

No. 44
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House of Representatives
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House Chamber, Lansing, Tuesday, May 12, 1998.

2:00 p.m.

The House was called to order by Acting Speaker Hanley.

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

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

e/d/s = entered during session

Rev. William Crowder, from the First Reformed Church of Three Oaks, offered the following invocation:

“Let us pray. Gracious Lord, You know what is in store for us this afternoon. Crucial issues await our attention. Unmade decisions demand our concentration. And we know that the choices we make will affect not only us, but also those around us, our state, our nation and even our world.

We thank You for the problems that make us dependent on You for guidance and strength. When we turned to You in the past, You gave us the leadership skills that we needed. Thank You, Lord, for taking us where we are, with all our human weaknesses, and using us for Your glory. May we always be distinguished by the immensity of our gratitude for the way You pour out Your wisdom and vision when we call out to You for help. We are profoundly grateful.

It’s with that in mind that we say with the psalmist, ‘Show us Your ways, O Lord, teach us Your paths. Lead us in Your truth and teach us, for You are the God of our salvation, on You we wait all the day.’—Psalm 25:4-5.

Thank You Father for the women and men of this House and for all who work with them to lead this state. May this afternoon’s session be productive, bringing resolution to conflicts, and completion to the business at hand.

We thank You, that we can face the rest of this day with the inner peace of knowing that You will answer this prayer for guidance. Through our Lord and Savior we ask. Amen.”

Rep. Dobronski moved that Reps. Stallworth, Kilpatrick and Parks be excused from today’s session. The motion prevailed.

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

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

Notices

May 12, 1998

In accordance with House Rule 10, I hereby designate Representative Michael Hanley, to be the Presiding Officer for all, or part of today’s session.

In accordance with House Rule 10, I hereby designate Representative Eileen DeHart, to be the Presiding Officer for all, or part of today’s session.

Sincerely,
Curtis Hertel
Speaker of the House

Messages from the Governor

The following veto message from the Governor was received and read:

Executive Office, Lansing, May 6, 1998

Michigan House of Representatives
State Capitol Building
Lansing, MI 48913
Ladies and Gentlemen:

Today I have vetoed and am returning to you herewith, Enrolled House Bill 5583.

The intent of Enrolled House Bill 5583 is to preempt local ordinances that place restrictions on the use of private airstrips or “landing areas.” However, in its attempt to protect the rights of some owners of private landing areas, the bill places an unwelcome restriction on the rights of all such owners.

I refer specifically to the bill's requirement that access to private landing areas "shall not be denied, limited, or regulated ... on the basis of ... familial relationship." This language would appear to prevent the owner of a private landing area from restricting its use to members of his or her own family. This limitation on private property rights is unacceptable.

I also question the wisdom of attacking local ordinances concerning the use of private airstrips on the basis of state civil rights. I do not consider this a proper basis for extending our cherished civil rights protections, which should be rooted in efforts to remedy or prevent actual instances of discrimination.

For these reasons, I am returning Enrolled House Bill 5583 without signature.

Sincerely,
John Engler
Governor

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Rep. Gagliardi moved that consideration of the bill be postponed for the day.
The motion prevailed.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 240.

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

(For text of resolution, see House Journal No. 29, p. 523.)

(The resolution was reported by the Committee on Tax Policy on May 7, consideration of which was postponed until today under the rules.)

The question being on the adoption of the resolution,

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

The Speaker laid before the House

House Concurrent Resolution No. 96.

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

(For text of resolution, see House Journal No. 35, p. 723.)

(The concurrent resolution was reported by the Committee on Tax Policy on May 7, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

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

The Speaker laid before the House

Senate Concurrent Resolution No. 55.

A concurrent resolution to increase the total project cost of the Kellogg Community College Great Lakes Fire Training Institute project.

(For text of resolution, see House Journal No. 21, p. 377.)

(The concurrent resolution was reported by the Committee on Appropriations on May 7, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 378

Yeas—102

Agee
Alley
Anthony

Dobronski
Fitzgerald
Frank

Kukuk
LaForge
Law

Prusi
Quarles
Raczkowski

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

Nays—0

In The Chair: Hanley

Second Reading of Bills**House Bill No. 5595, entitled**

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

The bill was read a second time.

Rep. Bobier moved that consideration of the bill be postponed temporarily.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5665, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 110a (MCL 750.110a), as added by 1994 PA 270.

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

Roll Call No. 379**Yeas—100**

Agee	Dobb	Johnson	Price
Alley	Dobronski	Kaza	Profit

Anthony	Fitzgerald	Kelly	Prusi
Baade	Frank	Kukuk	Raczkowski
Baird	Freeman	LaForge	Rhead
Basham	Gagliardi	Law	Richner
Birkholz	Geiger	Leland	Rison
Bobier	Gernaat	LeTarte	Rocca
Bodem	Gilmer	Llewellyn	Sanborn
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	Tesanovich
Cassis	Hale	McNutt	Thomas
Cherry	Hammerstrom	Middaugh	Varga
Ciaramitaro	Hanley	Middleton	Vaughn
Crissman	Harder	Murphy	Voorhees
Cropsey	Hood	Nye	Wallace
Curtis	Horton	Olshove	Wetters
Dalman	Jansen	Oxender	Whyman
DeHart	Jelinek	Palamara	Willard
DeVuyst	Jellema	Perricone	Wojno

Nays—0

In The Chair: Hanley

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. 5666, entitled

A bill to amend 1961 PA 44, entitled “An act to provide for the release of misdemeanor prisoners by giving bond to the arresting officer in certain circumstances not inconsistent with public safety; and to repeal certain acts and parts of acts,” by amending section 2a (MCL 780.582a), as added by 1990 PA 308.

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

Roll Call No. 380**Yeas—103**

Agee	Dobronski	Kelly	Prusi
Alley	Fitzgerald	Kukuk	Quarles
Anthony	Frank	LaForge	Raczkowski
Baade	Freeman	Law	Rhead
Baird	Gagliardi	Leland	Richner
Basham	Geiger	LeTarte	Rison
Birkholz	Gernaat	Llewellyn	Rocca
Bobier	Gilmer	London	Sanborn
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	Tesanovich
Callahan	Hale	Middaugh	Thomas
Cassis	Hammerstrom	Middleton	Varga
Cherry	Hanley	Murphy	Vaughn
Ciaramitaro	Harder	Nye	Voorhees
Crissman	Hood	Olshove	Walberg
Cropsey	Horton	Owen	Wallace
Curtis	Jansen	Oxender	Wetters
Dalman	Jelinek	Palamara	Whyman
DeHart	Jellema	Perricone	Willard
DeVuyst	Johnson	Price	Wojno
Dobb	Kaza	Profit	

Nays—0

In The Chair: Hanley

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.

Reps. Basham, Brackenridge, Byl, DeHart, DeVuyst, Dobronski, Fitzgerald, Gernaat, Goschka, Green, Gustafson, Kelly, Kukuk, LaForge, London, Middaugh, Palamara, Perricone, Profit, Sanborn, Sikkema, Varga, Vaughn and Wallace were named co-sponsors of the bill.

House Bill No. 5667, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 3 of chapter XI (MCL 771.3), as amended by 1994 PA 445.

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

Roll Call No. 381**Yeas—101**

Agee	Fitzgerald	Kukuk	Prusi
Alley	Frank	LaForge	Quarles
Anthony	Freeman	Law	Raczkowski
Baade	Gagliardi	Leland	Rhead
Baird	Geiger	LeTarte	Richner
Basham	Gernaat	Llewellyn	Rison
Birkholz	Gilmer	London	Rocca
Bobier	Gire	Lowe	Sanborn
Bodem	Godchaux	Mans	Schauer
Bogardus	Goschka	Martinez	Schermesser
Brackenridge	Green	Mathieu	Schroer
Brater	Griffin	McBryde	Scott
Brown	Gubow	McManus	Scranton
Byl	Gustafson	McNutt	Sikkema
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
DeHart
DeVuyst
Dobb
Dobronski

Jelinek
Jellema
Johnson
Kaza

Palamara
Perricone
Price
Profit

Wetters
Whyman
Willard
Wojno

Nays—0

In The Chair: Hanley

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. Galloway entered the House Chambers.

Senate Bill No. 866, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2950a (MCL 600.2950a), as amended by 1997 PA 115.

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

Roll Call No. 382

Yeas—103

Agee
Alley
Anthony
Baade
Baird
Basham
Birkholz
Bobier
Bodem
Bogardus
Brackenridge
Brater
Brewer
Brown
Byl
Callahan
Cassis
Cherry
Ciaramitaro
Crissman
Cropsey
Curtis
Dalman
DeHart
DeVuyst
Dobb

Dobronski
Fitzgerald
Frank
Freeman
Gagliardi
Galloway
Geiger
Gernaat
Gilmer
Gire
Godchaux
Goschka
Green
Griffin
Gubow
Hale
Hammerstrom
Hanley
Harder
Hood
Horton
Jansen
Jelinek
Jellema
Johnson
Kaza

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

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

Nays—0

In The Chair: Hanley

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act.”

The House agreed to the full title.

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

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

Senate Bill No. 874, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2950 (MCL 600.2950), as amended by 1997 PA 115.

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

Roll Call No. 383**Yeas—103**

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

Nays—0

In The Chair: Hanley

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act.”.

The House agreed to the full title.

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

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

The Speaker Pro Tempore assumed the Chair.

Second Reading of Bills

The House returned to the consideration of

House Bill No. 5595, entitled

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

(The bill was considered earlier today, see today's Journal, p. 960.)

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

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

Rep. Martinez moved to amend the bill as follows:

1. Amend page 38, line 4, after “performed” by inserting “or for the drug viagra as produced by Phizer Pharmaceutical or its clinical equivalent produced by another company or under another name”.

2. Amend page 38, line 7, after “services” by inserting “or for the drug viagra or its chemical equivalents”.

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

Rep. Brackenridge moved to amend the bill as follows:

1. Amend page 22, line 16, by striking out all of line 16 and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 65, line 7, by striking out all of section 819.

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

Rep. Walberg moved to amend the bill as follows:

1. Amend page 49, following line 4, by inserting:

“Sec. 630. The funds appropriated in section 107 shall not be used to pay for health insurance benefits for unmarried domestic partners of legislators or legislative employees.”.

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

Rep. Bobier moved to amend the bill as follows:

1. Amend page 49, following line 4, following section 630, by inserting:

“Sec. 631. The legislature shall use the competitive bidding process and other procurement methods described in section 261 of the management and budget act, 1984 PA 431, MCL 18.1261, for purchases of all goods and services.”.

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

Rep. Bobier demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 384**Yeas—102**

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

Nays—0

In The Chair: Murphy

Rep. Prusi moved to amend the bill as follows:

1. Amend page 14, line 12, by striking out “254,300” and inserting “554,300” and adjusting the subtotals, totals, and section 201 accordingly.

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

Reps. LeTarte and Raczkowski moved to amend the bill as follows:

1. Amend page 22, line 23, by striking out “4,318,600” and inserting “4,168,600” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 64, line 23, by striking out all of section 817.

The question being on the adoption of the amendments offered by Reps. LeTarte and Raczkowski,

Rep. Goschka demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. LeTarte and Raczkowski,

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

Roll Call No. 385**Yeas—67**

Agee	Dobb	Jellema	Oxender
Baade	Dobronski	Johnson	Perricone

Baird	Fitzgerald	Kaza	Rackowski
Basham	Galloway	Kukuk	Rhead
Birkholz	Geiger	LaForge	Richner
Bobier	Gernaat	Law	Rocca
Bodem	Gilmer	LeTarte	Sanborn
Brackenridge	Gire	Llewellyn	Schroer
Brewer	Godchaux	London	Scott
Brown	Griffin	Lowe	Scranton
Byl	Gubow	Mans	Sikkema
Cassis	Gustafson	McBryde	Vaughn
Crissman	Hammerstrom	McManus	Voorhees
Cropsey	Harder	Middaugh	Walberg
Curtis	Horton	Middleton	Wetters
Dalman	Jansen	Nye	Whyman
DeVuyst	Jelinek	Olshove	

Nays—36

Alley	Freeman	Martinez	Quarles
Anthony	Gagliardi	Mathieu	Rison
Bogardus	Goschka	McNutt	Schauer
Brater	Green	Murphy	Schermesser
Callahan	Hale	Owen	Tesanovich
Cherry	Hanley	Palamara	Thomas
DeHart	Hood	Price	Varga
Emerson	Kelly	Profit	Willard
Frank	Leland	Prusi	Wojno

In The Chair: Murphy

Rep. Dalman moved to amend the bill as follows:

1. Amend page 44, following line 13, by inserting:

“Sec. 503. The department of civil service shall submit a report to the legislature on how to implement a system of compensation which would allow local schools the option of rewarding excellence in teaching. This report shall be developed in conjunction with the department of education.”.

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

Rep. Crissman moved to amend the bill as follows:

1. Amend page 40, following line 27, by inserting:

“Sec. 216. (1) The departments of attorney general, civil rights, civil service, management and budget, state, and treasury shall not manipulate the results of an examination taken by an applicant or group of applicants for employment in a manner that results in an applicant or group of applicants receiving a higher score than the actual score earned by the applicant or group of applicants.

(2) The departments of attorney general, civil rights, civil service, management and budget, state, and treasury shall not hire or promote an applicant with a lower test score if there is another equally qualified candidate with a higher test score.”.

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. 386**Yeas—97**

Agee	Dobb	Jellema	Perricone
Alley	Dobronski	Johnson	Price

Baird	Galloway	Lowe	Schroer
Basham	Gire	Mans	Scott
Bodem	Godchaux	Martinez	Tesanovich
Bogardus	Goschka	Middleton	Thomas
Brater	Griffin	Murphy	Vaughn
Brewer	Gubow	Olshove	Voorhees
Brown	Hale	Palamara	Wallace
Callahan	Hammerstrom	Perricone	Wetters
Cassis	Hanley	Price	Whyman
Cherry	Harder	Profit	Willard
Crissman	Horton	Prusi	Wojno
Curtis	Kelly		

Nays—40

Birkholz	Fitzgerald	Johnson	Oxender
Bobier	Geiger	Kaza	Raczkowski
Brackenridge	Gernaat	LeTarte	Rhead
Byl	Gilmer	London	Richner
Cropsey	Green	McBryde	Rocca
Dalman	Gustafson	McManus	Sanborn
DeVuyst	Hood	McNutt	Scranton
Dobb	Jansen	Middaugh	Sikkema
Dobronski	Jelinek	Nye	Varga
Emerson	Jellema	Owen	Walberg

In The Chair: Murphy

Rep. Gustafson moved to reconsider the vote by which the House adopted the amendments offered previously by Reps. Hale and Tesanovich.

The question being on the motion by Rep. Gustafson,

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Gustafson,

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

Roll Call No. 388**Yeas—39**

Birkholz	Gernaat	Johnson	Oxender
Bobier	Gilmer	Kaza	Perricone
Brackenridge	Godchaux	LeTarte	Raczkowski
Byl	Goschka	Llewellyn	Richner
Cassis	Green	London	Rocca
Dalman	Gustafson	McBryde	Sanborn
Dobb	Hammerstrom	McNutt	Scranton
Fitzgerald	Horton	Middaugh	Sikkema
Galloway	Jansen	Middleton	Voorhees
Geiger	Jellema	Nye	

Nays—55

Agee	DeHart	Kelly	Prusi
Alley	DeVuyst	Kukuk	Quarles

Anthony	Dobronski	LaForge	Rison
Baade	Emerson	Lowe	Schauer
Baird	Frank	Mans	Schermesser
Basham	Freeman	Martinez	Tesanovich
Bodem	Gagliardi	Mathieu	Thomas
Bogardus	Gire	McManus	Varga
Brater	Gubow	Murphy	Vaughn
Brewer	Hale	Olshove	Wetters
Brown	Hanley	Owen	Whyman
Callahan	Harder	Palamara	Willard
Cherry	Hood	Price	Wojno
Cropsey	Jelinek	Profit	

In The Chair: Murphy

Rep. Bobier moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed, a majority of the members voting therefor.

House Bill No. 5000, entitled

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

Was read a second time, and the question being on the adoption of the proposed substitute (H-6) previously recommended by the Committee on Consumer Protection,

The substitute (H-6) was adopted, a majority of the members serving voting therefor.

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

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

House Bill No. 4256, entitled

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

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Labor and Occupational Safety,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Reps. Martinez and Godchaux moved to substitute (H-6) the bill.

The motion prevailed and the substitute (H-6) was adopted, a majority of the members serving voting therefor.

Rep. Byl moved to amend the bill as follows:

1. Amend page 3, line 27, after "EFFORT," by inserting "HOURS WORKED,".

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

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

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

The Speaker Pro Tempore called Acting Speaker DeHart to the Chair.

House Bill No. 5424, entitled

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

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

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

Rep. Schauer moved to amend the bill as follows:

1. Amend page 9, line 6, after “complies” by striking out “IN GOOD FAITH”.
2. Amend page 9, line 10, after “pupil” by striking out “MADE IN GOOD FAITH”.

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

Rep. McNutt moved to amend the bill as follows:

1. Amend page 11, line 17, after “(1)” by inserting “SUBJECT TO SUBSECTION (4).”.
2. Amend page 13, line 7, by striking out all of subsection (4) and inserting:

“(4) TO FUND DISCIPLINARY EDUCATION PROGRAMS UNDER THIS SECTION, THE LEGISLATURE SHALL APPROPRIATE SUFFICIENT FUNDS EACH FISCAL YEAR TO COVER THE ADDITIONAL COSTS INCURRED BY SCHOOL DISTRICTS IN PROVIDING THESE DISCIPLINARY EDUCATION PROGRAMS. IF SUFFICIENT FUNDS ARE NOT APPROPRIATED FOR A PARTICULAR FISCAL YEAR TO COVER THOSE ADDITIONAL COSTS, AS DETERMINED BY THE DEPARTMENT, SCHOOL DISTRICTS ARE NOT REQUIRED TO PROVIDE DISCIPLINARY EDUCATION PROGRAMS UNDER THIS SECTION DURING THE SCHOOL YEAR ENDING IN THAT FISCAL YEAR. THE DEPARTMENT SHALL MAKE THIS DETERMINATION NOT LATER THAN AUGUST 1 EACH YEAR BASED ON THE ENACTED STATE SCHOOL AID APPROPRIATIONS AND ON ADDED COST DATA FOR THE PREVIOUS SCHOOL YEAR AND SHALL NOTIFY SCHOOL DISTRICTS NOT LATER THAN AUGUST 15 IF THE DETERMINATION IS THAT SUFFICIENT FUNDS ARE NOT APPROPRIATED.”.

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

Rep. McNutt demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 389

Yeas—52

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

Nays—49

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

In The Chair: DeHart

Rep. Mans moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed, a majority of the members voting therefor.

Senate Bill No. 313, entitled

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

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Education,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Schauer moved to amend the bill as follows:

1. Amend page 6, line 17, after "SECTION" by striking out "IN GOOD FAITH".

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

Rep. Hammerstrom moved that Reps. McManus and LeTarte be excused temporarily from today's session.
The motion prevailed.

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

Rep. Middleton moved to amend the bill as follows:

1. Amend page 2, line 17, after "SECTION 1311B." by inserting "IF AN INDIVIDUAL IS EXPELLED PURSUANT TO THIS SECTION AND THE SCHOOL DISTRICT DETERMINES THAT THE MOST APPROPRIATE DISCIPLINARY EDUCATION PLACEMENT FOR THE INDIVIDUAL IS TO RECEIVE INSTRUCTIONAL SERVICES AT HOME, THE SCHOOL DISTRICT SHALL PROVIDE, OR SHALL ARRANGE FOR THE INTERMEDIATE SCHOOL DISTRICT TO PROVIDE, APPROPRIATE INSTRUCTIONAL SERVICES TO THE INDIVIDUAL AT HOME. THE INSTRUCTIONAL SERVICES PROVIDED AT HOME SHALL MEET THE REQUIREMENTS OF SECTION 6(4)(V)(i) TO (iv) OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1606, AND THE SERVICES MAY BE CONTRACTED FOR IN THE SAME MANNER AS SERVICES FOR HOMEBOUND PUPILS UNDER SECTION 109 OF THE STATE SCHOOL AID ACT OF 1979, MCL 388.1709. THIS SUBSECTION DOES NOT REQUIRE A SCHOOL DISTRICT TO EXPEND MORE MONEY FOR PROVIDING SERVICES FOR A PUPIL EXPELLED PURSUANT TO THIS SECTION THAN THE AMOUNT OF TOTAL STATE SCHOOL AID AND FEDERAL FUNDS RECEIVED BY THE SCHOOL DISTRICT ATTRIBUTABLE TO THE PUPIL."

2. Amend page 2, line 26, after "PROGRAM" by striking out the balance of the subsection and inserting "AS PROVIDED IN SUBSECTION (2)."

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

Rep. Middleton demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 390

Yeas—49

Birkholz	Geiger	Johnson	Oxender
Bobier	Gernaat	Kaza	Perricone
Bodem	Gilmer	Kukuk	Rackowski
Brackenridge	Godchaux	Law	Rhead
Byl	Goschka	Llewellyn	Richner
Cassis	Green	London	Rocca
Crissman	Gustafson	Lowe	Sanborn
Cropsey	Hammerstrom	McBryde	Scranton
Dalman	Horton	McNutt	Sikkema
DeVuyst	Jansen	Middaugh	Voorhees

Dobb
Fitzgerald
Galloway

Jelinek
Jellema

Middleton
Nye

Walberg
Whyman

Nays—52

Agee
Alley
Anthony
Baade
Baird
Basham
Bogardus
Brater
Brewer
Brown
Callahan
Cherry
Ciaramitaro

Curtis
DeHart
Dobronski
Frank
Freeman
Gagliardi
Gire
Griffin
Gubow
Hale
Hanley
Harder
Hood

Kelly
Leland
Mans
Martinez
Mathieu
Murphy
Olshove
Owen
Palamara
Price
Profit
Prusi
Quarles

Rison
Schauer
Schermesser
Schroer
Scott
Tesanovich
Thomas
Varga
Vaughn
Wallace
Wetters
Willard
Wojno

In The Chair: DeHart

Rep. Fitzgerald moved to amend the bill as follows:

1. Amend page 2, line 9, after “EXPULSION” by striking out “MAY” and inserting “SHALL”.

2. Amend page 2, line 10, after “SUBSECTION (4)” by striking out the balance of the subsection and inserting a period.

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

Rep. Fitzgerald demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 391

Yeas—47

Birkholz
Bobier
Bodem
Brackenridge
Byl
Cassis
Crissman
Cropsey
Dalman
DeVuyst
Dobb
Fitzgerald

Galloway
Geiger
Gernaat
Gilmer
Goschka
Green
Gustafson
Hammerstrom
Horton
Jansen
Jelinek
Jellema

Johnson
Kaza
Kukuk
Law
Llewellyn
London
Lowe
Mathieu
McBryde
Middleton
Nye
Oxender

Perricone
Raczkowski
Rhead
Richner
Rocca
Sanborn
Scranton
Sikkema
Voorhees
Walberg
Whyman

Nays—51

Agee
Alley

Dobronski
Emerson

Leland
Mans

Rison
Schauer

Anthony	Frank	Martinez	Schermesser
Baade	Freeman	McNutt	Schroer
Baird	Gagliardi	Middaugh	Scott
Basham	Gire	Murphy	Tesanovich
Brater	Gubow	Olshove	Thomas
Brewer	Hale	Owen	Vaughn
Brown	Hanley	Palamara	Wallace
Callahan	Harder	Price	Wetters
Cherry	Hood	Profit	Willard
Ciaramitaro	Kelly	Prusi	Wojno
DeHart	LaForge	Quarles	

In The Chair: DeHart

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

Pending the Second Reading of
House Bill No. 5796, entitled

A bill to amend 1989 PA 292, entitled "Metropolitan council act," by amending the title and sections 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, and 35 (MCL 124.651, 124.653, 124.655, 124.657, 124.659, 124.661, 124.663, 124.665, 124.667, 124.669, 124.671, 124.673, 124.675, 124.677, 124.679, 124.681, 124.683, and 124.685) and by adding sections 65, 67, 69, 71, 73, 75, 77, and 79.

Rep. Gagliardi moved that the bill be re-referred to the Committee on Tax Policy.
The motion prevailed.

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

House Concurrent Resolution No. 42.

A concurrent resolution to urge the United States Department of Agriculture to take strong steps to halt all discrimination against Black farmers and to memorialize the Congress of the United States to enact recommended legislation.

(For text of resolution, see House Journal No. 45 of 1997, p. 965.)

The Senate has substituted (S-1) the concurrent resolution as follows:

Substitute for House Concurrent Resolution No. 42.

A concurrent resolution to urge the United States Department of Agriculture to take strong steps to halt all discrimination against Black farmers, to settle pending claims, and to memorialize the Congress of the United States to enact legislation to waive the statute of limitations for discrimination cases.

Whereas, In many situations, the difficulties facing family farming operations are numerous and challenging. The number of farms has declined steadily for many years, both in Michigan and throughout the entire country. For Black farmers across this nation, however, the obstacles to survival are staggering. Recent investigations through the Congressional Black Caucus and organizations like the National Black Farmers Association have revealed the extent of discrimination against African American farm operations. These civil rights violations were contained in recommendations of a task force within the United States Department of Agriculture; and

Whereas, Access to capital, a vital component of any farming operation, has been denied to many Black farmers. When not denied outright, through loans refused and ultimate foreclosures, loans for Black farmers often take far longer to be approved. The result of a delay for a farm loan is often financial ruin; and

Whereas, According to the National Black Farmers Association, the USDA foreclosed on 1,000 Black farms in the last several months. Black farmers are losing land at a rate of 9,000 acres a week. At this rate, according to the chair of the Congressional Black Caucus, Black farms will vanish by the year 2000; and

Whereas, The USDA, through its civil rights study group, has identified specific legislative changes to combat discrimination in its policies and programs. Any delay in implementing needed changes and in revamping the department's response to Black farmers is too long; and

Whereas, In April 1998, the Justice Department ruled that most of the approximately 2,000 cases brought by Black farmers with complaints of discrimination between 1983 and 1996 would expire due to the statute of limitations. It is essential that Congress take actions to enable the federal government to respond appropriately to the legitimate claims of these citizens; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the United States Department of Agriculture to take strong steps to halt all discrimination against Black farmers, to settle pending claims, and to memorialize the Congress of the United States to enact legislation to waive the statute of limitations for the discrimination cases brought against the Department of Agriculture between 1983 and 1996; and be it further

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

The Senate has adopted the concurrent resolution as substituted and named Senators Hoffman, Young, Vaughn, V. Smith, A. Smith, Miller and Schwarz as co-sponsors.

The question being on concurring in the substitute (S-1) made to the concurrent resolution by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor.

The concurrent resolution was referred to the Clerk for record.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Dobb, Hammerstrom, Godchaux, Dalman, Cassis, Crissman, Byl, Scranton, Birkholz, Gilmer, Jellema, Rocca, Rhead, DeVuyst, Brackenridge, Perricone, Sikkema, Voorhees, Richner, McNutt, LeTarte, Bodem, Middleton, Dobronski, LaForge, Schermesser, Prusi, Geiger, Cherry, DeHart, McBryde, Baird, Vaughn, Schroer, Martinez, Kelly, Palamara, Schauer, Jelinek, Llewellyn, Profit, Goschka, Anthony, London, Brater, Oxender, Tesanovich, Raczkowski and Jansen offered the following resolution:

House Resolution No. 288.

A resolution to memorialize the Congress of the United States to increase funding of the Equal Employment Opportunity Commission to allow it to reduce its case backlog.

Whereas, Federal law presently makes illegal many forms of employment discrimination; and

Whereas, These forms of discrimination include illegally refusing to hire or equally compensate qualified individuals because of their race, sex, faith, or other important characteristics; and

Whereas, Such discrimination imposes an unfair and objectionable barrier to those working or seeking work; and

Whereas, The penalties for such discrimination often come as a result of investigations by the Equal Employment Opportunity Commission; and

Whereas, Backlogs in the handling of individual complaints by the commission delay investigations and eventual justice for victims of discrimination and discourages others from even raising complaints; and

Whereas, Appropriate funding for the commission is necessary to allow it to discharge its duties on behalf of the federal government and working women and men across our country; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to increase funding for the Equal Employment Opportunity Commission to allow it to reduce the backlog in complaints and to handle future complaints more expeditiously; and be it further

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

The resolution was referred to the Committee on Labor and Occupational Safety.

Reps. Dobronski, LaForge, Thomas, Schermesser, Prusi, Baade, Harder, Bogardus, Cherry, DeHart, Baird, Vaughn, Schroer, Martinez, Hale, Murphy, Kelly, Palamara, Jelinek, Llewellyn, Profit, Goschka, Gire, Anthony, London, Rhead, Brater, Bodem, Hood, Quarles, Dobb, Birkholz, Crissman, Tesanovich, Raczkowski and Jansen offered the following resolution:

House Resolution No. 289.

A resolution honoring Debra A. Maxey upon her retirement.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Debra A. Maxey has put forth on behalf of the members of Retirement Coordinating Council (RCC) that we offer this expression of our

thanks and best wishes upon her retirement from the RCC. As the members of the Retirement Coordinating Council recognize the loyalty and devotion of this conscientious individual, we add our sentiments of gratitude for a job well done; and

Whereas, In her many years of service to the Retirement Coordinating Council, Debra A. Maxey has been working in the public arena during an era of great challenge. As Debbie well knows, financial pressures and changing expectations have combined to make the recent past a challenging time to work on retirement issues. With the personal sense of duty that Debbie brings to work each day, she has been able to meet this challenge with enthusiasm and a genuine interest in efficiency. This has been deeply appreciated both by citizens and member organizations of the Retirement Coordinating Council that have benefited directly from Debbie's work as well as public officials who have witnessed this fine example first hand; and

Whereas, There can be little doubt that the record of Debra A. Maxey in her responsibilities with R.C.C. over the past 14 years will continue to reap rewards for the members of Retirement Coordinating Council. We offer our thanks on this personal milestone; now, therefore, be it

Resolved by the House of Representatives, That we salute Debra A. Maxey in acknowledgment of her 14 outstanding years of service; and be it further

Resolved, That a copy of this resolution be transmitted to Debra A. Maxey as evidence of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. DeHart, Kelly, Dobronski, LaForge, Thomas, Schermesser, Prusi, Baade, Rocca, Middaugh, Wojno, Harder, Bogardus, Cherry, Baird, Vaughn, Schroer, Martinez, Hale, Murphy, Palamara, Schauer, Jelinek, Llewellyn, Profit, Goschka, Lowe, Gire, Anthony, London, Fitzgerald, Brater, Cassis, Bodem, Hood, Richner, Godchaux, Jellema, Dobb, Birkholz, Cropsy, Crissman, Tesanovich, Raczkowski, Dalman and Jansen offered the following resolution:

House Resolution No. 290.

A resolution honoring Ms. Margaret Harlow for being named the Woman of Distinction of 1998 from the Girl Scouts of America.

Whereas, Ms. Margaret Harlow has been chosen to be named the Woman of Distinction of 1998 in honor of the 86th Anniversary of the Girl Scouts of America. This award recognizes her strong sense of commitment and leadership within her community; and

Whereas, Ms. Margaret Harlow's philosophy of business ethics, leadership and volunteerism parallels that of the Girl Scout movement. Her deep sense of community spirit has been recognized in the past by numerous affiliations. Ms. Harlow has received the Westland Business Person of the Year Award in 1997, the Westland First Citizen Award in 1991, the YMCA Volunteer Achievement Award in 1997 and the Westland Athena Award in 1997; and

Whereas, Ms. Harlow's involvement and leadership in community organizations is admirable. She has been a member, and served in a leadership capacity of the Westland Business Professional Women Organization, the Westland Rotary Club, and the Westland Downtown Development Authority; and

Whereas, Ms. Harlow is an active, dedicated member of the City of Westland's Advisory Council for the Youth Assistance Project, the Salvation Army's Advisory Board, the Oakwood Hospital Foundation, the Wayne-Westland Schools Foundation, the Wayne-Westland School Improvement Team and the Westland Mayor's Task Force for Substance and Alcohol Abuse. She is also involved in the Westland Youth Hockey Team, having sponsored a player from Petersburg, Russia; and

Whereas, Ms. Harlow's generosity and commitment to her community has enriched Westland and the State of Michigan. She is an excellent role model for the young women in the Girl Scouts of America organization. Ms. Margaret Harlow unquestionably deserves to be named the Woman of Distinction of 1998 by the Huron Valley Girl Scout Council on this 13th day of May, 1998; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body congratulate Ms. Margaret Harlow and encourage her to continue her pursuit of excellence in all that she does; and be it further

Resolved, That a copy of this resolution be presented to Ms. Margaret Harlow as a symbol 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. Palamara, Dobronski LaForge, Thomas, Schermesser, Prusi, Baade, Rocca, Middaugh, Wojno, Harder, Cherry, DeHart, McBryde, Baird, Vaughn, Schroer, Hale, Murphy, Kelly, Schauer, Jelinek, Llewellyn, Profit, Goschka, Lowe, Gire, Anthony, London, Hammerstrom, Voorhees, Fitzgerald, Brater, Cassis, Bodem, Hood, Richner, Scranton, Dobb, Birkholz, Cropsey, Crissman, Mans, Tesanovich, Raczkowski, Dalman, Jansen and Galloway offered the following resolution:

House Resolution No. 291.

A resolution to commemorate the 75th Anniversary of the Wyandotte Kiwanis 1000 Club.

Whereas, It is with great appreciation for all the contributions its members have made to the community, that the Michigan House of Representatives is pleased to commemorate the seventy-fifth anniversary of the Wyandotte Kiwanis 1000 Club. As members of Kiwanis gather to mark this special occasion, it is most appropriate that we celebrate the impact that these dedicated individuals have had upon hundreds of people in the downriver area; and

Whereas, The members of Wyandotte Kiwanis 1000 Club should feel a rewarding sense of satisfaction from their many contributions and accomplishments. They have donated considerable time, energy, and financial resources for numerous projects, and their generous efforts have truly made a difference in the community. They have continued to uphold the highest ideal of service to the community, particularly when children are involved. This has been exemplified by their sponsorship of various Boy Scout, Cub Scout, Girl Scout, and Brownie troops. They have also actively supported the handicapped, the needy, the senior citizens, the High School Key Club, the Salvation Army, the Downriver Child Guidance Clinic, and many other areas of community concern. It is estimated that the Wyandotte Kiwanis 1000 Club has raised and dispersed over one million dollars in support of its many service programs; and

Whereas, The Michigan House of Representatives welcomes the opportunity to salute these stalwart citizens for the many ways in which they have given of their time and energies to those in need. Today, the faces and names may be different from the members who came together seventy-five years ago to share their dreams and unite in their efforts to impact on the community in a positive way, yet their purpose is just as noble and their contributions just as valuable; and

Whereas, The strength of any organization relies on the commitment and loyalty of its members and leaders. Kiwanis International President Walter G. Sellars and First Lady Irene will be honored guests of the Wyandotte Kiwanis 1000 Club as they celebrate their seventy-fifth birthday on May 23, 1998. These individuals, along with numerous local Kiwanis leaders and members, have demonstrated their highest allegiance to this organization. While the members certainly appreciate the fun and festivities, they are concerned citizens who enjoy working together, and we most certainly admire their diligent efforts on behalf of others; now, therefore, be it

Resolved by the House of Representatives, That members of this dedicated body, commemorate the seventy-fifth Anniversary of the Wyandotte Kiwanis 1000 Club. May the Kiwanis members, both present and past, know of our appreciation and gratitude for their contributions to improve their community and of our best wishes for a long and prosperous future; and be it further

Resolved, That a copy of this resolution be transmitted to the Wyandotte Kiwanis 1000 Club as evidence of the highest esteem that is held, for this organization, by the people of the great State of Michigan.

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. Middaugh, Dobronski, LaForge, Thomas, Schermesser, Prusi, Baade, Rocca, Harder, Cherry, DeHart, McBryde, Baird, Vaughn, Schroer, Hale, Murphy, Kelly, Palamara, Jelinek, Llewellyn, Profit, Goschka, Lowe, Gire, Anthony, London, Hammerstrom, Perricone, Voorhees, Horton, Fitzgerald, Brater, Cassis, Bodem, Oxender, Richner, Scranton, Jellema, Dobb, Birkholz, Cropsey, Crissman, Tesanovich, Raczkowski, Dalman, Jansen and Galloway offered the following resolution:

House Resolution No. 292.

A resolution to recognize the 125th Anniversary of the first graduating class of Lawton Union Schools in 1873.

Whereas, It is a special privilege to commemorate the 125th Anniversary of the Lawton Union Schools; and

Whereas, The first schoolhouse in the Village of Lawton was constructed in 1855 on the northwest corner of Third Street and Franklin Street. The first schoolhouse burned down in 1867 and the Lawton Union Schoolhouse was constructed in 1867 on Nursery Street between Second and Third Streets; and

Whereas, The name Union was thought to have come from the uniting of students from several rural schools in Antwerp and Porter Townships with those in the Village of Lawton; and

Whereas, In 1873, Lawton Union Schools graduated its first class under Superintendent of Schools E.M. Joslin. Three individuals, Emma Harwick, Katie Harwick and Frank Robbins received diplomas as distinguished members of the first graduating class; and

Whereas, This milestone offers us an opportunity to acknowledge the tremendous efforts of teachers, parents, administrators, students and other supporters of this exemplary educational institution, both past and present; and

Whereas, The process of educating children is an awesome task. For over 125 years, Lawton Union Schools has opened its doors to young people who have, in turn, opened their minds to gain knowledge and increase their understanding of the world around them; now, therefore be it

Resolved by the House of Representatives, That members of this legislative body commemorate the 125th Anniversary of the first graduating class of Lawton Union Schools in 1873. May we congratulate the faculty, staff, students, and the entire community on this milestone.

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.

Rep. Callahan offered the following resolution:

House Resolution No. 293.

A resolution to express opposition to the diversion of Lake Superior water by an Ontario company and to urge the International Joint Commission to take actions to stop it.

Whereas, The Ontario Ministry of the Environment recently issued a permit to a Sault Ste. Marie, Ontario, company seeking to export water from Lake Superior to Asia. The permit would allow the company to take and sell up to approximately 156 million gallons of water per year; and

Whereas, Environmentalists on both sides of the border have expressed strong opposition to the planned diversion of water from an area northwest of Sault Ste. Marie, Ontario. The precedent of permitting this diversion could be very damaging to the Great Lakes. If similar actions follow as a result, this relative trickle could turn into a torrent; and

Whereas, The International Joint Commission was established to address issues related to the shared lakes and rivers of Canada and the United States under the Boundary Waters Treaty of 1909. It is appropriate for Michigan to register its grave concern over this diversion and to seek the commission's efforts to halt this proposal; now, therefore, be it

Resolved by the House of Representatives, That we express opposition to the diversion of Lake Superior water by an Ontario company and to urge the International Joint Commission to take actions to stop it; and be it further

Resolved, That copies of this resolution be transmitted to the International Joint Commission.

The resolution was referred to the Committee on Conservation, Environment and Recreation.

Rep. Callahan offered the following resolution:

House Resolution No. 294.

A resolution to object to the recent actions of the Governor approving a diversion of water from the Great Lakes.

Whereas, The Governor has given his approval to a request by Akron, Ohio, to divert water from Lake Erie to accommodate development of the city's suburban areas. Under the proposal, the Ohio community will soon begin piping water from Lake Erie to an area outside the Great Lakes basin. Akron plans on replacing the water by channeling water from outside the basin to Lake Erie through existing waterways; and

Whereas, Under the 1986 federal Water Resources Development Act, a governor of any of the Great Lakes states can veto any diversion. Michigan has exercised this authority in the past. This approval for Akron marks the first known approval of any diversion proposal. In strong contrast, Michigan has vigorously opposed most water diversion efforts since the city of Chicago first took this action at the Chicago River in the 1890s; and

Whereas, Michigan's citizens have strong feelings for the integrity and quality of the Great Lakes. In spite of this, the consideration and approval of the Akron request took place without a public notice and comment period; and

Whereas, Approving the Akron diversion sets a dangerous precedent. That the water is being used to contribute to suburban sprawl, rather than some health emergency or other reason, is especially troubling to many. There is no way to predict future needs for water in this region or anywhere in the country, and the Ohio actions may weaken Michigan's position with regard to future requests. With the potential impact of diversion on water levels, quality, and wetlands, it is not in Michigan's best interest to approve any transport of water outside the Great Lakes basin; now, therefore, be it

Resolved by the House of Representatives, That we object to the recent actions of the Governor approving a diversion of water from the Great Lakes; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor.

The resolution was referred to the Committee on Conservation, Environment and Recreation.

Rep. Callahan offered the following concurrent resolution:

House Concurrent Resolution No. 101.

A concurrent resolution to express opposition to the diversion of Lake Superior water by an Ontario company and to urge the International Joint Commission to take actions to stop it.

Whereas, The Ontario Ministry of the Environment recently issued a permit to a Sault Ste. Marie, Ontario, company seeking to export water from Lake Superior to Asia. The permit would allow the company to take and sell up to approximately 156 million gallons of water per year; and

Whereas, Environmentalists on both sides of the border have expressed strong opposition to the planned diversion of water from an area northwest of Sault Ste. Marie, Ontario. The precedent of permitting this diversion could be very damaging to the Great Lakes. If similar actions follow as a result, this relative trickle could turn into a torrent; and

Whereas, The International Joint Commission was established to address issues related to the shared lakes and rivers of Canada and the United States under the Boundary Waters Treaty of 1909. It is appropriate for Michigan to register its grave concern over this diversion and to seek the commission's efforts to halt this proposal; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we express opposition to the diversion of Lake Superior water by an Ontario company and to urge the International Joint Commission to take actions to stop it; and be it further

Resolved, That copies of this resolution be transmitted to the International Joint Commission.

The concurrent resolution was referred to the Committee on Conservation, Environment and Recreation.

Rep. Callahan offered the following concurrent resolution:

House Concurrent Resolution No. 102.

A concurrent resolution to object to the recent actions of the Governor approving a diversion of water from the Great Lakes.

Whereas, The Governor has given his approval to a request by Akron, Ohio, to divert water from Lake Erie to accommodate development of the city's suburban areas. Under the proposal, the Ohio community will soon begin piping water from Lake Erie to an area outside the Great Lakes basin. Akron plans on replacing the water by channeling water from outside the basin to Lake Erie through existing waterways; and

Whereas, Under the 1986 federal Water Resources Development Act, a governor of any of the Great Lakes states can veto any diversion. Michigan has exercised this authority in the past. This approval for Akron marks the first known approval of any diversion proposal. In strong contrast, Michigan has vigorously opposed most water diversion efforts since the city of Chicago first took this action at the Chicago River in the 1890s; and

Whereas, Michigan's citizens have strong feelings for the integrity and quality of the Great Lakes. In spite of this, the consideration and approval of the Akron request took place without a public notice and comment period; and

Whereas, Approving the Akron diversion sets a dangerous precedent. That the water is being used to contribute to suburban sprawl, rather than some health emergency or other reason, is especially troubling to many. There is no way to predict future needs for water in this region or anywhere in the country, and the Ohio actions may weaken Michigan's position with regard to future requests. With the potential impact of diversion on water levels, quality, and wetlands, it is not in Michigan's best interest to approve any transport of water outside the Great Lakes basin; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we object to the recent actions of the Governor approving a diversion of water from the Great Lakes; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor.

The concurrent resolution was referred to the Committee on Conservation, Environment and Recreation.

Reports of Standing Committees

The Committee on Corrections, by Rep. Freeman, Chair, reported

House Bill No. 5398, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state

departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 34, 34a, 36, and 65a (MCL 791.234, 791.234a, 791.236, and 791.265a), section 34 as amended by 1994 PA 345, section 34a as amended by 1994 PA 427, section 36 as amended by 1996 PA 554, and section 65a as amended by 1997 PA 13.

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 5398 To Report Out:

Yeas: Reps. Freeman, Agee, Galloway, Nye, Sanborn,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 7, 1998, at 8:30 a.m.,

Present: Reps. Freeman, Mans, Agee, Callahan, DeHart, Galloway, Nye, Perricone, Sanborn.

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

House Bill No. 5407, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding section 4n.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5407 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Leland, Murphy, Wojno, Hammerstrom, Crissman, Law, Raczkowski, Rocca,

Nays: None.

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

Senate Bill No. 864, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20165 (MCL 333.20165), as amended by 1990 PA 179, and by adding sections 16274 and 20197.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 864 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Leland, Murphy, Thomas, Wojno, Hammerstrom, 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 12, 1998, at 10:30 a.m.,

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

Absent: Reps. Profit, Llewellyn, Scranton,

Excused: Reps. Profit, Llewellyn, Scranton.

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

Senate Bill No. 894, entitled

A bill to amend 1986 PA 135, entitled "Asbestos abatement contractors licensing act," by amending the title and sections 103, 207, 211, 217, 220, and 221 (MCL 338.3103, 338.3207, 338.3211, 338.3217, 338.3220, and 338.3221), the title as amended by 1990 PA 2 and sections 103, 207, and 220 as amended and section 221 as added by 1993 PA 55.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 894 To Report Out:

Yeas: Reps. Murphy, Cherry, Agee, Bogardus, Schermesser, Raczkowski,

Nays: None.

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

Senate Bill No. 895, entitled

A bill to amend 1988 PA 440, entitled "Asbestos workers accreditation act," by amending sections 2, 11, 13, and 14 (MCL 338.3402, 338.3411, 338.3413, and 338.3414), as amended by 1995 PA 127.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 895 To Report Out:

Yeas: Reps. Murphy, Cherry, Agee, Bogardus, Schermesser, Raczkowski,

Nays: None.

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

Senate Bill No. 896, entitled

A bill to amend 1995 PA 127, entitled "An act to amend the title and sections 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, and 15 of Act No. 440 of the Public Acts of 1988, entitled "An act to provide for the accreditation of persons who perform asbestos-related work in schools and school buildings; to prescribe the powers and duties of certain state agencies and officers; to prescribe remedies and penalties; and to assess certain fees," being sections 338.3402, 338.3403, 338.3404, 338.3405, 338.3406, 338.3407, 338.3409, 338.3410, 338.3411, 338.3412, 338.3413, 338.3414, and 338.3415 of the Michigan Compiled Laws; to add section 15a; and to repeal acts and parts of acts," by amending enacting section 2.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 896 To Report Out:

Yeas: Reps. Murphy, Cherry, Agee, Bogardus, Schermesser, Raczkowski,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 12, 1998, at 9:00 a.m.,

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

Absent: Reps. Llewellyn, Rhead,

Excused: Reps. Llewellyn, Rhead.

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

House Bill No. 5739, entitled

A bill to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act," by amending section 1 of chapter XIIA (MCL 712A.1), as amended by 1996 PA 409.

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

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

Favorable Roll Call

HB 5739 To Report Out:

Yeas: Reps. Wallace, Baird, Gubow, Kilpatrick, Schauer, Vaughn, Willard, Wojno, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner,

Nays: None.

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

Senate Bill No. 443, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding sections 200h, 200i, 200j, 200k, and 212a.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 443 To Report Out:

Yeas: Reps. Wallace, Freeman, Kilpatrick, Schauer, Vaughn, Nye, Cropsey, Dalman, Fitzgerald, McNutt, Richner,

Nays: None.

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

Senate Bill No. 880, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by repealing section 2163 (MCL 600.2163).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 880 To Report Out:

Yeas: Reps. Wallace, Baird, Gubow, Kilpatrick, Schauer, Vaughn, Willard, Wojno, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner,

Nays: None.

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

Senate Bill No. 882, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2163a (MCL 600.2163a), as amended by 1989 PA 253.

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

1. Amend page 2, line 4, after "330.1100A" by inserting "EXCEPT THAT, FOR THE PURPOSES OF IMPLEMENTING THIS SECTION, DEVELOPMENTAL DISABILITY INCLUDES ONLY A CONDITION THAT IS ATTRIBUTABLE TO A MENTAL IMPAIRMENT OR TO A COMBINATION OF MENTAL AND PHYSICAL IMPAIRMENTS, AND DOES NOT INCLUDE A CONDITION ATTRIBUTABLE TO A PHYSICAL IMPAIRMENT UNACCOMPANIED BY A MENTAL IMPAIRMENT".

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

Favorable Roll Call

SB 882 To Report Out:

Yeas: Reps. Wallace, Baird, Gubow, Kilpatrick, Schauer, Vaughn, Willard, Wojno, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner,

Nays: None.

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

Senate Bill No. 883, entitled

A bill to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act," by amending sections 17 and 17b of chapter XIA (MCL 712A.17 and 712A.17b), section 17 as amended by 1997 PA 169 and section 17b as amended by 1989 PA 254.

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

1. Amend page 5, line 2, after "330.1100A" by inserting "EXCEPT THAT, FOR THE PURPOSES OF IMPLEMENTING THIS SECTION, DEVELOPMENTAL DISABILITY INCLUDES ONLY A CONDITION THAT IS ATTRIBUTABLE TO A MENTAL IMPAIRMENT OR TO A COMBINATION OF MENTAL AND PHYSICAL IMPAIRMENTS, AND DOES NOT INCLUDE A CONDITION ATTRIBUTABLE TO A PHYSICAL IMPAIRMENT UNACCOMPANIED BY A MENTAL IMPAIRMENT".

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

Favorable Roll Call

SB 883 To Report Out:

Yeas: Reps. Wallace, Baird, Gubow, Kilpatrick, Schauer, Vaughn, Willard, Wojno, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner,

Nays: None.

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

Senate Bill No. 884, entitled

A bill to amend 1937 (Ex Sess) PA 4, entitled "An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties thereof; and to prescribe penalties for violation of the provisions of this act," by amending section 4a (MCL 38.104a), as added by 1987 PA 47.

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

1. Amend page 2, line 6, after "330.1100A" by inserting "EXCEPT THAT, FOR THE PURPOSES OF IMPLEMENTING THIS SECTION, DEVELOPMENTAL DISABILITY INCLUDES ONLY A CONDITION THAT IS ATTRIBUTABLE TO A MENTAL IMPAIRMENT OR TO A COMBINATION OF MENTAL AND PHYSICAL

IMPAIRMENTS, AND DOES NOT INCLUDE A CONDITION ATTRIBUTABLE TO A PHYSICAL IMPAIRMENT UNACCOMPANIED BY A MENTAL IMPAIRMENT”.

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

Favorable Roll Call

SB 884 To Report Out:

Yeas: Reps. Wallace, Baird, Gubow, Kilpatrick, Schauer, Vaughn, Willard, Wojno, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner,

Nays: None.

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

Senate Bill No. 885, entitled

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending section 75a (MCL 24.275a), as added by 1987 PA 46.

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

1. Amend page 2, line 3, after “330.1100A” by inserting “EXCEPT THAT, FOR THE PURPOSES OF IMPLEMENTING THIS SECTION, DEVELOPMENTAL DISABILITY INCLUDES ONLY A CONDITION THAT IS ATTRIBUTABLE TO A MENTAL IMPAIRMENT OR TO A COMBINATION OF MENTAL AND PHYSICAL IMPAIRMENTS, AND DOES NOT INCLUDE A CONDITION ATTRIBUTABLE TO A PHYSICAL IMPAIRMENT UNACCOMPANIED BY A MENTAL IMPAIRMENT”.

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

Favorable Roll Call

SB 885 To Report Out:

Yeas: Reps. Wallace, Baird, Gubow, Kilpatrick, Schauer, Vaughn, Willard, Wojno, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner,

Nays: None.

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

Senate Bill No. 997, entitled

A bill to amend 1953 PA 232, entitled “An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending section 34 (MCL 791.234), as amended by 1994 PA 345.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 997 To Report Out:

Yeas: Reps. Wallace, Schauer, Vaughn, Nye, Cropsey, Dalman, Fitzgerald, McNutt, Richner,

Nays: None.

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 12, 1998, at 9:00 a.m.,

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

Absent: Rep. Curtis,

Excused: Rep. Curtis.

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 11, 1998, at 2:00 p.m.,

Present: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Gustafson, DeVuyst, Fitzgerald, Goschka, Perricone, Richner, Voorhees,

Absent: Reps. Hanley, Kilpatrick, Varga, Wallace, Wojno,

Excused: Reps. Hanley, Kilpatrick, Varga, Wallace, Wojno.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaForge, Chair of the Committee on Human Services and Children, was received and read:

Meeting held on: Tuesday, May 12, 1998, at 9:00 a.m.,

Present: Reps. LaForge, Bogardus, Gire, Schauer, Horton, London, Sanborn,

Absent: Reps. Scott, McManus,

Excused: Reps. Scott, McManus.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Dobronski, Chair of the Committee on Local Government, was received and read:

Meeting held on: Tuesday, May 12, 1998, at 9:00 a.m.,

Present: Reps. Dobronski, Mans, Brater, Brewer, Callahan, Brackenridge, Birkholz, Crissman, Hammerstrom.

Messages from the Senate**House Concurrent Resolution No. 60.**

A concurrent resolution to memorialize the Congress of the United States to enact legislation to create a moratorium on new national, state, and local taxes on the Internet.

(For text of resolution, see House Journal No. 73, p. 1976.)

The Senate has adopted the concurrent resolution and named Senators Young, Schwarz and Dunaskiss as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

Senate Concurrent Resolution No. 79.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Lake Michigan College relative to the Lake Michigan College South Campus Center.

Whereas, 1993 PA 19 originally established the Lake Michigan College's (the "College") South Campus Center (the "Facility") at a Total Project Cost of \$4,761,200, of which the State Building Authority (the "Authority") share is \$2,380,500, the College share is \$2,380,600, and the State General Fund/General Purpose share is \$100; and

Whereas, 1997 PA 116 added a second component to the College's South Campus Center project (by including a Financial and Student Services Center at the College's Napier Campus) and increased the Total Project Cost to \$8,761,200, of which the Authority share is \$4,380,500, the College share is \$4,380,600, and the State General Fund/General Purpose share remains \$100; and

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the College, the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the College may be conveyed to the Authority; and

Whereas, The site for the Facility is currently owned by the College and the Facility is now under construction; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the College pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the College has been prepared providing for the leasing of the Facility by the Authority to the State and the College (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Total Project Cost of the Lake Michigan College's South Campus Center, consisting of both the Facility and the Financial and Student Services Center at the College's Napier Campus, shall not exceed \$8,761,200, of which the Authority share is \$4,380,500, the College share is \$4,380,600, and the State General Fund/General Purpose share remains \$100; and be it further

Resolved, That the Total Facility Cost shall not exceed \$4,761,200 (the Authority share is \$2,380,500, the State General Fund/General Purpose share is \$100, and the College share is \$2,380,600), plus interest charges on monies advanced, by the State to meet the cash flow requirements of the Facility, if any, of which not more than \$2,380,500, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Total Project Cost of the College's Financial and Student Services Center Napier Campus project shall not exceed \$4,000,000, of which the Authority share is \$2,000,000 and the College share is \$2,000,000; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the College and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$224,000 and \$383,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the College, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this resolution be transmitted to the Governor, the Secretary of State, the Authority, the College, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 80.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Delta College relative to the Delta College Science and Learning Center.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of Delta College (the "College"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon

entered in the journal, before land owned by the College may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Delta College Science and Learning Center (the "Facility") is currently owned by the College; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the College pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the College has been prepared providing for the leasing of the Facility by the Authority to the State and the College (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Total Facility Cost of the Delta College Science and Learning Center shall not exceed \$26,000,000 (the Authority share is \$12,499,900, the State General Fund/General Purpose share is \$100, and the College share is \$13,500,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$12,499,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the College and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$1,245,000 and \$2,172,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the College, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this resolution be transmitted to the Governor, the Secretary of State, the Authority, the College, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 81.

A concurrent resolution to change the scope of the Michigan State Police Crime Lab project.

Whereas, The Michigan State Police Crime Lab project was authorized with a total cost of \$17,500,000 in 1996 PA 480; and

Whereas, The Michigan State Police has estimated that the cost to complete the total project for the Crime Lab has increased to \$23,500,000; and

Whereas, The State Building Authority share of the project will be increased from \$17,325,000 to \$23,325,000; and

Whereas, Pursuant to Section 246 of 1984 PA 431, being MCL § 18.1246, the authorized cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Michigan Legislature recognizes the need and increases the total authorized cost for the Michigan State Police Crime Lab project to an amount not to exceed \$23,500,000 (State Building Authority share \$23,325,000 and the General Fund/General Purpose share \$175,000) and that the Legislature intends to continue to appropriate funds for construction subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That a copy of this resolution be transmitted to the State Budget Director, the Director of the Department of Management and Budget, and the Michigan State Police.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 82.

A concurrent resolution approving an amended conveyance of property to the State Building Authority and amending the lease relative to the Mid Michigan Community College Instructional Classrooms, Laboratories, and Student Facilities Harrison Campus.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of Mid Michigan Community College (the "College"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the College may be conveyed to the State Building Authority (the "Authority"); and

Whereas, Pursuant to section 7 of 1964 PA 183, as amended, being MCL § 830.417, the Michigan Legislature adopted Senate Concurrent Resolution No. 65 of 1998, with the votes and names of the members voting thereon entered in the journal, and the State of Michigan (the "State") approved the conveyance of land and the form of lease (the "Lease") with the Authority, the State, and the College for the Instructional Classrooms, Laboratories, and Student Services Facilities at the Harrison Campus (the "Facility"); and

Whereas, The form of the Lease contains a legal description of the property to be conveyed from the College to the Authority for the Facility; and

Whereas, An error was made in the preparation of the legal description. The Attorney General advises that the legal description for the Facility should be amended to reflect accurately the property being conveyed; and

Whereas, A corrected legal description of the property being conveyed for the Facility is now available and attached to the lease; and

Whereas, The Executive Director for the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Legislature hereby approves the necessary conveyance of property relative to the Mid Michigan Community College Instructional Classrooms, Laboratories, and Student Facilities Harrison Campus to the Authority as more particularly described in the Lease and amended attachments thereto; and

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the College, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 83.

A concurrent resolution to change the scope of the South County Extension Center project at Southwestern Michigan College.

Whereas, The Southwestern Michigan College - South County Extension Center project was authorized with a total cost of \$2,740,000 in 1996 PA 480; and

Whereas, Southwestern Michigan College has estimated that the cost to complete the total project for the South County Extension Center has increased to \$3,100,000; and

Whereas, Southwestern Michigan College has agreed to fund the increase in the project cost of \$360,000, with the state commitment remaining at \$1,370,000; and

Whereas, Pursuant to Section 246 of 1984 PA 431, being MCL § 18.1246, the authorized cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Michigan Legislature recognizes the need and increases the total authorized cost for the Southwestern Michigan College - South County Extension Center project to an amount not to exceed \$3,100,000 (State Building Authority share \$1,369,900; State General Fund/General Purpose share \$100; Southwestern Michigan College share \$1,730,000), and that the Legislature intends to continue to appropriate funds for construction subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That a copy of this resolution be transmitted to the State Budget Director, the Director of the Department of Management and Budget, and Southwestern Michigan College.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 84.

A concurrent resolution to change the scope of the Renovation of Building 12 project at the Michigan Biologic Products Institute.

Whereas, The Michigan Biologic Products Institute - Renovation of Building 12 project was authorized with total cost of \$1,800,000 in 1997 PA 114; and

Whereas, The Michigan Biologic Products Institute has estimated that the cost to complete the total project for the Renovation of Building 12 has increased to \$2,620,000; and

Whereas, The Michigan Biologic Products Institute has agreed to fund the increase in the project cost of \$820,000, with the state commitment remaining as \$0; and

Whereas, Pursuant to section 246 of 1984 PA 423, being MCL § 18.1246, the authorized cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Michigan Legislature recognizes the need and increases the total authorized cost for the Michigan Biologic Products Institute - Renovation of Building 12 project to an amount not to exceed \$2,620,000, funded entirely with federal resources; and that the Legislature intends to continue to appropriate funds for construction subject to the limitations herein states, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That a copy of this resolution be transmitted to the State Budget Director, the Director of the Department of Management and Budget, and the Michigan Biologic Products Institute.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

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, Friday, May 8:

House Bill Nos. 5826 5827 5828 5829 5830

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

House Bill Nos. 5831 5832 5833 5834 5835

The Clerk announced that the following Senate bills had been received on Tuesday, May 12:

Senate Bill Nos. 610 615

Messages from the Governor

The following message from the Governor, approving and signing the following bill at the time designated below, was received and read:

Date: May 5, 1998

Time: 10:58 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5584 (Public Act No. 81, I.E.), being

An act to amend 1945 PA 327, entitled “An act relating to aeronautics in this state; providing for the development and regulation thereof; creating a state aeronautics commission; prescribing powers and duties; providing for the licensing, or registration, or supervision and control of all aircraft, airports and landing fields, schools of aviation, flying clubs, airmen, aviation instructors, airport managers, manufacturers, dealers, and commercial operation in intrastate commerce; providing for rules pertaining thereto; prescribing a privilege tax for the use of the aeronautical facilities on the lands and waters of this state; providing for the acquisition, development, and operation of airports, landing fields, and other aeronautical facilities by the state and by political subdivisions; providing jurisdiction of crimes, torts, and contracts; providing police powers for those entrusted to enforce this act; providing for civil liability of owners, operators, and others; making hunting from aircraft unlawful; providing for repair station operators lien; providing for appeals from rules or orders issued by the commission; providing for the transfer from the Michigan board of aeronautics to the aeronautics commission all properties and funds held by the board of aeronautics; providing

for a state aeronautics fund and making an appropriation therefor; prescribing penalties; and making uniform the law with reference to state development and regulation of aeronautics," by amending sections 86a and 89 (MCL 259.86a and 259.89), section 86a as added and section 89 as amended by 1996 PA 370.

(Filed with the Secretary of State May 8, 1998, at 2:12 p.m.)

Communications from State Officers

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

April 27, 1998

Enclosed you will find the summaries of the Saginaw Midland Bay Michigan Works! biennial plans for the Title III Economic Dislocation and Worker Adjustment Assistance Act (EDWAAA).

Sincerely,
Dennis Brieske, Director

The communication was referred to the Clerk.

The following communication from the Office of Drug Control Policy was received and read:

May 6, 1998

I am pleased to transmit the grant application from the Office of Drug Control Policy to the U.S. Department of Justice, Bureau of Justice Assistance under the Local Law Enforcement Block Grant Program to request \$100,000 for State and Local Training and Education Assistance.

Sincerely,
Darnell Jackson

The communication was referred to the Clerk.

The following communication from the Auditor General was received and read:

May 8, 1998

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

Performance Audit of the
Office of Financial Management
Department of Management and Budget

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

The communication was referred to the Clerk and the accompanying report referred to the Committee on House Oversight and Ethics.

The following communication from the Thumb Area - Michigan Works! was received and read:

PUBLIC NOTICE

Pursuant to Job Training Partnership ACT (JTPA) Regulations, Section 105(a) (1), (a) (2) of the Act, the Thumb Service Delivery Area posts the following for public knowledge:

I. Summary of current JTPA Title IIA Biennial Job Training Plan for:

	<u>P.Y. 1998</u>	<u>Bal. P.Y. 1997</u>
Administration	\$ 100,000	\$ 200,000
Direct Training	400,000	800,000
Training Support	200,000	200,000
TOTAL	\$ 700,000	\$ 1,200,000

II. Summary of current Economic Dislocation and Worker Adjustment Assistance Act (EDWAAA) Title III Local Job Training Plan for:

	<u>P.Y. 1998</u>	<u>Bal. P.Y. 1997</u>
Administration	\$ 50,000	\$ 46,853
Program	350,000	370,000
TOTAL	\$ 400,000	\$ 416,853

III. Summary of current JTPA Title IIC Job Training Plan for:

	<u>P.Y. 1998</u>	<u>Bal. P.Y. 1997</u>
Administration	\$ 31,264	\$ 32,046
Direct Training	100,000	140,000
Training Support	50,000	30,000
TOTAL	\$ 181,264	\$ 202,046

IV. Summary of current JTPA Title IIB Job Training Plan for:

	<u>P.Y. 1998</u>
Administration	\$ 89,663
Direct Training	510,000
Training Support	N/A
TOTAL	\$ 599,663

The plans may be viewed between 9:00 a.m. and 4:00 p.m. Monday through Friday at:

THUMB AREA - MICHIGAN WORKS!

Employment Training Consortium
Community Alliance
3270 Wilson Street
Marlette, MI 48453

The communication was referred to the Clerk.

Introduction of Bills

Reps. Stallworth, Thomas, Hale and Kilpatrick introduced

House Bill No. 5836, entitled

A bill to amend 1972 PA 165, entitled "An act to prescribe the official pledge of allegiance for the state flag," by amending section 1 (MCL 2.29).

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

Reps. Stallworth, Thomas, Hale and Kilpatrick introduced

House Bill No. 5837, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310 (MCL 257.310), as amended by 1996 PA 205.

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

Reps. Scranton, Richner and Varga introduced

House Bill No. 5838, entitled

A bill to amend 1871 PA 164, entitled "An act to provide for vacating cemetery plats and cemetery grounds in the limits of incorporated cities and villages," by amending the title and sections 1 and 3 (MCL 128.41 and 128.43).

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

Reps. Richner, Scranton and Varga introduced

House Bill No. 5839, entitled

A bill to amend 1929 PA 297, entitled "An act to provide for vacating private and public cemetery plats and cemetery grounds in the limits of incorporated cities and villages and to provide for the acquisition by said cities and villages of the cemetery grounds and plats vacated hereunder," by amending sections 1, 2, and 5 (MCL 128.51, 128.52, and 128.55).

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

Reps. Prusi, Tesanovich, Agee, DeHart, Anthony, LaForge and Gagliardi introduced

House Bill No. 5840, entitled

A bill to amend 1993 PA 159, entitled "An act to provide for the establishment of a base conversion authority; to prescribe the powers and duties of the base conversion authority; and to provide for conversion of certain bases to civilian uses," by amending section 3 (MCL 3.573); and to repeal acts and parts of acts.

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

Reps. Alley, Basham, LaForge, Bogardus, Hale, Bodem, Baade, Callahan and DeVuyst introduced

House Bill No. 5841, entitled

A bill to amend 1939 PA 21, entitled "Regulatory loan act of 1963," by amending sections 1 and 12a (MCL 493.1 and 493.12a), section 1 as amended by 1996 PA 184 and section 12a as amended by 1991 PA 14.

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

Reps. Alley, Basham, LaForge, Bogardus, Hale, Bodem, Baade, Callahan and DeVuyst introduced

House Bill No. 5842, entitled

A bill to amend 1988 PA 161, entitled "Consumer financial services act," by amending section 17 (MCL 487.2067).

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

Reps. McNutt, Law, LaForge, Llewellyn, Voorhees, Rhead, Oxender, Dalman, Brackenridge, Goschka and Wetters introduced

House Bill No. 5843, entitled

A bill to amend 1919 PA 339, entitled "Dog law of 1919," by amending sections 6, 8, 9, 14, 15, and 17 (MCL 287.266, 287.268, 287.269, 287.274, 287.275, and 287.277).

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

Reps. Price, Cherry, Martinez, DeHart, Bogardus, Brewer, Hale, Anthony, Schauer, Hanley, Agee, Brater, Schroer, Schermesser, Callahan, Scott, Tesanovich, Hood and LaForge introduced

House Bill No. 5844, entitled

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

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

Reps. Price, Cherry, Martinez, DeHart, Bogardus, Brewer, Hale, Anthony, Schauer, Hanley, Agee, Brater, Schroer, Schermesser, Callahan, Scott, Tesanovich, Hood and LaForge introduced

House Bill No. 5845, entitled

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

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

Reps. Cherry, Price, Martinez, DeHart, Bogardus, Brewer, Schermesser, Hale, Kelly, Anthony, Agee, Hanley, Schauer, Scott, Brater, Callahan, Tesanovich and Hood introduced

House Bill No. 5846, entitled

A bill to provide financial encouragement to certain institutions of higher education to establish and operate on-site day care for the children of students who are attending the institution; to establish the duties of certain officials and institutions; and to provide penalties and remedies.

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

Reps. Brater, Martinez, DeHart, Thomas, Schroer, Anthony, Gire, McNutt, Ciaramitaro, Gubow, Bodem, Hale, DeVuyst, Schauer, Profit, Johnson, Vaughn, London, Parks, Agee, Prusi, Godchaux, Voorhees, Scott, Green, LaForge, Raczkowski and Perricone introduced

House Bill No. 5847, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406l.

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

Reps. Anthony, Brater, Martinez, DeHart, Thomas, Schroer, Gire, McNutt, Ciaramitaro, Gubow, Bodem, Hale, DeVuyst, Schauer, Profit, Johnson, Vaughn, London, Parks, Agee, Prusi, Godchaux, Scott, Voorhees, Green, LaForge, Raczkowski and Perricone introduced

House Bill No. 5848, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416b.

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

Reps. Perricone, Brater, Martinez, DeHart, Thomas, Schroer, Gire, Hammerstrom, McNutt, Ciaramitaro, Gubow, Bodem, Hale, DeVuyst, Schauer, Profit, Johnson, Vaughn, London, Parks, Agee, Scott, Prusi, Godchaux, Voorhees, Green, LaForge and Raczkowski introduced

House Bill No. 5849, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21053e.

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

Reps. Thomas, Brater, Martinez, DeHart, Schroer, Anthony, Gire, McNutt, Ciaramitaro, Gubow, Bodem, Hale, DeVuyst, Schauer, Profit, Johnson, Vaughn, London, Parks, Agee, Scott, Prusi, Godchaux, Voorhees, Green, LaForge, Raczkowski and Perricone introduced

House Bill No. 5850, entitled

A bill to amend 1976 PA 220, entitled "Persons with disabilities civil rights act," by amending section 202 (MCL 37.1202), as amended by 1998 PA 20.

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

Reps. Byl, Sikkema, Horton, Jellema, Jelinek, Jansen, Birkholz, Mathieu, Gagliardi, Voorhees, Geiger, Hammerstrom, Fitzgerald, Llewellyn, LeTarte, Oxender, Johnson, Middaugh, Richner, Harder, Gilmer, Gernaat, Ciaramitaro, Alley, Baade, Walberg, DeVuyst and Perricone introduced

House Bill No. 5851, entitled

A bill to designate highway M-6 in Kent and Ottawa counties as the Paul B. Henry freeway; and to prescribe the duties of the state transportation department.

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

Rep. Emerson moved that the House adjourn.
The motion prevailed, the time being 5:30 p.m.

Acting Speaker DeHart declared the House adjourned until Wednesday, May 13, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

