVALENT TO THE COMPLETION OF THE NINTH GRADE.

(E) HAS TRAINING OF AT LEAST 400 HOURS EXTENDING OVER A PERIOD OF AT LEAST 3 MONTHS IN A SCHOOL OF COSMETOLOGY APPROVED BY THE DEPARTMENT WHERE SERVICES RELATING TO NATURAL HAIR CULTIVATION ARE RENDERED OR HAS SERVED AT LEAST 6 MONTHS AS AN APPRENTICE IN A LICENSED COSMETOLOGY ESTABLISHMENT IN WHICH NATURAL HAIR CULTIVATION IS PRACTICED.

(2) UNTIL THE EXPIRATION OF 12 MONTHS AFTER THE EFFECTIVE DATE OF THE 1997 AMENDATORY ACT THAT ADDED THIS SECTION, THE DEPARTMENT SHALL ISSUE A LICENSE TO PRACTICE NATURAL HAIR CULTIVATION TO AN INDIVIDUAL WHO FULFILLS ALL OF THE FOLLOWING:

(A) IF AN EXAMINATION IS AVAILABLE, HAS PASSED AN EXAMINATION PRESCRIBED BY THE BOARD AND THE DEPARTMENT.

(B) IS AT LEAST 17 YEARS OF AGE.

(C) IS OF GOOD MORAL CHARACTER.

(D) HAS AN EDUCATION EQUIVALENT TO THE COMPLETION OF THE NINTH GRADE.

(E) PROVIDES EVIDENCE OF HAVING OBTAINED THE EQUIVALENT OF 6 MONTHS' FULL-TIME EXPERIENCE IN NATURAL HAIR CULTIVATION WITHIN THE PRECEDING 12 MONTHS IMMEDIATELY PRECEDING THE DATE OF APPLICATION IN THIS OR ANY OTHER STATE.”.

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

The question being on concurring in the adoption of the substitute (S-1) as amended,

The substitute (S-1) as amended was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 318

Yeas—106

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

Nays—0

In The Chair: Gire

The Speaker laid before the House

House Bill No. 4220, entitled

A bill to amend 1979 PA 152, entitled “State license fee act,” by amending section 25 (MCL 338.2225), as amended by 1988 PA 461.

(The bill was received from the Senate on May 6, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 7.)

The question being on concurring in the adoption of the substitute (S-1) made to the bill by the Senate, Reps. Varga, Hale and Quarles moved to amend the substitute (S-1) as follows:

1. Amend page 1, line 2, after “manicurist,” by inserting “NATURAL HAIR CULTURIST;”.
2. Amend page 2, line 3, after “manicurist,” by inserting “NATURAL HAIR CULTURIST;”.
3. Amend page 2, line 8, after “manicurist,” by inserting “NATURAL HAIR CULTURIST;”.
4. Amend page 2, line 14, after “manicurist,” by inserting “NATURAL HAIR CULTURIST;”.

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

The question being on concurring in the adoption of the substitute (S-1) as amended,

The substitute (S-1) as amended was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 319**Yeas—91**

Agee	Dobb	Johnson	Price
Alley	Dobronski	Kelly	Prusi
Anthony	Emerson	LaForge	Quarles
Baade	Fitzgerald	Law	Raczkowski
Baird	Freeman	Leland	Rhead
Banks	Gagliardi	LeTarte	Richner
Birkholz	Galloway	Llewellyn	Rison
Bobier	Geiger	London	Schauer
Bodem	Gernaat	Lowe	Schermesser
Brackenridge	Gilmer	Mans	Schroer
Brater	Gire	Martinez	Scott
Brewer	Godchaux	Mathieu	Scranton
Brown	Green	McManus	Sikkema
Byl	Griffin	McNutt	Stallworth
Callahan	Gubow	Middaugh	Tesanovich
Cassis	Hale	Middleton	Thomas
Cherry	Hanley	Murphy	Varga
Ciaramitaro	Harder	Olshove	Vaughn
Crissman	Hertel	Owen	Wallace
Curtis	Hood	Oxender	Wetters
Dalman	Jansen	Palamara	Willard
DeHart	Jelinek	Parks	Wojno
DeVuyst	Jellema	Perricone	

Nays—15

Bogardus	Horton	McBryde	Voorhees
Cropsey	Jaye	Nye	Walberg
Frank	Kaza	Profit	Whyman
Goschka	Kukuk	Rocca	

In The Chair: Gire

The House agreed to the full title of the bill.

The Speaker assumed the Chair.

Second Reading of Bills**House Bill No. 4305, entitled**

A bill to make appropriations for community colleges for the fiscal year ending September 30, 1998; to make appropriations for state building authority rent and insurance; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

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

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

Rep. Green moved that Rep. Gustafson be excused temporarily from today's session.
The motion prevailed.

Rep. McBryde moved to amend the bill as follows:

1. Amend page 13, following line 5, by inserting:

“Sec. 219. In light of section 1 of 1846 RS 83, MCL 551.1 and section 1 of 1939 PA 168, MCL 551.271, it is the intent of the legislature that a community college receiving funding under this act shall not use section 101 funds to extend employee benefits to the unmarried partners of the community college's employees.”.

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

Rep. McBryde demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 320

Yeas—51

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

Nays—52

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

In The Chair: Hertel

Rep. Scott moved to amend the bill as follows:

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

“Highland Park Community College \$ 6,545,650”

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

2. Amend page 21, following line 23, by inserting:

“Sec. 503. (1) The appropriation for Highland Park Community College operations shall not be expended unless Highland Park Community College does all of the following:

(a) Corrects all current state and local health and safety code violations by not later than September 1, 1997.

(b) Adopts clear rules and procedures that separate the finances of the college from those of the Highland Park school district, follows those rules and procedures, and expeditiously takes all steps necessary and appropriate to have restrictions on the college’s financial aid programs removed.

(c) To rehabilitate the college’s instructional and administrative facilities, adopts a plan by January 15, 1998 and implements the plan according to schedule.

(d) Adopts a plan that will obtain a positive year-end balance in each of the college’s operating funds by June 30, 1997 and implements the plan according to schedule. Until the date when each of the college’s operating funds has a positive year-end balance, the college shall freeze the salary of all college employees, expend no funds for out-of-state travel for college employees or board members, and reduce administrative costs. Upon the conclusion of each quarter of the college’s fiscal year, the college shall submit to the department of management and budget and the house and senate fiscal agencies a report on compliance with all of the requirements in this section.

(2) If the department of management and budget and the house and senate fiscal agencies agree that the college is not in substantial compliance with any of the requirements of this section, they shall report this finding to the legislature and may recommend that funding for the college be terminated. Administrative costs shall be cut.”.

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

Rep. Scott demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 321

Yeas—44

Agee	DeHart	Leland	Schermesser
Anthony	Frank	Martinez	Scott
Baird	Freeman	Mathieu	Scranton
Banks	Gagliardi	Murphy	Stallworth
Bogardus	Gire	Olshove	Tesanovich
Brater	Gubow	Palamara	Thomas
Brewer	Hale	Parks	Varga
Brown	Hanley	Prusi	Vaughn
Callahan	Harder	Quarles	Voorhees
Cherry	Hertel	Rison	Wallace
Ciaramitaro	Hood	Schauer	Wojno

Nays—53

Birkholz	Geiger	Johnson	Owen
Bobier	Gernaat	Kaza	Oxender
Bodem	Gilmer	Kelly	Perricone
Brackenridge	Godchaux	LeTarte	Price
Byl	Goschka	London	Raczkowski
Cassis	Green	Lowe	Rhead
Crissman	Griffin	Mans	Richner
Cropsey	Hammerstrom	McBryde	Rocca
Curtis	Horton	McManus	Schroer
Dalman	Jansen	McNutt	Sikkema

DeVuyst
Dobb
Fitzgerald
Galloway

Jaye
Jelinek
Jellema

Middaugh
Middleton
Nye

Walberg
Whyman
Willard

In The Chair: Hertel

Rep. Price moved to amend the bill as follows:

1. Amend page 17, line 12, by striking out all of section 403 and inserting:

“Sec. 403. (1) The partnerships for employment grant is established. For the initial fiscal year of this grant ending September 30, 1998, the funds shall be distributed to the colleges as described in subsection (5). For subsequent fiscal years, the department of management and budget shall make grants to the community colleges for specific projects aimed at creating partnerships between community colleges and local businesses or local business alliances who will provide guaranteed employment upon completion of certain instituted certificate programs designed to fill local employment needs and pursuant to the recommendations of the department of education.

(2) A community college in partnership with local businesses interested in the partnerships for employment grant program shall submit grant proposals for the fiscal year ending September 30, 1998 to the department of education no later than November 15, 1997.

(3) The department of education shall evaluate the grant proposals submitted by the deadline using the criteria in subsection (4) and shall determine the disposal of grant funding to the community colleges, but shall not exceed the appropriations amount in subsection (5). The department of education shall present a report at a public hearing to the house and senate appropriations subcommittees on community colleges no later than February 1, 1998. The report shall detail successful and unsuccessful grant applicants, the criteria used for evaluation, and the grant amounts allocated to the successful applicants. The department of education shall formally recommend to the department of management and budget and the department of treasury the proposals to be funded and the amount of funding to be released for each project, but the funding for each community college shall not exceed the amount allocated in subsection (5) except as provided in subsection (7).

(4) All of the following criteria shall be scored when evaluating project proposals:

(a) The likelihood of the project directly providing a discrete population of unemployed or underemployed workers with job skills that will lead to guaranteed employment by the business partner involved in a specific certificate program.

(b) Demonstration of a partnership formally existing between 1 or more businesses and the community college to design, implement, and teach students the skills necessary to be guaranteed employment upon certificate completion by the businesses involved in the partnership with the community college.

(c) An identifiable population and number of students, businesses, and employment needs to be served.

(5) Of the amount appropriated in section 101 for the partnerships for employment grant for the fiscal year ending September 30, 1998, \$2,270,700.00 shall be distributed to the colleges whose proposals are approved by the department of education in accordance with subsection (3) as follows:

Alpena Community College	\$	50,000
Bay de Noc Community College.....		50,000
Delta College		104,200
Glen Oaks Community College.....		50,000
Gogebic Community College		50,000
Grand Rapids Community College.....		119,400
Henry Ford Community College		118,300
Jackson Community College		53,600
Kalamazoo Valley Community College.....		82,000
Kellogg Community College.....		50,000
Kirtland Community College		50,000
Lake Michigan College		50,000
Lansing Community College.....		156,100
Macomb Community College.....		215,400
Mid-Michigan Community College.....		50,000
Monroe Community College		50,000
Montcalm Community College		50,000
Mott Community College.....		103,500
Muskegon Community College		50,000
North Central Michigan College		50,000

Northwestern Michigan College.....	50,000
Oakland Community College	250,000
St. Clair Community College	50,000
Schoolcraft College.....	86,100
Southwestern Michigan College.....	50,000
Washtenaw Community College.....	84,300
Wayne County Community College	97,800
West Shore Community College	50,000

(6) It is the intent of the legislature in fiscal years following the fiscal year ending September 30, 1998, that each college shall receive a minimum grant of \$50,000.00, with the remaining funding based upon the merit of proposals and compliance with the criteria listed in subsection (4). However, a college shall not receive more than \$250,000.00 under this subsection.

(7) Grant funds that are not allocated in subsection (5) shall be redistributed to the 28 community colleges using the Gast-Mathieu fairness in funding formula, with the total redistribution using the formula totaling not more than \$113,535.00. If nonallocated grant funds total more than \$113,535.00, then the remaining nonallocated grant funds shall be redistributed to successful grant applicants. Each successful grant applicant shall receive the same percentage of the remaining nonallocated grant funds that the applicant received of the total amount of grant funds awarded by the department of education. As used in this subsection, a "successful applicant" is an applicant whose proposal was approved under subsection (5). A community college's total grant allocation may exceed the amount listed in subsection (5) if additional funding is granted under this subsection.

(8) Grants received by colleges under this section may only be used for the purposes for which the grant was awarded and shall not be transferred to other parts of a college's operation.

(9) The colleges shall certify to the state treasurer, the department of management and budget, the house and senate fiscal agencies, and the auditor general that all grant dollars received under this section are expended or encumbered within 12 months of receipt, unless extended by the review panel created in subsection (3). Those funds not expended shall lapse to the state's general fund.

(10) The state department of education, in cooperation with the state's community colleges, shall submit a report within 60 days after the end of the fiscal year ending September 30, 1998 to the chairs of the appropriations subcommittees on community colleges of the senate and house of representatives on each grant released under the community college partnerships for employment grant, including the accomplishments of the projects, the number of students or businesses served, the job skills acquired, where each student was placed in employment, and the wage or salary earned at placement date. The colleges shall maintain documentation substantiating their partnership with businesses in forming specific certificate programs to fill employment needs, and proof of guaranteed employment upon certificate completion. The documentation is subject to review by the state auditor general."

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

Rep. Jansen moved to amend the bill as follows:

1. Amend page 13, following line 5, following section 219, by inserting:

"Sec. 220. (1) Funds appropriated under this act shall not be expended to provide health care coverage for community college employees or their dependents for abortion services, other than for spontaneous abortion or to prevent the death of the woman upon whom the abortion is performed, if those services are not required by a collective bargaining agreement.

(2) A community college shall not approve a collective bargaining agreement which includes health care coverage for abortion services other than spontaneous abortion or to prevent the death of the woman upon whom the abortion is performed. This section shall not prohibit a health care benefit program which provides for an employee-paid rider providing coverage for abortion services.

(3) If a community college receiving funds under this act expends funds in violation of subsection (1), the appropriation under this act for that community college is reduced by 5%."

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

Rep. McManus demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 322

Yeas—54

Alley
Baade

Gagliardi
Geiger

LeTarte
Llewellyn

Owen
Oxender

Birkholz	Gernaat	London	Palamara
Bodem	Goschka	Lowe	Perricone
Brackenridge	Green	Mans	Rackowski
Brown	Griffin	Mathieu	Rhead
Byl	Hammerstrom	McBryde	Richner
Callahan	Harder	McManus	Rocca
Cassis	Horton	McNutt	Sikkema
Ciaramitaro	Jansen	Middaugh	Voorhees
Cropsey	Jaye	Middleton	Walberg
Dalman	Jellema	Nye	Whyman
DeVuyst	Kaza	Olshove	Wojno
Frank	Kukuk		

Nays—51

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

In The Chair: Hertel

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

“Mr. Speaker and members of the House:

I voted No on Ammend #6 HB 4305 because I will not vote in favor of any legislation that obstructs or interferes with the collective bargaining process on the local level.”

Rep. Crissman moved to amend the bill as follows:

1. Amend page 9, line 15, by striking out all of section 210 and inserting:

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

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. 323**Yeas—62**

Alley	Galloway	Johnson	Oxender
Bankes	Geiger	Kaza	Palamara
Birkholz	Gernaat	Kukuk	Perricone

Bobier	Gilmer	Law	Raczkowski
Bodem	Gire	Llewellyn	Rhead
Brackenridge	Godchaux	London	Richner
Brown	Goschka	Lowe	Rocca
Cassis	Green	Mans	Schauer
Ciaramitaro	Griffin	McBryde	Scranton
Crissman	Gustafson	McManus	Sikkema
Cropsey	Hammerstrom	McNutt	Voorhees
Dalman	Horton	Middaugh	Walberg
DeVuyst	Jansen	Middleton	Whyman
Dobb	Jaye	Nye	Willard
Fitzgerald	Jelinek	Olshove	Wojno
Frank	Jellema		

Nays—36

Agee	Hale	Murphy	Schroer
Anthony	Hanley	Owen	Scott
Baird	Hertel	Parks	Stallworth
Brater	Hood	Price	Tesanovich
Byl	Kelly	Profit	Thomas
Cherry	LaForge	Prusi	Varga
DeHart	Leland	Quarles	Vaughn
Dobronski	Martinez	Rison	Wallace
Gubow	Mathieu	Schermesser	Wetters

In The Chair: Hertel

Rep. Dalman moved to amend the bill as follows:

1. Amend page 13, following line 5, by inserting:

“Sec. 219. (1) An institution receiving funding under this act and also subject to the student right-to-know and campus security act, Public Law 101-542, 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. 324**Yeas—106**

Agee	Fitzgerald	Kelly	Profit
Alley	Frank	Kukuk	Prusi
Anthony	Freeman	LaForge	Quarles
Baade	Gagliardi	Law	Raczkowski
Baird	Galloway	Leland	Rhead
Bankes	Geiger	LeTarte	Richner
Birkholz	Gernaat	Llewellyn	Rison
Bobier	Gilmer	London	Rocca

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

Nays—0

In The Chair: Hertel

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

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

Rep. Martinez demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Harder,

The motion prevailed, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 325**Yeas—58**

Alley	Gagliardi	Kukuk	Olshove
Baade	Geiger	Law	Owen
Birkholz	Gernaat	LeTarte	Oxender
Bodem	Goschka	Llewellyn	Palamara
Brackenridge	Green	London	Perricone
Brown	Griffin	Lowe	Raczkowski
Byl	Gustafson	Mans	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
Fitzgerald	Jellema	Nye	Wojno
Frank	Kaza		

Nays—48

Agee	Dobb	Johnson	Schauer
Anthony	Dobronski	Kelly	Schermesser

Baird	Freeman	LaForge	Schroer
Bankes	Galloway	Leland	Scranton
Bobier	Gilmer	Martinez	Stallworth
Bogardus	Gire	Murphy	Tesanovich
Brater	Godchaux	Parks	Thomas
Brewer	Gubow	Price	Varga
Cherry	Hale	Profit	Vaughn
Crissman	Hanley	Prusi	Wallace
Curtis	Hertel	Quarles	Wetters
DeHart	Hood	Rison	Willard

In The Chair: Hertel

The question being on the adoption of the amendment offered previously by Rep. Jansen, Rep. Jansen demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 326

Yeas—56

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

Nays—50

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

In The Chair: Hertel

Rep. Crissman moved to amend the bill as follows:

1. Amend page 9, line 15, by striking out all of section 210.
2. Amend page 13, following line 5, following section 220, by inserting:

“Sec. 221. A community college shall not use funds appropriated in section 101 to discriminate or grant preferential treatment based upon religion, race, color, national origin, or gender for the purpose of admissions or the granting of scholarships at that community college.”.

Rep. Crissman moved that the amendments be considered separately.

The motion prevailed.

The question being on the adoption of the amendment No. 1 offered by Rep. Crissman,

Rep. Crissman withdrew the amendment.

The question being on the adoption of the amendment No. 2 offered by Rep. Crissman,

Rep. Crissman demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment No. 2 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. 327

Yeas—56

Alley	Frank	Jellema	Olshove
Bankes	Gagliardi	Johnson	Palamara
Birkholz	Galloway	Kaza	Perricone
Bobier	Geiger	Kukuk	Raczkowski
Bodem	Gernaat	Law	Rhead
Brackenridge	Godchaux	Llewellyn	Richner
Brown	Goschka	London	Rocca
Callahan	Green	Lowe	Scranton
Cassis	Gustafson	McBryde	Sikkema
Crissman	Hammerstrom	McManus	Voorhees
Cropsey	Horton	McNutt	Walberg
Dalman	Jansen	Middaugh	Whyman
DeVuyst	Jaye	Middleton	Willard
Dobb	Jelinek	Nye	Wojno

Nays—48

Agee	Fitzgerald	Leland	Rison
Anthony	Freeman	LeTarte	Schauer
Baade	Gilmer	Mans	Schermesser
Baird	Gire	Martinez	Schroer
Bogardus	Gubow	Mathieu	Scott
Brater	Hale	Murphy	Stallworth
Byl	Hanley	Owen	Tesanovich
Cherry	Harder	Oxender	Thomas
Ciaramitaro	Hertel	Price	Varga
Curtis	Hood	Profit	Vaughn
DeHart	Kelly	Prusi	Wallace
Dobronski	LaForge	Quarles	Wetters

In The Chair: Hertel

Rep. Richner moved to amend the bill as follows:

1. Amend page 13, following line 5, following section 221, by inserting:

“Sec. 222. Funds appropriated in section 101 shall not be used to offer courses or programs in casino management or casino operations.”.

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 17, following line 4, by inserting:

“(10) A community college receiving grant money under this section shall employ a bill collection agency to collect a course fee from a public, charter, private, or religious school that issued a high school diploma to a student who requires remedial instruction in math, science, english, or writing at the high school level if the student received a passing grade in that course at the school from which he or she received the diploma.”.

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. 328

Yeas—20

Birkholz	Green	Kaza	Rhead
Brewer	Gustafson	Kukuk	Rocca
Cropsey	Horton	Llewellyn	Sikkema
DeVuyst	Jansen	Perricone	Voorhees
Goschka	Jaye	Raczkowski	Whyman

Nays—80

Agee	Dobb	Jellema	Profit
Alley	Dobronski	Kelly	Prusi
Anthony	Fitzgerald	LaForge	Quarles
Baade	Frank	Leland	Richner
Baird	Freeman	LeTarte	Rison
Bankes	Gagliardi	London	Schauer
Bodem	Galloway	Lowe	Schermesser
Bogardus	Geiger	Mans	Schroer
Brackenridge	Gernaat	Martinez	Scott
Brater	Gilmer	Mathieu	Scranton
Brown	Gire	McBryde	Stallworth
Byl	Godchaux	McManus	Tesanovich
Callahan	Gubow	McNutt	Thomas
Cassis	Hale	Middaugh	Varga
Cherry	Hammerstrom	Middleton	Vaughn
Ciaramitaro	Hanley	Murphy	Walberg
Crissman	Harder	Owen	Wallace
Curtis	Hertel	Oxender	Wetters
Dalman	Hood	Parks	Willard
DeHart	Jelinek	Price	Wojno

In The Chair: Hertel

Reps. Raczkowski, Dobb and Cassis moved to amend the bill as follows:

1. Amend page 13, following line 15, following section 221, by inserting:

“Sec. 222. A community college shall not receive any funds of reimbursement from any school district that has dual-enrolled students, until the specified dual-enrolled student has completed the course that is being reimbursed.”.

The question being on the adoption of the amendment offered by Reps. Raczkowski, Dobb and Cassis,

Rep. Raczkowski demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Raczkowski, Dobb and Cassis,

Rep. Middleton moved to amend the Raczkowski, Dobb and Cassis amendment as follows:

1. Amend the Raczkowski, Dobb and Cassis amendment, page 13, line 15, section 222, after “reimbursed.” by inserting “The dual-enrolled student who fails to complete a course at a community college shall pay the community college for the course that the student failed to complete.”.

Point of Order

Rep. Price requested a ruling of the Chair as to whether or not the Middleton amendment to the Raczkowski, Dobb and Cassis amendment is germane. The Chair ruled the amendment to the amendment is germane.

—

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

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

Rep. Gustafson moved that Rep. Sikkema be excused temporarily from today's session.
The motion prevailed.

The question being on the adoption of the amendment offered previously by Rep. Middleton,
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. Raczkowski, Dobb and Cassis,
The amendment was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 329

Yeas—93

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

Nays—7

Bogardus	Dalman	Hale	Wetters
Cherry	Gire	LeTarte	

In The Chair: Hertel

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

1. Amend page 1, line 1, by striking out all of section 101 and inserting:

“Sec. 101. There is appropriated for community colleges and certain other state purposes relating to education, subject to the conditions set forth in this act, for the fiscal year ending September 30, 1998, the following amounts:

SUMMARY UNIT FOR COMMUNITY COLLEGES

GROSS APPROPRIATION	\$	276,606,986
Total interdepartmental grants and intradepartmental transfers	\$	0
ADJUSTED GROSS APPROPRIATION	\$	276,606,986
Total federal revenues		0
Total local revenues		0
Total private revenues		0
Total local and private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	276,606,986

OPERATIONS

Alpena Community College	\$	4,448,346
Bay de Noc Community College		4,122,539
Delta College		12,951,545
Glen Oaks Community College		1,957,056
Gogebic Community College		3,925,342
Grand Rapids Community College		17,178,320
Henry Ford Community College		19,253,418
Jackson Community College		11,390,670
Kalamazoo Valley Community College		9,811,502
Kellogg Community College		8,144,578
Kirtland Community College		2,812,022
Lake Michigan College		4,501,907
Lansing Community College		28,093,618
Macomb Community College		30,555,401
Mid Michigan Community College		3,648,173
Monroe County Community College		3,582,440
Montcalm Community College		2,915,917
Mott Community College		14,222,414
Muskegon Community College		8,063,287
North Central Michigan College		2,699,168
Northwestern Michigan College		7,867,728
Oakland Community College		19,873,907
St. Clair County Community College		6,348,948
Schoolcraft College		10,727,896
Southwestern Michigan College		5,211,579
Washtenaw Community College		10,284,286
Wayne County Community College		15,869,022
West Shore Community College		2,061,991
GROSS APPROPRIATION	\$	272,523,020
State general fund/general purpose	\$	272,523,020

GRANTS

At risk student success program	\$	3,584,566
Renaissance zone tax reimbursement funding		288,500
Highland Park Community College		210,900
GROSS APPROPRIATION	\$	4,083,966
State general fund/general purpose	\$	4,083,966”.

2. Amend page 17, line 12, by striking out all of section 403.

The question being on the adoption of the amendments offered by Reps. Gilmer and Geiger, 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 Geiger, After debate,

Rep. Quarles demanded the previous question.

The demand was supported.

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

The previous question was ordered.

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

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

Roll Call No. 330**Yeas—28**

Birkholz	Green	Kukuk	Richner
Bobier	Gustafson	Law	Rocca
Brackenridge	Hammerstrom	LeTarte	Schauer
Cropsey	Jaye	Middaugh	Scranton
Dalman	Jelinek	Nye	Voorhees
Geiger	Jellema	Oxender	Walberg
Gilmer	Johnson	Perricone	Wetters

Nays—76

Agee	DeVuyst	Kaza	Price
Alley	Dobb	Kelly	Profit
Anthony	Dobronski	LaForge	Prusi
Baade	Frank	Leland	Quarles
Baird	Freeman	Llewellyn	Raczkowski
Bankes	Gagliardi	London	Rhead
Bodem	Galloway	Lowe	Rison
Bogardus	Gernaat	Mans	Schermesser
Brater	Gire	Martinez	Schroer
Brewer	Godchaux	Mathieu	Scott
Brown	Goschka	McBryde	Stallworth
Byl	Gubow	McManus	Tesanovich
Callahan	Hale	McNutt	Thomas
Cassis	Hanley	Middleton	Varga
Cherry	Harder	Murphy	Vaughn
Ciaramitaro	Hertel	Olshove	Wallace
Crissman	Hood	Owen	Whyman
Curtis	Horton	Palamara	Willard
DeHart	Jansen	Parks	Wojno

In The Chair: Hertel

Rep. Cassis moved to amend the bill as follows:

1. Amend page 13, following line 5, following section 222, by inserting:

"Sec. 223. (1) Of the funding appropriated in section 101 to each community college for operations, if there is an amount that is greater than 3% than that appropriated for the fiscal year ending September 30, 1997, this funding increment is the Michigan legislative tuition restraint incentive. To be eligible to receive funding under this initiative, each community college shall certify to the state budget director by October 1, 1997, that the increase in required annual tuition and fees for resident students as established by the community college'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 this initiative among the eligible community colleges pro rata to the operations appropriations in section 101 for all eligible community colleges. 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. Gilmer 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 not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 331**Yeas—42**

Birkholz	Gilmer	Kaza	Perricone
Bobier	Godchaux	Kukuk	Rackowski
Brewer	Goschka	Law	Rhead
Cassis	Green	Llewellyn	Richner
Crissman	Gustafson	London	Rocca
Cropsey	Horton	Lowe	Scranton
DeVuyst	Jansen	McBryde	Voorhees
Dobb	Jaye	McManus	Walberg
Galloway	Jelinek	Middleton	Whyman
Geiger	Jellema	Nye	Willard
Gernaat	Johnson		

Nays—62

Agee	Dalman	Leland	Prusi
Alley	DeHart	LeTarte	Quarles
Anthony	Dobronski	Mans	Rison
Baade	Frank	Martinez	Schauer
Baird	Freeman	Mathieu	Schermesser
Banks	Gagliardi	McNutt	Schroer
Bodem	Gire	Middaugh	Scott
Bogardus	Gubow	Murphy	Stallworth
Brackenridge	Hale	Olshove	Tesanovich
Brater	Hammerstrom	Owen	Thomas
Brown	Hanley	Oxender	Varga
Byl	Harder	Palamara	Vaughn
Callahan	Hertel	Parks	Wallace
Cherry	Hood	Price	Wetters
Ciaramitaro	Kelly	Profit	Wojno
Curtis	LaForge		

In The Chair: Hertel

Rep. Agee moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. Jansen.

Point of Order

Rep. Ciaramitaro requested a ruling of the Chair as to whether or not the Agee motion to reconsider the vote by which the Jansen amendment was adopted is a proper motion. The Chair ruled that the motion is a proper motion because it is a different motion from the previous motion to reconsider the vote by which the Jansen amendment had failed.

The question being on the motion made previously by Rep. Agee,
Rep. Cropsey demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 332**Yeas—49**

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

Nays—54

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

In The Chair: Hertel

Rep. Schermesser moved that Rep. DeHart be excused from the balance of today's session.
The motion prevailed.

Rep. Crissman moved to amend the bill as follows:

1. Amend page 13, following line 5, following section 222, by inserting:

“Sec. 223. A community college 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 gender for the purpose of selecting or referring an applicant or candidate for employment or a current administrator or employee for promotion at that community college.”.

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. 333**Yeas—78**

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

Nays—26

Agee	Hertel	Parks	Scott
Baird	Hood	Price	Stallworth
Brater	Kelly	Quarles	Thomas
Dobronski	LaForge	Rison	Varga
Gilmer	Leland	Schauer	Vaughn
Hale	Martinez	Schroer	Wallace
Hanley	Murphy		

In The Chair: Hertel

Rep. Crissman moved to amend the bill as follows:

1. Amend page 13, following line 5, following section 223, by inserting:

“Sec. 224. A community college 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 community college, determining class rank or class status of an individual, or determining an individual’s eligibility to participate in any program of that community college.”.

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. 334**Yeas—75**

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

Nays—26

Agee	Hood	Price	Stallworth
Baird	Kelly	Quarles	Thomas
Brater	LaForge	Rison	Varga
Cherry	Leland	Schauer	Vaughn
Dobronski	Martinez	Schroer	Wallace
Hale	Murphy	Scott	Wetters
Hanley	Parks		

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:

This is nuts! Every community college has an open admissions policy, they don’t use test scores for admission.

But some of the nuts in the Legislature need to make themselves important by voting to prohibit what never happens.

All that so they can go back and proclaim they are against preferential treatment that never existed. No wonder people wonder what we do here.

It is unfortunate but on some days the nuts rule the House.”

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 16, line 27, after “students” by striking out the balance of the subsection and inserting a period.

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. 335**Yeas—57**

Baade	DeVuyst	Jaye	Olshove
Bankes	Dobb	Jelinek	Palamara

Birkholz	Frank	Johnson	Perricone
Bobier	Galloway	Kaza	Profit
Bodem	Geiger	Kukuk	Rackowski
Bogardus	Gernaat	Law	Rhead
Brewer	Gilmer	Llewellyn	Richner
Brown	Goschka	Lowe	Rocca
Byl	Green	Mans	Scranton
Callahan	Gustafson	McBryde	Voorhees
Cassis	Hammerstrom	McManus	Walberg
Crissman	Harder	McNutt	Whyman
Cropsey	Horton	Middleton	Willard
Curtis	Jansen	Nye	Wojno
Dalman			

Nays—43

Agee	Gire	London	Schauer
Alley	Godchaux	Martinez	Schermesser
Anthony	Gubow	Mathieu	Scott
Baird	Hale	Middaugh	Stallworth
Brackenridge	Hanley	Murphy	Tesanovich
Brater	Hertel	Owen	Thomas
Cherry	Hood	Oxender	Varga
Ciaramitaro	Jellema	Parks	Vaughn
Dobronski	Kelly	Price	Wallace
Freeman	Leland	Prusi	Wetters
Gagliardi	LeTarte	Quarles	

In The Chair: Hertel

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

1. Amend page 3, line 17, by striking out all of line 17, and adjusting the subtotals, totals and section 201 accordingly.
2. Amend page 17, line 12, by striking out all of section 403 and inserting:

“Sec. 403. It is the intent of the legislature that the \$2,270,700.00 previously designated for the partnerships for employment grants be used to fund road repairs.”.

The question being on the adoption of the amendments offered by Reps. Walberg and Jaye,

Rep. Walberg demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Walberg and Jaye,

Rep. Bobier moved to amend the Walberg and Jaye amendment as follows:

1. Amend page 17, line 12, section 403, after “road repair” by inserting “training and retraining”.

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

The question being on the adoption of the amendments offered previously by Reps. Walberg and Jaye,

Point of Order

Rep. Mathieu requested a ruling of the Chair as to whether or not the amendment offered by Reps. Walberg and Jaye is germane. The Chair ruled that the amendment is not germane. It attempts to state the intent of the Legislature with regard to the appropriation of transportation funds which are not properly a part of the community college budget.

Rep. Bogardus moved that Rep. Rison be excused from the balance of today's session.
The motion prevailed.

Rep. McBryde 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. 4305, entitled

A bill to make appropriations for community colleges for the fiscal year ending September 30, 1998; to make appropriations for state building authority rent and insurance; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

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

Roll Call No. 336

Yeas—63

Alley	Goschka	LeTarte	Palamara
Anthony	Hale	Llewellyn	Perricone
Baade	Hammerstrom	London	Price
Bodem	Hanley	Lowe	Profit
Brackenridge	Harder	Mans	Prusi
Brewer	Hertel	Mathieu	Rhead
Brown	Hood	McBryde	Rocca
Callahan	Horton	McManus	Stallworth
Ciaramitaro	Jansen	McNutt	Tesanovich
Cropsey	Jaye	Middaugh	Voorhees
Dalman	Jelinek	Middleton	Walberg
DeVuyst	Jellema	Murphy	Wallace
Dobronski	Kaza	Nye	Wetters
Frank	Kelly	Olshove	Whyman
Gagliardi	Kukuk	Owen	Wojno
Gernaat	Law	Oxender	

Nays—35

Baird	Fitzgerald	Johnson	Schroer
Banks	Freeman	LaForge	Scott
Birkholz	Galloway	Leland	Scranton
Bobier	Geiger	Martinez	Sikkema
Brater	Gilmer	Parks	Thomas
Byl	Godchaux	Quarles	Varga
Cassis	Green	Raczkowski	Vaughn
Curtis	Gubow	Richner	Willard
Dobb	Gustafson	Schermesser	

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 community colleges for the fiscal year ending September 30, 1998; to provide for the expenditure of the appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, officers, and employees.

The motion prevailed.

The House agreed to the title as amended.

Rep. Martinez, 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:

This is not a budget bill. As a result of the irrelevant amendments that have been added in this House Debate, this bill has become a mixed package of poorly considered social policy decisions. Community colleges have an open enrollment policy. We don't need to place all kinds of regulations on how they make admissions decisions. I refuse to support this bill after this process.”

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. 337

Yeas—32

Agee	Gire	Mans	Schermesser
Baade	Hale	Mathieu	Stallworth
Brown	Hanley	Olshove	Tesanovich
Callahan	Harder	Owen	Thomas
Cherry	Hertel	Palamara	Varga
Ciaramitaro	Hood	Price	Wallace
Frank	Kelly	Profit	Wetters
Gagliardi	Leland	Prusi	Wojno

Nays—68

Anthony	Dobb	Jellema	Oxender
Baird	Dobronski	Johnson	Parks
Bankes	Fitzgerald	Kaza	Perricone
Birkholz	Galloway	Kukuk	Rackowski
Bobier	Geiger	LaForge	Rhead
Bodem	Gernaat	Law	Richner
Bogardus	Gilmer	LeTarte	Rocca
Brackenridge	Godchaux	Llewellyn	Schauer
Brater	Goschka	London	Schroer
Brewer	Green	Lowe	Scott
Byl	Gubow	Martinez	Scranton
Cassis	Gustafson	McBryde	Sikkema
Crissman	Hammerstrom	McManus	Vaughn
Cropsey	Horton	McNutt	Voorhees
Curtis	Jansen	Middaugh	Walberg
Dalman	Jaye	Middleton	Whyman
DeVuyst	Jelinek	Nye	Willard

In The Chair: Hertel

Second Reading of Bills

Rep. Gagliardi moved that **House Bill No. 4511** be referred to the Committee on Appropriations. The motion prevailed.

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

Reps. Gilmer, Perricone, LaForge, Green, Cherry, Dobronski, Baird, McNutt, Anthony, Rocca, Hammerstrom, Jellema, Baade, Bogardus, Scranton, Crissman, Profit, Varga, Galloway, Parks, Birkholz, Richner, Rhead, Jansen, Cropsey, Hale, Oxender, Goschka, Dalman, Llewellyn, Freeman, Bodem, McBryde and Kelly offered the following resolution:

House Resolution No. 55.

A resolution commemorating the 75th Anniversary of the Portage Public Schools.

Whereas, It is a great pleasure for the members of the Michigan House of Representatives to join in commemorating the 75th anniversary of the Portage Public Schools in Kalamazoo County. The celebration of this special occasion will feature many events beginning July 1, 1997 and continuing on into the beginning of the 1997-98 school year; and

Whereas, The Board of Education members: Kevin Hollenbeck-President, James Pellowe-Vice President, Kathy Derr-Treasurer, Donna Buechler-Trustee, Patricia Dolan-Trustee, Tom Eddy-Trustee, John Whyte-Trustee, and James H. Ridders-Superintendent of the Portage Public Schools, along with the dedicated faculty and staff, encourage the celebration of the accomplishments of this great school district; and

Whereas, The origin of the Portage Public Schools began through the creation of the Portage Agricultural School in 1922 from several smaller rural districts within the Township of Portage. In 1946, several other districts — Rockne, Lake Center, Pershing, Prairie Edge, and Boyton — as well as primary districts in Texas and Pavilion Townships consolidated to become Portage Public Schools; and

Whereas, The Portage Public Schools rapidly increased in size between the 1950s and 1960s as a result of the post-World War II baby boom era, and then between 1971 and 1983 experienced a decrease in total student population. In the mid-1980s until present, the greater- Portage community has witnessed an increase in the student population and has grown to exceed 8,800 students, creating the need for eight elementary schools for K-5 and the young fives program, three middle schools for grades 6-8, two high schools for grades 9-12, and the Portage Community Education Center for our Community High School, Curious Kids Child Care and Preschool; now, therefore, be it

Resolved by the House of Representatives, That we commemorate the Portage Public Schools' 75th Anniversary; and be it further

Resolved, That a copy of this resolution be transmitted to the School Board President as evidence of our warmest congratulations.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. McNutt, Green, Cherry, LaForge, Dobronski, Baird, DeHart, Anthony, Rocca, Hammerstrom, DeVuyst, Jellema, Baade, Bogardus, Gilmer, Scranton, Crissman, Raczkowski, Profit, Varga, Galloway, Parks, Birkholz, Richner, Rhead, Perricone, Jansen, Cropsey, Hale, Oxender, Goschka, Dalman, Llewellyn, Freeman, Bodem, McBryde and Kelly offered the following resolution:

House Resolution No. 56.

A resolution of tribute to Ms. Kathie Grzesiak, Michigan's 1997-1998 Teacher of the Year.

Whereas, Ms. Kathie Grzesiak was announced to be Michigan's 1997-1998 Teacher of the Year and will represent Michigan for the National Teacher of the Year competition; and

Whereas, Ms. Kathie Grzesiak has been an effective educator and has gained much experience throughout her years of teaching. She has taught and contributed to the lives of children in the school district of the City of Saginaw, St. Peter and Paul Elementary Parochial School, Carrollton Public Schools, Buena Vista School District, and especially at Eastlawn Elementary School in Midland, Michigan; and

Whereas, Ms. Kathie Grzesiak has been a teacher who has cultivated a relationship with students which allows her the opportunity to make education fun, to increase their self-esteem and to ultimately instill the desire to learn. It is because of this distinguished talent that Ms. Grzesiak was nominated by her fellow peers for this award which she is now presented; and

Whereas, Ms. Kathie Grzesiak has dedicated her life to continued learning and the training of young minds over twenty-seven years in the field of education including expanding her professional involvement within the business of furthering education. Ms. Grzesiak has committed herself to the promotion of education through the avenues of securing grants, publishing various articles, and embracing the idea of staff development; and

Whereas, It is apparent to all the dedication and commitment held by Ms. Kathie Grzesiak regarding her young students, their potential, their importance, and their incredible value to our state and community; now, therefore, be it

Resolved by the House of Representatives, That the members of the Michigan House of Representatives join in honoring Ms. Kathie Grzesiak as Michigan's 1997-1998 Teacher of the Year; and be it further

Resolved, That a copy of this resolution be presented to Ms. Kathie Grzesiak as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. Brewer, LaForge, Dobronski, Anthony, Baade, Bogardus, Scott, Varga, Parks, Willard, Hale, Gagliardi, Freeman and Kelly offered the following resolution:

House Resolution No. 57.

A resolution to request the Biologic Products Commission and the State Building Authority to refrain from selling the Michigan Biologic Products Institute until an independent appraisal of its value is presented to the legislature.

Whereas, Under the provisions of 1996 PA 522, the Michigan Biologic Products Commission may negotiate the terms of a conveyance of the Michigan Biologic Products Institute to a private entity. The recommendations of the commission go to the State Building Authority for approval before the institute's assets are sold and transferred. As provided in section 5 of the act, being MCL § 333.2635, the State Administrative Board is to receive an independent opinion of the fairness and adequacy of any conveyance prior to the effective date of the conveyance; and

Whereas, Following the sale a few years ago of the Accident Fund, numerous concerns were expressed regarding the ultimate price paid for a valued state asset. At that time, assessments made of the entity were not presented to the legislature and not disclosed in as open a forum as appropriate. As a result, the legislature was asked to approve a sale without full access to important evaluation data; and

Whereas, It is incumbent upon state government to conduct its business with appropriate opportunity for public scrutiny. In enacting legislation to convey valued property to the private sector, it is important to ensure that the state receive fair value for its assets and to make sure that all aspects of prospective transactions are made public. This includes not only the assessment of the assets, but also the interests of all the parties involved in determining the asset value; and

Whereas, The people of the state of Michigan supported the research that led to many vaccines over many years; and

Whereas, The intellectual capital fostered and invested there will continue to reap dividends in the form of royalties for many years; now, therefore, be it

Resolved by the House of Representatives, That we request the Biologic Products Commission and the State Building Authority to refrain from selling the Michigan Biologic Products Institute until an independent appraisal of its value is presented to the legislature by an agreed upon investment appraiser; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Biologic Products Commission and the State Building Authority.

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

Reps. Prusi, Agee, Hanley, Tesanovich, Cherry, Parks, Gagliardi, Owen and Anthony offered the following resolution:

House Resolution No. 58.

A resolution honoring the grand opening of the Landmark Inn in Marquette, Michigan.

Whereas, It is most appropriate for the Michigan Legislature to extend the highest praise and tribute to Bruce and Christine Pesola on the grand opening of their historic Landmark Inn Hotel in downtown Marquette, Michigan on May 22, 1997, days after the celebration of National Historic Preservation Week; and

Whereas, The Pesolas engaged in a project that proves historic preservation works and in this case saved one of Marquette's historic crown jewels as the city prepares to celebrate its Sesquicentennial in 1999. As a result of the Pesolas, the Landmark Inn has been turned into another shining star of Marquette's thriving downtown business community; and

Whereas, The Landmark Inn, formerly known as the Heritage House, Old Marquette Inn and Northland Hotel, opens as one of the most historically significant buildings in the Upper Peninsula. The six-story hotel, constructed by H.L. Stevens Company of Chicago at a cost of more than \$350,000, was opened on January 8, 1930, with its view

overlooking Lake Superior on Front Street in Marquette, as one of the premier hotels in Michigan's Upper Peninsula. Located at one of Marquette's highest points on the corners of Front and Ridge streets, the hotel is one of the first landmarks one sees when entering the city; and

Whereas, Over the years many famous guests have visited the hotel, including: Amelia Earhart, Duke Ellington, Abbott and Costello, and Louie Armstrong. Other notables who stayed at the hotel include the Dallas Cowboys and the man known in the 1930 drama circles as the "Human Fly" scaled up one of the hotel's sides; and

Whereas, Bruce and Christine Pesola took ownership of the hotel on November 3, 1995, after it stood vacant for more than 12 years in the face of two foreclosures while skeptics of historic preservation made the predictable call for demolition. The Pesolas, using their own private resources, directed a restoration that has kept many of the hotel's original features, including its two marble staircases and brass hand railings. Thanks to the Pesolas, people will once again be able to enjoy breathtaking views of Lake Superior over dinner or a comfortable stay in one of the Landmark Inn's 61 rooms, including suites decorated much like they were when Earhart and Abbott and Costello stayed overnight; now, therefore, be it

Resolved by the House of Representatives, That we hereby extend the highest commendation to Bruce and Christine Pesola for preserving a piece of Marquette and Michigan history through historic preservation. The Pesolas also are to be commended for making it possible for current and future generations to enjoy the area's rich heritage and its people and outdoor beauty while staying in a treasure fittingly called the Landmark Inn, overlooking downtown Marquette in a location its owners have called "unparalleled" and the "premier spot" in an area often referred to as "God's Country" by visitors and residents alike; and be it further

Resolved, That a copy of this resolution be transmitted to Bruce and Christine Pesola and the historic preservation contractors and crews and employees of the Landmark Inn as evidence of our highest esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. Brewer, Frank, Bogardus, Willard, Hanley, Agee, Gubow, Griffin, Vaughn, Murphy, Cherry, Gagliardi, Prusi, Brater, LaForge, Dobronski, Anthony, Baade, Scott, Varga, Parks, Hale, Freeman and Kelly offered the following concurrent resolution:

House Concurrent Resolution No. 40.

A concurrent resolution to request the Biologic Products Commission and the State Building Authority to refrain from selling the Michigan Biologic Products Institute until an independent appraisal of its value is presented to the legislature.

Whereas, Under the provisions of 1996 PA 522, the Michigan Biologic Products Commission may negotiate the terms of a conveyance of the Michigan Biologic Products Institute to a private entity. The recommendations of the commission go to the State Building Authority for approval before the institute's assets are sold and transferred. As provided in section 5 of the act, being MCL § 333.2635, the State Administrative Board is to receive an independent opinion of the fairness and adequacy of any conveyance prior to the effective date of the conveyance; and

Whereas, Following the sale a few years ago of the Accident Fund, numerous concerns were expressed regarding the ultimate price paid for a valued state asset. At that time, assessments made of the entity were not presented to the legislature and not disclosed in as open a forum as appropriate. As a result, the legislature was asked to approve a sale without full access to important evaluation data; and

Whereas, It is incumbent upon state government to conduct its business with appropriate opportunity for public scrutiny. In enacting legislation to convey valued property to the private sector, it is important to ensure that the state receive fair value for its assets and to make sure that all aspects of prospective transactions are made public. This includes not only the assessment of the assets, but also the interests of all the parties involved in determining the asset value; and

Whereas, The people of the state of Michigan supported the research that led to many vaccines over many years; and

Whereas, The intellectual capital fostered and invested there will continue to reap dividends in the form of royalties for many years; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we request the Biologic Products Commission and the State Building Authority to refrain from selling the Michigan Biologic Products Institute until an independent appraisal of its value is presented to the legislature by an agreed upon investment appraiser; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Biologic Products Commission and the State Building Authority.

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

Reports of Standing Committees

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported
Senate Concurrent Resolution No. 25.

A concurrent resolution to memorialize the President and the Congress of the United States to work for the admission of Latvia, Estonia, and Lithuania into the North Atlantic Treaty Organization.

(For text of resolution, see House Journal No. 36, p. 733.)

With the recommendation that the concurrent resolution be adopted.

The Speaker announced that under Rule 77 the concurrent resolution would lie over one day.

Favorable Roll Call

SCR 25 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, Hanley, Wallace, Gustafson, DeVuyst, Richner, Voorhees,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gagliardi, Chair of the Committee on House Oversight and Ethics, was received and read:

Meeting held on: Monday, May 12, 1997, at 2:00 p.m.,

Present: Reps. Gagliardi, Cherry, Agee, Brewer, Hanley, Wallace, Gustafson, DeVuyst, Richner, Voorhees,

Absent: Reps. DeHart, Kilpatrick, Varga, Wojno, Fitzgerald, Goschka, Perricone,

Excused: Reps. DeHart, Kilpatrick, Varga, Wojno, Fitzgerald, Goschka, Perricone.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

House Bill No. 4231, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 94.

The committee recommended that the bill be referred to the Committee on Appropriations.

Favorable Roll Call

HB 4231 To Report Out:

Yeas: Reps. Palamara, Gire, Griffin, Gubow, Leland, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Raczkowski, Rocca,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Appropriations.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

House Bill No. 4351, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 94.

The committee recommended that the bill be referred to the Committee on Appropriations.

Favorable Roll Call

HB 4351 To Report Out:

Yeas: Reps. Palamara, Gire, Griffin, Gubow, Leland, Profit, Thomas, Wojno, Hammerstrom, Crissman, Law, Raczkowski, Rocca, Scranton,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Appropriations.

The Committee on Health Policy, by Rep. Palamara, Chair, reported

Senate Bill No. 128, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2882 (MCL 333.2882), as amended by 1996 PA 307.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 128 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Leland, Profit, Thomas, Wojno, Crissman, Law, Raczkowski, Rocca,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 13, 1997, at 10:30 a.m.,

Present: Reps. Palamara, Schauer, Gire, Griffin, Gubow, Leland, Profit, Thomas, Wojno, Hammerstrom, Crissman,
Law, Llewellyn, Raczkowski, Rocca, Scranton,

Absent: Rep. Murphy,

Excused: Rep. Murphy.

The Committee on Judiciary, by Rep. Wallace, Chair, reported

House Bill No. 4010, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 243e (MCL 750.243e).

With the recommendation that the bill pass.

The committee further recommended that the bill be referred to the Committee on Regulatory Affairs.

Favorable Roll Call

HB 4010 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Schauer, Vaughn, Wojno, Nye, Cropsey, Dalman,
Nays: None.

The further recommendation was concurred in and the bill was referred to the Committee on Regulatory Affairs.

The Committee on Judiciary, by Rep. Wallace, Chair, reported

House Bill No. 4218, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411a (MCL 750.411a), as amended by 1996 PA 303.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4218 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Schauer, Vaughn, Wojno, Nye, Cropsey, Dalman,
Nays: None.

The Committee on Judiciary, by Rep. Wallace, Chair, reported

House Bill No. 4412, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 243a and 243b (MCL 750.243a and 750.243b), section 243a as amended by 1980 PA 422, and by adding section 243f.

With the recommendation that the bill pass.

The committee further recommended that the bill be referred to the Committee on Regulatory Affairs.

Favorable Roll Call

HB 4412 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Schauer, Vaughn, Wojno, Nye, Cropsey, Dalman,

Nays: None.

The further recommendation was concurred in and the bill was referred to the Committee on Regulatory Affairs.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 13, 1997, at 9:00 a.m.,

Present: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Schauer, Vaughn, Wojno, Nye, Cropsey, Dalman, Fitzgerald, McNutt, Richner,

Absent: Reps. Kilpatrick, Willard, Law,

Excused: Reps. Kilpatrick, Willard, Law.

Messages from the Senate

House Bill No. 4242, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 16901 and 16903 (MCL 324.16901 and 324.16903), section 16901 as amended by 1995 PA 268, and by adding sections 16903a and 16908a.

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 amended the title to read as follows:

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 16901 and 16903 (MCL 324.16901 and 324.16903), section 16901 as amended by 1995 PA 268, and by adding sections 16903a, 16904a, 16908a, and 16910.

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

House Bill No. 4299, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 20, 99, and 107 (MCL 388.1611, 388.1620, 388.1699, and 388.1707), sections 11, 20, and 99 as amended and section 107 as added by 1996 PA 300, and by adding sections 104b and 105a.

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 amended the title to read as follows:

A bill to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to prescribe penalties; and to repeal certain acts and parts of acts," by amending sections 11, 20, 31a, 99, 104a, and 107 (MCL 388.1611, 388.1620, 388.1631a, 388.1699, 388.1704a, and 388.1707), sections 11, 20, 31a, 99, and 104a as amended and section 107 as added by 1996 PA 300, and by adding sections 6b, 105a, 105b, and 161a; and to repeal acts and parts of acts.

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

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, Wednesday, May 7:

Senate Bill Nos. 490 491 492

The Clerk announced the enrollment printing and presentation to the Governor on Monday, May 12, for his approval of the following bill:

Enrolled House Bill No. 4238 at 4:45 p.m.

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Monday, May 12:

House Bill Nos. 4745 4746 4747 4748 4749 4750 4751 4752 4754 4755 4756 4757 4758 4759
4760 4761 4762
House Joint Resolution U

The Clerk announced that the following Senate bills and joint resolution had been received on Tuesday, May 13:

Senate Bill Nos. 352 353 354 355 356 357 358 359 360 361 362 363 364 365
366 367 368 369 370 371
Senate Joint Resolution I

Communications from State Officers

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

April 29, 1997

Notice of Filing Administrative Rules

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 3:47 p.m. this date, administrative rule (97-4-5) for the Department of Transportation, Bureau of Urban and Public Transportation, entitled "*State Rail Line Divestiture*", 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.

The following communication from the E.U.P. Employment and Training Consortium was received and read:

May 7, 1997

Enclosed for your review and comment are copies of the E.U.P. Employment & Training Consortium's Title IIA, Title IIC, Title III (EDWAAA), and 5% Older Worker Biennial Job Training Plans. These plans provide employment and training services to economically disadvantaged individuals and dislocated workers.

The Title IIB (Summer Youth Program) Biennial Job Training Plan is also enclosed. This plan provides employment and training services to economically disadvantaged youth.

These programs will serve the Upper Peninsula Counties of Chippewa, Mackinac, and Luce.

Should you have any questions or comments, please do not hesitate to contact our office at the address listed below.

Sincerely,
Gwen Worley
Executive Director

The communication was referred to the Clerk.

The following communications from the Department of Consumer & Industry Services were received and read:

April 2, 1997

Attached is a copy of the final report on the state of competition in the commercial liability insurance market and my certification as to the presence of workable competition in the market during 1995. This report also includes information that would normally be contained in the preliminary 1996 report. For this reason, there will be no preliminary report this year. This report was prepared in accordance with the requirements of Section 2409(c) of the Insurance Code, MCLA 500.2409(c).

The broad scope of Section 2409(c) has been narrowed to certain specific lines for purposes of this report. However, meaningful study of the market for these lines is complicated by differences in policy provisions, underwriting rules and rating and classification plans from company to company. This lack of uniformity is a significant obstacle to the analysis necessary to the study of competition. The findings of this report are, therefore, based on the Bureau staff's knowledge of the marketplace and analysis of the only available data.

Attached is the certification as to the existence of competition in 1995. Persons who disagree with this report and findings may request a contested hearing pursuant to the Administrative Procedures Act of 1969, Act No. 306 of the Public Acts of 1969, being Sections 24.201 to 24.328 of the Michigan Compiled Laws, not later than 60 days after issuance of the report.

April 8, 1997

In accordance with Public Act 176 of 1986, since April 1, 1988, all retail liquor licensees have been required to show proof of financial responsibility in amounts of \$50,000 or more in order to obtain or renew a liquor license. Proof of financial responsibility may take the form of a liquor liability insurance policy with a minimum aggregate limit of \$50,000. The requirement remains in effect subject to an annual study of the market and a determination by the Insurance Commissioner that this insurance is available in Michigan at a reasonable premium. Attached is the 1997 report and certification on the availability and pricing of liquor liability insurance in Michigan.

Since 1987, the liquor liability market has become increasingly competitive. Almost 160 companies are currently providing this insurance to Michigan liquor licensees and this competition has resulted in a significant reduction of rates over the last five years. However, this line of insurance continues to display volatility with respect to insurer turnover. There has not been a problem with insurer solvency since 1991. Concern exists over the Best's ratings of some of the dominant insurers in this line. Therefore, the Bureau will continue to monitor this market. At the current time, this insurance appears reasonably available to all classifications of liquor licensees at a reasonable premium.

D. Joseph Olson, Commissioner of Insurance

The communications were referred to the Clerk.

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

May 7, 1997

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

Performance Audit of the Michigan Equity Program
- Regional Cultural Activities
Department of Consumer and Industry Services
May 1997

May 8, 1997

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

Financial Audit Including the Provisions of the
Single Audit Act of the Department of Natural Resources
October 1, 1993 through September 30, 1995

May 8, 1997

Enclosed are two copies of the compliance audit of Selected State Universities' Reporting of Enrollment and Other Higher Education Institutional Data Inventory (HEIDI) Data, including the provisions of Act 154, P.A. 1996 and the Department of Management and Budget annual budget letter for fiscal year 1995-96.

May 9, 1997

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

Financial Audit Including the Provisions of the
Single Audit Act of the
Michigan Department of State Police
October 1, 1993 through September 30, 1995

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

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

Introduction of Bills

Reps. Profit, Palamara, Brown, Griffin, Alley and Frank introduced

House Bill No. 4772, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1996 PA 484.

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

Reps. Profit, Wetters, Dobb, Brackenridge, Wallace, Palamara, Alley, Llewellyn and Perricone introduced

House Bill No. 4773, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 35 (MCL 208.35), as amended by 1995 PA 255.

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

Reps. Bodem, Gire, Dalman, Cropsey, Middleton, Bogardus, Agee, Schauer, Cherry, Curtis, Crissman, Jelinek, LeTarte and McNutt introduced

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

Reps. Law, Gire, Goschka, Wallace, Jelinek, Thomas, Galloway, Agee, Green, Gagliardi, Hammerstrom, Kelly, Rocca, Cassis, Hanley, Murphy and Dobronski introduced

House Bill No. 4775, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending sections 7a and 15 (MCL 423.207a and 423.215), section 7a as added and section 15 as amended by 1994 PA 112, and by adding section 7b.

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

Reps. Crissman, Hammerstrom, McBryde, Gernaat, Dobb, Bodem, Goschka, Raczkowski, Green, Cassis and Jaye introduced

House Bill No. 4776, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4011 (MCL 600.4011), as amended by 1994 PA 346.

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

Reps. Crissman, Hammerstrom, McBryde, Gernaat, Dobb, Bodem, Goschka, Raczkowski, Green, Cassis and Jaye introduced

House Bill No. 4777, entitled

A bill to amend 1962 PA 60, entitled "An act to provide for the day parole of prisoners in county jails to permit them to be gainfully employed outside the jail or pursue other activities; to provide for the granting of reductions in terms of imprisonment and the regulation thereof; and to provide for the disposition of earnings from such employment," by amending sections 2 and 4 (MCL 801.252 and 801.254).

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

Reps. Fitzgerald and LaForge introduced

House Bill No. 4778, entitled

A bill to require manufacturers to report the ingredients and nicotine content of tobacco products; to prescribe the powers and duties of certain state agencies and officials; and to provide for penalties.

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

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

The Speaker declared the House adjourned until Wednesday, May 14, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

