

**No. 24**  
**JOURNAL OF THE HOUSE**

---

House Chamber, Lansing, Wednesday, March 19, 1997.

2:00 p.m.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Rep. John Gernaat, from the 102nd District, offered the following invocation:

“Father, We thank You for this beautiful sunny day. We thank You for the great state of Michigan. We thank You for the positions we are currently serving and we pray that each decision we make will help someone along life’s way today. We pray for the district each one of us serves. We pray You will guide and bless each of our families. We pray You will bless us with safety as some have travel plans during our break. We pray this in Your name alone, Amen.”

Rep. Dobronski moved that Reps. Baade and Kilpatrick be granted an excuse from today’s session. The motion prevailed.

### Reports of Standing Committees

The Speaker laid before the House

#### House Concurrent Resolution No. 22.

A concurrent resolution to reappoint Thomas H. McTavish, C.P.A. as Auditor General.

(For text of resolution, see House Journal No. 21, p. 362.)

(The concurrent resolution was reported by the Committee on House Oversight and Ethics on March 18, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

Rep. Gagliardi demanded the yeas and nays.

The demand was supported.

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. 111

#### Yeas—104

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

**Nays—0**

In The Chair: Hertel

Reps. Alley, Anthony, Baird, Birkholz, Bobier, Bodem, Bogardus, Brater, Brewer, Brown, Byl, Callahan, Cassis, Cherry, Ciaramitaro, Curtis, Dalman, DeHart, DeVuyst, Dobb, Dobronski, Emerson, Frank, Freeman, Galloway, Gernaat, Gilmer, Gire, Goschka, Gubow, Hale, Hammerstrom, Harder, Jansen, Jelinek, Jellema, Kaza, Kukuk, Leland, Llewellyn, Mans, McBryde, Middaugh, Middleton, Murphy, Olshove, Parks, Perricone, Price, Prusi, Rhead, Richner, Scott, Tesanovich, Vaughn, Voorhees and Wojno were named co-sponsors of the concurrent resolution.

The Speaker laid before the House

**House Resolution No. 22.**

A resolution to memorialize the President and the Congress of the United States to work for the expansion of the North Atlantic Treaty Organization to include Poland.

(For text of resolution, see House Journal No. 17, p. 271.)

(For amendments, see House Journal No. 23, p. 403.)

(The resolution was reported by the Committee on House Oversight and Ethics on March 18 with amendments, consideration of which was postponed until today under the rules.)

The question being on the adoption of the proposed amendments recommended by the Committee,

The amendments were adopted.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Agee, Birkholz, Bobier, Brown, Byl, Cassis, Crissman, Dalman, DeHart, Dobronski, Frank, Gagliardi, Gernaat, Gubow, Hale, Hammerstrom, Hanley, Hertel, Jansen, Jaye, Jellema, Law, Llewellyn, Mans, Middleton, Oxender, Palamara, Perricone, Schauer, Scott, Scranton, Sikkema, Stallworth, Tesanovich, Whyman and Wojno were named co-sponsors of the resolution.

The Speaker laid before the House

**House Concurrent Resolution No. 17.**

A concurrent resolution to memorialize the President and the Congress of the United States to work for the expansion of the North Atlantic Treaty Organization to include Poland.

(For text of resolution, see House Journal No. 17, p. 275.)

(For amendments, see House Journal No. 23, p. 403.)

(The concurrent resolution was reported by the Committee on House Oversight and Ethics on March 18 with amendments, consideration of which was postponed until today under the rules.)

The question being on the adoption of the proposed amendments recommended by the Committee,

The amendments were adopted.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Reps. Agee, Birkholz, Bobier, Brown, Byl, Cassis, Crissman, Dalman, DeHart, Dobronski, Frank, Gagliardi, Gernaat, Gubow, Hale, Hammerstrom, Hanley, Hertel, Jansen, Jaye, Jellema, Law, Llewellyn, Mans, Middleton, Oxender, Palamara, Perricone, Schauer, Scott, Scranton, Sikkema, Stallworth, Tesanovich, Whyman and Wojno were named co-sponsors of the concurrent resolution.

**Second Reading of Bills****House Bill No. 4191, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 274 (MCL 206.274), as amended by 1996 PA 484.

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

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

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

1. Amend page 3, line 2, by striking out "ONLY" and inserting "and each tax year after the 1996 tax year".

The question being on the adoption of the amendment offered by Reps. Cassis and Jaye, Rep. Gustafson demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 112****Yeas—42**

Bankes	Godchaux	Kukuk	Perricone
Birkholz	Green	Llewellyn	Rackowski
Bodem	Gustafson	London	Rhead
Byl	Hammerstrom	Lowe	Richner
Cassis	Horton	McBryde	Rocca
Cropsey	Jansen	McManus	Scranton
DeVuyst	Jaye	McNutt	Sikkema
Fitzgerald	Jelinek	Middaugh	Voorhees
Geiger	Jellema	Middleton	Walberg
Gernaat	Johnson	Nye	Whyman
Gilmer	Kaza		

**Nays—63**

Agee	DeHart	Kelly	Quarles
Alley	Dobb	LaForge	Rison
Anthony	Dobronski	Law	Schauer
Baird	Frank	Leland	Schermesser
Bobier	Freeman	LeTarte	Schroer
Bogardus	Gagliardi	Mans	Scott
Brackenridge	Galloway	Martinez	Stallworth
Brater	Gire	Murphy	Tesanovich
Brewer	Goschka	Olshove	Thomas
Brown	Griffin	Owen	Varga
Callahan	Gubow	Oxender	Vaughn
Cherry	Hale	Palamara	Wallace
Ciaramitaro	Hanley	Parks	Wetters
Crissman	Harder	Price	Willard
Curtis	Hertel	Profit	Wojno
Dalman	Hood	Prusi	

In The Chair: Hertel

Rep. Whyman moved to amend the bill as follows:

1. Amend page 1, line 5, after “fees” by inserting a comma and “ROOM AND BOARD COSTS,”.
2. Amend page 1, line 9, after “fees” by inserting a comma and “ROOM AND BOARD COSTS,”.
3. Amend page 2, line 6, after “fees” by inserting a comma and “ROOM AND BOARD COSTS,”.
4. Amend page 2, line 14, after “tuition” by inserting a comma and “ROOM AND BOARD COSTS,”.
5. Amend page 3, following line 13, by inserting:

“(C) “ROOM AND BOARD COSTS” MEANS ROOM AND BOARD AT A FACILITY PROVIDED BY THE INSTITUTION OF HIGHER LEARNING AND PAID TO THAT INSTITUTION OF HIGHER LEARNING.” and relettering the remaining subdivisions.

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

Rep. Whyman demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Whyman,  
The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 113****Yeas—47**

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

**Nays—59**

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

In The Chair: Hertel

Rep. Middleton moved to amend the bill as follows:

1. Amend page 1, line 5, after "tuition" by inserting "AND COSTS FOR COMPUTER HARDWARE PURCHASED FOR ACADEMIC PURPOSES".
2. Amend page 1, line 9, after "tuition" by inserting "AND COSTS FOR COMPUTER HARDWARE PURCHASED FOR ACADEMIC PURPOSES".
3. Amend page 2, line 6, after "payments" by inserting "AND COSTS FOR COMPUTER HARDWARE PURCHASED FOR ACADEMIC PURPOSES".
4. Amend page 2, line 14, after "fees" by inserting "AND COSTS FOR COMPUTER HARDWARE PURCHASED FOR ACADEMIC PURPOSES".

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. 114****Yeas—45**

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

**Nays—59**

Agee	Frank	LeTarte	Rison
Alley	Freeman	Lowe	Schauer
Anthony	Gagliardi	Mans	Schermesser
Baird	Gilmer	Martinez	Schroer
Bobier	Gubow	Mathieu	Scott
Bogardus	Hale	Murphy	Stallworth
Brater	Hanley	Olshove	Tesanovich
Brewer	Harder	Owen	Thomas
Brown	Hertel	Oxender	Varga
Callahan	Hood	Palamara	Vaughn
Cherry	Jellema	Parks	Wallace
Curtis	Kaza	Price	Wetters
DeHart	Kelly	Profit	Willard
Dobronski	LaForge	Prusi	Wojno
Emerson	Leland	Quarles	

In The Chair: Hertel

Rep. Kaza, having reserved the right to explain his nay vote, made the following statement:  
 “Mr. Speaker and members of the House:  
 This amendment would provide for a tax credit for the purchase of computer hardware, but not educational software.  
 The credit should apply to both hardware and educational software.”

Rep. Dobb moved to amend the bill as follows:

1. Amend page 1, line 3, after “has” by striking out “household” and inserting “ADJUSTED GROSS”.

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

Rep. Dobb demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 115****Yeas—105**

Agee	Frank	Kaza	Price
Alley	Freeman	Kelly	Profit
Anthony	Gagliardi	Kukuk	Prusi

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

**Nays—0**

In The Chair: Hertel

Rep. Cassis moved to amend the bill as follows:

1. Amend page 3, following line 13, by inserting:

“(vi) FOR THE 1997 TAX YEAR AND EACH TAX YEAR AFTER THE 1997 TAX YEAR, THE INSTITUTION HAS PROVIDED A LETTER OF NOTIFICATION TO THE STATE TREASURER BEFORE JULY 1 OF THE TAX YEAR THAT STATES THAT THE INSTITUTION WILL NOT INCREASE FEES AND TUITION RATES DURING THE ENSUING ACADEMIC YEAR BY MORE THAN 3% OR THE ANNUAL AVERAGE PERCENTAGE INCREASE IN THE UNITED STATES CONSUMER PRICE INDEX IN THE IMMEDIATELY PRECEDING TAX YEAR, WHICHEVER IS GREATER.”

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

Rep. Cassis demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 116****Yeas—43**

Bankes	Gilmer	Johnson	Perricone
Birkholz	Godchaux	Kaza	Rackowski
Bodem	Goschka	Kukuk	Rhead
Byl	Green	Llewellyn	Richner
Cassis	Gustafson	London	Rocca
Cropsey	Hammerstrom	Lowe	Scranton
Dalman	Horton	McBryde	Sikkema
DeVuyst	Jansen	McManus	Voorhees
Fitzgerald	Jaye	McNutt	Walberg
Geiger	Jelinek	Middaugh	Whyman
Gernaat	Jellema	Nye	

**Nays—62**

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

In The Chair: Hertel

Rep. Profit 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. 4243, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 504a, 506, 514a, and 516 (MCL 380.504a, 380.506, 380.514a, and 380.516), sections 504a and 514a as amended by 1995 PA 289, section 506 as added by 1993 PA 362, and section 516 as added by 1994 PA 416.

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

**Roll Call No. 117****Yeas—86**

Agee	Dobronski	Kaza	Parks
Alley	Emerson	Kelly	Price
Anthony	Fitzgerald	Kukuk	Profit
Baird	Frank	LaForge	Prusi
Banks	Freeman	Law	Quarles
Bobier	Gagliardi	Leland	Rhead
Bodem	Galloway	LeTarte	Rison
Bogardus	Gernaat	Llewellyn	Rocca
Brackenridge	Gire	London	Schauer
Brater	Godchaux	Mans	Schermesser
Brewer	Goschka	Martinez	Schroer
Brown	Green	Mathieu	Scott
Byl	Griffin	McBryde	Stallworth
Callahan	Gubow	McNutt	Tesanovich
Cassis	Hale	Middaugh	Thomas
Cherry	Hammerstrom	Middleton	Varga
Ciaramitaro	Hanley	Murphy	Vaughn
Crissman	Harder	Olshove	Wallace
Curtis	Hertel	Owen	Wetters
Dalman	Hood	Oxender	Willard
DeHart	Jelinek	Palamara	Wojno
Dobb	Jellema		



**Nays—21**

Birkholz	Horton	McManus	Scranton
Cropsey	Jansen	Nye	Sikkema
DeVuyst	Jaye	Perricone	Voorhees
Geiger	Johnson	Raczkowski	Walberg
Gilmer	Lowe	Richner	Whyman
Gustafson			

In The Chair: Hertel

The House agreed to the title of the bill.

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

The motion prevailed, two-thirds of the members serving voting therefor.

**Second Reading of Bills**

The House returned to the consideration of

**House Bill No. 4191, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 274 (MCL 206.274), as amended by 1996 PA 484.

(The bill was considered earlier today, see today's Journal, p. 417.)

Rep. Goschka moved to amend the bill as follows:

1. Amend page 1, line 7, after "learning" by inserting "OR VOCATIONAL EDUCATION INSTITUTION".
2. Amend page 2, line 19, after "learning" by inserting "OR VOCATIONAL EDUCATION INSTITUTION".
3. Amend page 3, following line 21, by inserting:  
“(iii) TUITION PAID TO A VOCATIONAL EDUCATION INSTITUTION.”.
4. Amend page 3, following line 25, by inserting:

“(E) “VOCATIONAL EDUCATION INSTITUTION” MEANS A SCHOOL THAT USES A CERTAIN PLAN OR METHOD TO TEACH A TRADE, OCCUPATION, OR VOCATION FOR A CONSIDERATION, REWARD, OR PROMISE OF WHATEVER NATURE AND INCLUDES, BUT IS NOT LIMITED TO, A PRIVATE BUSINESS OR TRADE SCHOOL. VOCATIONAL EDUCATION INSTITUTION DOES NOT INCLUDE A SCHOOL MAINTAINED OR A PROGRAM CONDUCTED, WITHOUT PROFIT, BY A PERSON FOR THAT PERSON’S EMPLOYEES.”.

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

Rep. Goschka demanded the yeas and nays.

The demand was supported.

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

Rep. Profit moved that amendment No. 4 be considered separately.

The motion prevailed.

The question being on the adoption of amendment Nos. 1, 2 and 3 offered by Rep. Goschka,

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

**Roll Call No. 118****Yeas—104**

Agee	Fitzgerald	Johnson	Perricone
Alley	Frank	Kaza	Price
Anthony	Freeman	Kelly	Profit
Banks	Gagliardi	Kukuk	Prusi
Birkholz	Galloway	LaForge	Raczkowski
Bobier	Geiger	Law	Rhead
Bodem	Gernaat	Leland	Richner
Bogardus	Gilmer	LeTarte	Rison
Brackenridge	Gire	Llewellyn	Rocca
Brater	Godchaux	London	Schauer
Brewer	Goschka	Lowe	Schermesser
Brown	Green	Mans	Scott

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

**Nays—0**

In The Chair: Hertel

The question being on the adoption of amendment No. 4 offered by Rep. Goschka, Rep. Profit moved that consideration of the amendment be postponed temporarily. The motion prevailed.

Rep. Frank moved to amend the bill as follows:

1. Amend page 3, following line 25, by inserting:

“(E) “VOCATIONAL EDUCATION INSTITUTION” MEANS A SCHOOL THAT TEACHES A TRADE, OCCUPATION, OR VOCATION WHICH IS APPROVED BY THE STATE BOARD OF EDUCATION.”.

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

The question being on the adoption of amendment No. 4 offered previously by Rep. Goschka,

After debate,

Rep. Alley demanded the previous question.

The demand was supported.

The question being, “Shall the main question now be put?”

The previous question was ordered.

The question being on the adoption of amendment No. 4 offered previously by Rep. Goschka,

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

**Roll Call No. 119****Yeas—47**

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

**Nays—59**

Agee	Fitzgerald	LaForge	Rison
Alley	Frank	Leland	Schauer

Anthony	Freeman	LeTarte	Schermesser
Baird	Gagliardi	Mans	Schroer
Bogardus	Gilmer	Martinez	Scott
Brater	Gire	Mathieu	Stallworth
Brewer	Griffin	Murphy	Tesanovich
Brown	Gubow	Olshove	Thomas
Byl	Hale	Owen	Varga
Callahan	Hanley	Palamara	Vaughn
Cherry	Harder	Parks	Wallace
Ciaramitaro	Hertel	Price	Wetters
Curtis	Hood	Profit	Willard
DeHart	Jellema	Prusi	Wojno
Dobronski	Kelly	Quarles	

In The Chair: Hertel

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

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

Rep. Gagliardi moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 4191, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 274 (MCL 206.274), as amended by 1996 PA 484.

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

**Roll Call No. 120**

**Yeas—94**

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

**Nays—13**

Bobier	Emerson	Horton	Johnson
Byl	Gilmer	Jansen	Lowe
Dalman	Godchaux	Jellema	Sikkema
DeVuyst			

In The Chair: Hertel

The House agreed to the title of the bill.

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

The motion prevailed, two-thirds of the members serving voting therefor.

Reps. Alley, Bodem, Brackenridge, Brown, Cassis, Curtis, Dobb, Dobronski, Gagliardi, Geiger, Gubow, Hammerstrom, Hanley, Jaye, Jelinek, Kukuk, Law, Llewellyn, McBryde, Middaugh, Middleton, Nye, Olshove, Palamara, Price, Profit, Quarles, Rison, Rocca, Schermesser, Scott, Stallworth, Tesanovich, Vaughn, Voorhees and Wallace were named co-sponsors of the bill.

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

“Mr. Speaker and members of the House:

Today, I voted “no” on final passage of House Bill 4191 for three reasons:

1. This tax credit is UNFUNDED. This bill will cost about \$35 million loss to the General Fund. This amount of money is equal to 100% of the entire main campus allocation for FY 1997-98.
2. This bill contains no provisions to discourage tuition and fee increases.
3. To date, this House has passed \$187 million in tax cuts with no spending plan reductions. This amounts to 83% of the entire GF/GP increase proposed in the FY 1997-98 budget.”

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Rep. Schermesser moved that Rep. DeHart be granted a temporary excuse from today’s session.  
The motion prevailed.

The Speaker called the Speaker Pro Tempore to the Chair.

**Second Reading of Bills****House Bill No. 4242, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 16903 (MCL 324.16903) and by adding section 16903a.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Conservation, Environment and Recreation (for amendments see House Journal No. 18, p. 294),

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

Rep. Wetters moved to amend the bill as follows:

1. Amend page 2, line 16, after “PILES.” by inserting “THE DEPARTMENT MAY GRANT AN EXEMPTION TO THE 30-FOOT SEPARATION DISTANCE PROVIDED IN THIS SUBDIVISION FOR A SPECIFIED PERIOD OF TIME IF THE OWNER OR OPERATOR DEMONSTRATES TO THE DEPARTMENT’S SATISFACTION THAT EXPANSION OF THE COLLECTION SITE IS NOT POSSIBLE DUE TO THE UNAVAILABILITY OF ADDITIONAL SPACE AND THAT THE OWNER OR OPERATOR HAS MADE A SINCERE EFFORT TO FIND MARKETS FOR THE EXCESS SCRAP TIRES THAT WOULD HAVE TO BE REMOVED IN ORDER TO COMPLY WITH THE 30-FOOT SEPARATION DISTANCE.”.

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

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

The motion prevailed.

**House Bill No. 4277, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding chapter 50b.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Judiciary (for amendments see House Journal No. 20, p. 340),

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

Rep. Nye moved to amend the bill as follows:

1. Amend page 2, line 5, after "CUSTODY" by inserting a comma and "EXCEPT FOR A DISPUTE THAT IS TO BE RESOLVED BY ISSUANCE OF THE INITIAL COURT ORDER GOVERNING A CHILD'S PERMANENT CUSTODY".

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

Rep. Nye moved to amend the bill as follows:

1. Amend page 10, following line 23, by inserting:

"Enacting section 1. This amendatory act takes effect October 1, 1997.".

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

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

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

Rep. Gagliardi moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

**Third Reading of Bills****House Bill No. 4277, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding chapter 50b.

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

**Roll Call No. 121****Yeas—105**

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

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

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

The motion prevailed, two-thirds of the members serving voting therefor.

**Second Reading of Bills****House Bill No. 4324, entitled**

A bill to amend 1978 PA 325, entitled "An act to provide for a suggestion awards program; and to prescribe the duties of the department of civil service," by amending sections 1, 2, 3, and 4 (MCL 38.1161, 38.1162, 38.1163, and 38.1164).

The bill was read a second time.

Rep. Jaye moved to amend the bill as follows:

1. Amend page 2, line 17, after "employees" by striking out "OR RETIRED STATE EMPLOYEES" and inserting a comma and "RETIRED STATE EMPLOYEES, OR RESIDENTS OF THIS STATE".

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

Rep. Harder moved to amend the bill as follows:

1. Amend page 1, following "THE PEOPLE OF THE STATE OF MICHIGAN ENACT:" by inserting:

"TITLE

An act to provide for a suggestion awards program; and to prescribe the duties of ~~the department of civil service~~ CERTAIN STATE DEPARTMENTS."

2. Amend page 1, line 3, after "of" by striking out "civil service" and inserting "MANAGEMENT AND BUDGET".

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

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

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

Rep. Gagliardi moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

**Third Reading of Bills****House Bill No. 4324, entitled**

A bill to amend 1978 PA 325, entitled "An act to provide for a suggestion awards program; and to prescribe the duties of the department of civil service," by amending sections 1, 2, 3, and 4 (MCL 38.1161, 38.1162, 38.1163, and 38.1164).

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

**Roll Call No. 122****Yeas—106**

Agee	Frank	Kelly	Profit
Alley	Freeman	Kukuk	Prusi
Anthony	Gagliardi	LaForge	Quarles
Baird	Galloway	Law	Raczkowski
Banks	Geiger	Leland	Rhead
Birkholz	Gernaat	LeTarte	Richner
Bobier	Gilmer	Llewellyn	Rison
Bodem	Gire	London	Rocca
Bogardus	Godchaux	Lowe	Schauer
Brackenridge	Goschka	Mans	Schermesser
Brater	Green	Martinez	Schroer
Brewer	Griffin	Mathieu	Scott
Brown	Gubow	McBryde	Scranton

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

### Nays—0

In The Chair: Murphy

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

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

A bill to amend 1978 PA 325, entitled “An act to provide for a suggestion awards program; and to prescribe the duties of the department of civil service,” by amending the title and sections 1, 2, 3, and 4 (MCL 38.1161, 38.1162, 38.1163, and 38.1164).

The motion prevailed.

The House agreed to the title as amended.

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

The motion prevailed, two-thirds of the members serving voting therefor.

### Second Reading of Bills

#### House Bill No. 4017, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 2 and 698 (MCL 257.2 and 257.698), section 698 as amended by 1994 PA 101.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Transportation (for amendments see House Journal No. 22, p. 389),

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

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

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

Rep. Gagliardi moved that the bill be placed on its immediate passage.

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

Rep. Bobier moved that Rep. Johnson be granted a temporary excuse from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4017, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 2 and 698 (MCL 257.2 and 257.698), section 698 as amended by 1994 PA 101.

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

**Roll Call No. 123****Yeas—103**

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

**Nays—0**

In The Chair: Murphy

The House agreed to the title of the bill.

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

The motion prevailed, two-thirds of the members serving voting therefor.

**Second Reading of Bills****Senate Bill No. 127, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 19f (MCL 38.19f), as added by 1996 PA 487.

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

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 5, line 6, after "State" by inserting "OR WORK FOR A COMPANY THAT PROVIDES CONSULTING SERVICES TO THE STATE".

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

Rep. Profit moved to amend the bill as follows:

1. Amend page 1, following "THE PEOPLE OF THE STATE OF MICHIGAN ENACT:", by inserting:

"Sec. 16. (1) Except as otherwise provided in this act, if a member separates or is separated from state service without leave of absence before becoming eligible to retire with a ~~pension~~ RETIREMENT ALLOWANCE payable from funds of the retirement system, ~~he shall thereupon cease~~ THE MEMBER CEASES to be a member and ~~he shall~~



~~forfeit~~ FORFEITS credit for all service rendered by him ~~prior to~~ OR HER BEFORE the date ~~he~~ THE MEMBER last separated from state service.

(2) If ~~he~~ THE INDIVIDUAL again becomes employed by ~~the~~ THIS state, he OR SHE shall again become a member of the retirement system.

(3) An employee who ~~has heretofore reentered or who hereafter~~ reenters state service within ~~5~~ 15 years after the date of his OR HER last separation from state service, or who accumulates 5 or more years of continuous service credit as a member of the retirement system after reentering state service, shall have the service credit forfeited by him OR HER at the time he OR SHE last separated from service restored to his OR HER credit, if ~~he~~ THE MEMBER has not withdrawn his OR HER accumulated contributions from the employees' savings fund. ~~—or IF AN EMPLOYEE DESCRIBED IN THIS SUBSECTION HAS WITHDRAWN HIS OR HER ACCUMULATED CONTRIBUTIONS FROM THE EMPLOYEES' SAVINGS FUND, THE MEMBER SHALL HAVE THE SERVICE CREDIT FORFEITED BY HIM OR HER RESTORED TO HIS OR HER CREDIT IF he OR SHE returns to the fund all amounts he may have THAT WERE previously withdrawn therefrom FROM THE FUND, together with regular interest thereon ON THAT AMOUNT computed from the date of withdrawal to the date of repayment. In the event~~

(4) IF a member becomes a retirant or dies, he ~~shall thereupon cease~~ OR SHE CEASES to be a member.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor. Rep. Profit moved to amend the bill as follows:

1. Amend page 4, line 2, after “than” by striking out “June 1” and inserting “DECEMBER 31”.
2. Amend page 4, line 13, after “THAN” by striking out “JUNE 1” and inserting “DECEMBER 31”.
3. Amend page 4, line 18, after “THAN” by striking out “JUNE 1” and inserting “DECEMBER 31”.

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

Rep. DeHart moved that the vote by which the House did adopt the Jaye amendment be reconsidered.

The question being on the motion by Rep. DeHart,

The motion prevailed.

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

The amendment was not adopted, a majority of the members serving not voting therefor.

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

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

Rep. Gagliardi moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 127, entitled**

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending section 19f (MCL 38.19f), as added by 1996 PA 487.

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

**Roll Call No. 124**

**Yeas—99**

Agee	Dobronski	Kelly	Profit
Alley	Emerson	Kukuk	Prusi
Anthony	Frank	LaForge	Rackowski
Baird	Freeman	Law	Rhead
Bankes	Gagliardi	Leland	Richner
Birkholz	Galloway	LeTarte	Rison
Bobier	Geiger	Llewellyn	Rocca
Bodem	Gernaat	London	Schauer
Bogardus	Gilmer	Lowe	Schermesser
Brackenridge	Gire	Mans	Scott
Brater	Godchaux	Martinez	Scranton
Brewer	Goschka	Mathieu	Sikkema
Brown	Green	McBryde	Stallworth
Byl	Gubow	McManus	Tesanovich

Callahan	Gustafson	McNutt	Thomas
Cassis	Hale	Middleton	Varga
Cherry	Hammerstrom	Murphy	Vaughn
Ciaramitaro	Hanley	Nye	Voorhees
Crissman	Harder	Olshove	Walberg
Cropsey	Hertel	Owen	Wallace
Curtis	Hood	Oxender	Wetters
Dalman	Horton	Palamara	Whyman
DeHart	Jansen	Parks	Willard
DeVuyst	Jelinek	Perricone	Wojno
Dobb	Jellema	Price	

#### Nays—4

Fitzgerald	Jaye	Kaza	Schroer
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In The Chair: Murphy

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

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

A bill to amend 1943 PA 240, entitled “An act to provide for a state employees’ retirement system; to create a state employees’ retirement board and prescribe its powers and duties; to establish certain funds in connection with the retirement system; to require contributions to the retirement system by and on behalf of members and participants of the retirement system; to create certain accounts and provide for expenditures from those accounts; to prescribe the powers and duties of certain state and local officers and employees and certain state departments and agencies; and to prescribe penalties and provide remedies,” by amending sections 16 and 19f (MCL 38.16 and 38.19f), section 19f as added by 1996 PA 487.

The motion prevailed.

The House agreed to the title as amended.

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

The motion prevailed, two-thirds of the members serving voting therefor.

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

“Mr. Speaker and members of the House:

I am not opposed to extending the early retirement program to unclassified employees of the executive branch and legislative employees. My concern is with the length of time that the window to claim the early retirement is open. The May 1, 1997, to December 1, 1998, period is too long. Due to this overly long opportunity to claim the early retirement—far longer than that afforded to members of the classified state workforce—I vote against the bill.”

#### Second Reading of Bills

##### House Bill No. 4076, entitled

A bill to amend 1974 PA 300, entitled “Motor vehicle service and repair act,” (MCL 257.1301 to 257.1340) by adding section 18a.

The bill was read a second time.

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

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

Rep. Gagliardi moved that the bill be placed on its immediate passage.

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

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

**House Bill No. 4076, entitled**

A bill to amend 1974 PA 300, entitled "Motor vehicle service and repair act," (MCL 257.1301 to 257.1340) by adding section 18a.

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

**Roll Call No. 125**

**Yeas—88**

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

**Nays—7**

Cropsey	Raczkowski	Voorhees	Whyman
Jaye	Rhead	Walberg	

In The Chair: Murphy

The House agreed to the title of the bill.

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

The motion prevailed, two-thirds of the members serving voting therefor.

**Second Reading of Bills**

**Senate Bill No. 93, entitled**

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 102 (MCL 560.102), as amended by 1996 PA 591.

The bill was read a second time.

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

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

Rep. Gagliardi moved that the bill be placed on its immediate passage.

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

—

Rep. Alley moved that Rep. Middaugh be granted an excuse from the balance of today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 93, entitled**

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 102 (MCL 560.102), as amended by 1996 PA 591.

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

**Roll Call No. 126**

**Yeas—70**

Agee	Fitzgerald	Jansen	Parks
Baird	Frank	Jelinek	Perricone
Bankes	Freeman	Jellema	Price
Birkholz	Galloway	Johnson	Rhead
Bobier	Geiger	Kelly	Richner
Bodem	Gernaat	Kukuk	Rison
Bogardus	Gilmer	LaForge	Rocca
Brackenridge	Gire	Leland	Schermesser
Brater	Godchaux	London	Scott
Byl	Green	Mans	Sikkema
Callahan	Gubow	Martinez	Stallworth
Cassis	Gustafson	McBryde	Thomas
Cherry	Hale	McManus	Vaughn
Crissman	Hanley	Middleton	Wallace
DeHart	Harder	Murphy	Wetters
DeVuyst	Hertel	Olshove	Willard
Dobb	Hood	Oxender	Wojno
Dobronski	Horton		

**Nays—30**

Alley	Gagliardi	Lowe	Schauer
Anthony	Goschka	Mathieu	Scranton
Brewer	Hammerstrom	McNutt	Tesanovich
Brown	Jaye	Nye	Varga
Ciaramitaro	Kaza	Owen	Voorhees
Cropsey	Law	Prusi	Walberg
Curtis	LeTarte	Raczkowski	Whyman
Dalman	Llewellyn		

In The Chair: Murphy

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

Rep. Gagliardi moved to amend the title by striking out "Land division act," and inserting "An act to regulate the division of land; to promote the public health, safety, and general welfare; to further the orderly layout and use of land; to require that the land be suitable for building sites and public improvements and that there be adequate drainage of the land; to provide for proper ingress and egress to lots and parcels; to promote proper surveying and monumenting of land subdivided and conveyed by accurate legal descriptions; to provide for the approvals to be obtained prior to the recording and filing of plats and other land divisions; to provide for the establishment of special assessment districts and for the imposition of special assessments to defray the cost of the operation and maintenance of retention basins for land within a final plat; to establish the procedure for vacating, correcting, and revising plats; to control residential building development within floodplain areas; to provide for reserving easements for utilities in vacated streets and alleys; to provide for the filing of amended plats; to provide for the making of assessors plats; to provide penalties for the violation of the provisions of this act; to repeal certain parts of this act on specific dates; and to repeal acts and parts of acts,".

The motion prevailed.

The House agreed to the title as amended.

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

The motion prevailed, two-thirds of the members serving voting therefor.

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Pursuant to MCL § 24.245, this resolution requires a record roll call vote.

Rep. Curtis offered the following concurrent resolution:

#### **House Concurrent Resolution No. 26.**

A concurrent resolution approving the proposed administrative rule of the Michigan Department of Consumer and Industry Services, Financial Institutions Bureau, Regulatory Loan Licensees, Transmittal No. 96-88.

Whereas, Section 45 of 1969 PA 306, as amended, being MCL § 24.245, provides, in part, that if the specified time for committee consideration of a proposed rule expires and the Joint Committee on Administrative Rules has not taken action on the rule, the chair and alternate chair of the committee shall introduce concurrent resolutions in both houses approving the rule; and

Whereas, The time allotted for the Joint Committee on Administrative Rules to consider Transmittal No. 96-88, the proposed rule of the Michigan Department of Consumer and Industry Services, Financial Institutions Bureau, Regulatory Loan Licensees, expired on February 12, 1997; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, pursuant to Section 45 of 1969 PA 306, as amended, being MCL § 24.245, the members of the Michigan Legislature hereby approve the administrative rule pertaining to Regulatory Loan Licensees, Financial Institutions Bureau, of the Department of Consumer and Industry Services, Transmittal No. 96-88; and be it further

Resolved, That a copy of this resolution be transmitted to the Department of Consumer and Industry Services.

Pursuant to section 45 of Act No. 306 of the Public Acts of 1969, being section 24.245 of the Michigan Compiled Laws, the concurrent resolution was placed on the House Calendar.

Pursuant to MCL § 24.245, this resolution requires a record roll call vote.

Rep. Curtis offered the following concurrent resolution:

#### **House Concurrent Resolution No. 27.**

A concurrent resolution approving the proposed administrative rule of the Michigan Department of Consumer and Industry Services, Director's Office, Dentistry, Transmittal No. 96-82.

Whereas, Section 45 of 1969 PA 306, as amended, being MCL § 24.245, provides, in part, that if the specified time for committee consideration of a proposed rule expires and the Joint Committee on Administrative Rules has not taken action on the rule, the chair and alternate chair of the committee shall introduce concurrent resolutions in both houses approving the rule; and

Whereas, The time allotted for the Joint Committee on Administrative Rules to consider Transmittal No. 96-82, the proposed rule of the Michigan Department of Consumer and Industry Services, Director's Office, Dentistry, expired on January 28, 1997; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, pursuant to Section 45 of 1969 PA 306, as amended, being MCL § 24.245, the members of the Michigan Legislature hereby approve the administrative rule pertaining to Dentistry, Director's Office, of the Department of Consumer and Industry Services, Transmittal No. 96-82; and be it further

Resolved, That a copy of this resolution be transmitted to the Department of Consumer and Industry Services.

Pursuant to section 45 of Act No. 306 of the Public Acts of 1969, being section 24.245 of the Michigan Compiled Laws, the concurrent resolution was placed on the House Calendar.

Pursuant to MCL § 24.245, this resolution requires a record roll call vote.

Rep. Curtis offered the following concurrent resolution:

**House Concurrent Resolution No. 28.**

A concurrent resolution approving the proposed administrative rule of the Michigan Department of Agriculture, Food Division, Smoked Fish (Regulation No. 569), Transmittal No. 96-87.

Whereas, Section 45 of 1969 PA 306, as amended, being MCL § 24.245, provides, in part, that if the specified time for committee consideration of a proposed rule expires and the Joint Committee on Administrative Rules has not taken action on the rule, the chair and alternate chair of the committee shall introduce concurrent resolutions in both houses approving the rule; and

Whereas, The time allotted for the Joint Committee on Administrative Rules to consider Transmittal No. 96-87, the proposed rule of the Michigan Department of Agriculture, Food Division, Smoked Fish (Regulation No. 569), expired on February 4, 1997; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, pursuant to Section 45 of 1969 PA 306, as amended, being MCL § 24.245, the members of the Michigan Legislature hereby approve the administrative rule pertaining to Smoked Fish (Regulation No. 569), Food Division, of the Department of Agriculture, Transmittal No. 96-87; and be it further

Resolved, That a copy of this resolution be transmitted to the Department of Agriculture.

Pursuant to section 45 of Act No. 306 of the Public Acts of 1969, being section 24.245 of the Michigan Compiled Laws, the concurrent resolution was placed on the House Calendar.

Pursuant to MCL § 24.245, this resolution requires a record roll call vote.

Rep. Curtis offered the following concurrent resolution:

**House Concurrent Resolution No. 29.**

A concurrent resolution approving the proposed administrative rule of the Michigan Department of State Police, Motor Carrier Division, Motor Carrier Safety (Rescission), Transmittal No. 96-86.

Whereas, Section 45 of 1969 PA 306, as amended, being MCL § 24.245, provides, in part, that if the specified time for committee consideration of a proposed rule expires and the Joint Committee on Administrative Rules has not taken action on the rule, the chair and alternate chair of the committee shall introduce concurrent resolutions in both houses approving the rule; and

Whereas, The time allotted for the Joint Committee on Administrative Rules to consider Transmittal No. 96-86, the proposed rule of the Michigan Department of State Police, Motor Carrier Division, Motor Carrier Safety (Rescission), expired on February 4, 1997; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, pursuant to Section 45 of 1969 PA 306, as amended, being MCL § 24.245, the members of the Michigan Legislature hereby approve the administrative rule pertaining to Motor Carrier Safety (Rescission), Motor Carrier Division, of the Department of State Police, Transmittal No. 96-86; and be it further

Resolved, That a copy of this resolution be transmitted to the Department of State Police.

Pursuant to section 45 of Act No. 306 of the Public Acts of 1969, being section 24.245 of the Michigan Compiled Laws, the concurrent resolution was placed on the House Calendar.

Pursuant to MCL § 24.245, this resolution requires a record roll call vote.

Rep. Curtis offered the following concurrent resolution:

**House Concurrent Resolution No. 30.**

A concurrent resolution approving the proposed administrative rule of the Michigan Department of Consumer and Industry Services, Director's Office, Occupational Therapists, Transmittal No. 96-83.

Whereas, Section 45 of 1969 PA 306, as amended, being MCL § 24.245, provides, in part, that if the specified time for committee consideration of a proposed rule expires and the Joint Committee on Administrative Rules has not taken action on the rule, the chair and alternate chair of the committee shall introduce concurrent resolutions in both houses approving the rule; and

Whereas, The time allotted for the Joint Committee on Administrative Rules to consider Transmittal No. 96-83, the proposed rule of the Michigan Department of Consumer and Industry Services, Director's Office, Occupational Therapists, expired on January 28, 1997; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, pursuant to Section 45 of 1969 PA 306, as amended, being MCL § 24.245, the members of the Michigan Legislature hereby approve the administrative rule pertaining to Occupational Therapists, Director's Office, of the Department of Consumer and Industry Services, Transmittal No. 96-83; and be it further

Resolved, That a copy of this resolution be transmitted to the Department of Consumer and Industry Services.

Pursuant to section 45 of Act No. 306 of the Public Acts of 1969, being section 24.245 of the Michigan Compiled Laws, the concurrent resolution was placed on the House Calendar.

### Messages from the Senate

#### **Senate Concurrent Resolution No. 16.**

A concurrent resolution to make an urgent request to the Congress of the United States to release to the states, including Michigan, all federal road funding due under the gas tax formula.

Whereas, The quality of Michigan roadways has a great deal to do with the state's competitiveness in attracting and retaining jobs for our citizens. Every individual and every business in Michigan is affected when Michigan roads suffer from insufficient maintenance. Finding the means to meet this financial challenge is of the utmost importance to both state and local policymakers as we prepare for the twenty-first century; and

Whereas, The difficult task of providing excellence in transportation in Michigan is made far worse by some of the current practices of the federal government with regard to the allocation of money raised by the federal gas tax; and

Whereas, The current practices of the federal government with regards to the allocation of dollars raised by the federal tax make it difficult for Michigan to improve and expand its transportation system. Of the states required to send money to the federal government, in accordance with the federal funding formula, Michigan sends significantly more money to Washington than it receives back. In 1993, for example, Michigan paid a total of \$733.7 million to the Federal Highway Trust Fund, and only \$520.1 million was returned; and

Whereas, In addition, even more money designated for return to Michigan, and several other states, is being withheld by federal transportation authorities. This money is critical to our transportation infrastructure and a vital component of the state's economic well-being; and

Whereas, The current budget debate offers an opportunity to reexamine this critical aspect of public spending. This examination should include immediately correcting the gross inequities in allocating the funds generated by the federal gas tax; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we respectfully, but urgently, ask the Congress of the United States to release to the states, including Michigan, any federal road funding due under the gas tax formula but currently being held back by the federal government; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the Michigan congressional delegation with the request that each member review this issue, offering a formal response to this body, the Michigan State Senate.

The Senate has adopted the concurrent resolution.

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

Reps. Birkholz, McNutt, Crissman, Galloway, Oxender, McManus, Rhead, Voorhees, Jellema, Freeman, Hale, Kaza, Middaugh, Kukuk, Cropsey, Lowe, Dobronski, Sikkema, Gilmer, Mans, Rocca, Schermesser, Green, Scranton, Perricone, Callahan, DeHart, Tesanovich, Kelly, Richner, Jelinek, Anthony, Goschka, McBryde, Bodem, Gernaat, Llewellyn, Hammerstrom, Scott, Horton, Schauer, Jansen and Raczkowski were named co-sponsors of the concurrent resolution.

#### **Senate Concurrent Resolution No. 17.**

A concurrent resolution to request the Congress of the United States to return to Michigan all of the revenue from the federal gas tax collected in Michigan.

Whereas, An excellent highway network is vitally important to Michigan's economic well-being. All of the components of the state's economy are closely tied to the quality of the roadways used in transporting goods, services, and people throughout Michigan; and

Whereas, Michigan's ability to maintain our transportation infrastructure is seriously impaired by the current policies of the federal government with regard to the federal gas tax each individual and business pays with every gallon of gasoline purchased. This unfair system costs the state hundreds of millions of dollars each year. The result is an increasing problem with the conditions of our roads and bridges; and

Whereas, The largest element of the overall gas tax is the federal gas tax, which represents 18.4 cents of each dollar of gasoline sold. Of all of the states required to forward taxes to the federal government each year, Michigan ranks among the lowest in the ratio of gas tax revenues being returned to the citizens who paid the tax. In 1993, for example, \$733.7 million was paid to the Federal Highway Trust Fund, and only \$520.1 million was returned, a loss of \$213.6 million, a loss that sets Michigan at a distinct disadvantage when making road improvements. Considering the inequitable manner in which this money is reallocated to the states of the union, it is clear that Michigan is bearing an oppressive burden through this taxation, a development of the tax structure that must be changed; and

Whereas, Adding to Michigan's tremendous burden, during the years 1990-1995, our state contributed \$1.168 billion to federal deficit reduction, dollars that were initially collected to improve transportation routes in Michigan. This amount comprises approximately 20 percent of the total amount levied on Michigan citizens for the years 1990-1995. In addition, by 1999 Michigan's total contributions to deficit reduction are expected to total \$2.099 billion, an amount that would certainly enable us to better maintain our roads and highways; and

Whereas, Clearly, Michigan is at a great disadvantage with states that receive far higher returns on their gas tax dollars marked for road improvements. In effect, we are subsidizing transportation maintenance and projects elsewhere when improvements are so desperately needed in our own state; and

Whereas, With the new approaches to budgetary matters in Washington and a renewed willingness to examine the true costs of all spending policies, the time is right to remedy this unjust situation; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urgently and respectfully request the Congress of the United States to return to Michigan all of the revenue from the federal gas tax collected in Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the Michigan congressional delegation with the request that each member review this issue and offer a formal response to this body, the Michigan State Senate.

The Senate has adopted the concurrent resolution.

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

Reps. Birkholz, McNutt, Crissman, Galloway, Oxender, McManus, Rhead, Voorhees, Jellema, Freeman, Hale, Kaza, Middaugh, Kukuk, Cropsey, Lowe, Dobronski, Sikkema, Gilmer, Mans, Rocca, Schermesser, Green, Scranton, Perricone, Callahan, DeHart, Tesanovich, Kelly, Richner, Jelinek, Anthony, Goschka, McBryde, Bodem, Gernaat, Llewellyn, Hammerstrom, Scott, Horton, Schauer, Jansen and Raczkowski were named co-sponsors of the concurrent resolution.

#### **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, March 14:

**Senate Bill Nos. 298 299**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, March 17:

**Senate Bill Nos. 300 301 304 305 306**

The Clerk announced that the following Senate bill had been received on Wednesday, March 19:

**Senate Bill No. 164**

#### **Messages from the Governor**

The following message from the Governor was received and read:

Executive Office, Lansing, Wednesday, March 19, 1997.

EXECUTIVE ORDER

No. 1997 - 4

#### **Michigan Department of Community Health Michigan Department of Management and Budget**

#### **Executive Reorganization**

WHEREAS, Article V, Section 1, of the Constitution of the State of Michigan of 1963 vests the executive power in the Governor; and

WHEREAS, Article V, Section 2, of the Constitution of the State of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

WHEREAS, Article V, Section 8, of the Constitution of the State of Michigan of 1963 provides that each principal department shall be under the supervision of the Governor unless otherwise provided by the Constitution; and

WHEREAS, Article IV, Section 51, states that the public health and general welfare of the people of the state are matters of public concern; and

WHEREAS, Article VIII, Section 8, states that institutions, programs and services for the care, treatment, education or rehabilitation of those inhabitants who are physically, mentally, or otherwise seriously handicapped shall always be fostered and supported; and



WHEREAS, the State of Michigan plays a fundamental role in the protection of the health and safety of its citizens in guiding policy for improving the health status of Michigan citizens, improving access to health care services, and preventing diseases; and

WHEREAS, the future in state-funded and administered health and behavioral services lies in integrating administrative systems and pooling state purchasing power for more efficient use of resources; and

WHEREAS, Executive Order 1996-1 provided for a foundation of integrated administration of health-related programs; and

WHEREAS, the protection of the health and safety of the citizens of Michigan can be carried out more effectively and efficiently by continuing the alignment of health-related administrative functions in state government; and

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of government.

NOW, THEREFORE, I, John Engler, Governor of the State of Michigan, pursuant to the powers vested in me by the Constitution of the State of Michigan of 1963 and the laws of the State of Michigan, do hereby order the following:

#### **I. Medical Services Administration**

1. The Medical Services Administration, is hereby redesignated as a Type II agency, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

2. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Medical Services Administration for the activities, powers, duties, functions, and responsibilities resulting from this redesignation are hereby transferred to the Department of Community Health.

#### **II. Community Public Health Agency**

1. The Community Public Health Agency, is hereby redesignated as a Type II agency, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

2. All the statutory authority, duties, powers, functions and responsibilities of the Public Health Advisory Council, including but not limited to the statutory authority, powers, duties, functions and responsibilities set forth in Part 26 of Act No. 368 of the Public Acts of 1978, being Sections 333.2208 - 333.2215 of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of Community Health by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

3. All the statutory authority, duties, powers, functions and responsibilities of the Center for Rural Health, including but not limited to the statutory authority, powers, duties, functions and responsibilities set forth in Part 26 of Act No. 368 of the Public Acts of 1978, being Sections 333.2223 and 333.2612 of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of Community Health by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

4. All the statutory authority, duties, powers, functions and responsibilities of the Anatomy Board, including but not limited to the statutory authority, duties, powers, functions and responsibilities set forth in Part 26 of Act 368 of the Public Acts of 1978, being Sections 333.2651 - 333.2658 of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of Community Health by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

5. All the statutory authority, duties, powers, functions and responsibilities of the Animal Research Advisory Board, including but not limited to the statutory authority, powers, duties, functions and responsibilities set forth in Part 26 of Act No. 368 of the Public Acts of 1978, being Sections 333.2672 - 333.2676 of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of Community Health by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

6. All the statutory authority, duties, powers, functions and responsibilities of the Agent Orange Commission, including but not limited to the statutory authority, duties, powers, functions and responsibilities set forth in Act No. 49 of the Public Acts of 1987, being Sections 333.5731 - 333.5737 of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of Community Health by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

7. All the statutory authority, duties, powers, functions and responsibilities of the State Interdepartmental Substance Abuse Coordinating Commission, including but not limited to the statutory authority, powers, duties, functions and responsibilities set forth in Part 62 of Act No. 368 of the Public Acts of 1978, being Sections 333.6215 - 333.6217 of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of Community Health by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

8. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Community Public Health Agency for the activities, powers, duties, functions, and responsibilities transferred in paragraphs II. 1-7 of this Order are hereby transferred to the Department of Community Health.

### **III. Behavioral Health**

1. All the statutory authority, powers, duties, functions and responsibilities of the Citizens Mental Health Advisory Council set forth in Act No. 258 of the Public Acts of 1974, as amended, being Section 330.1110 of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of Community Health by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

2. All the statutory authority, powers, duties, functions and responsibilities of the Standing Committee on Multicultural Services set forth in Act No. 258 of the Public Acts of 1974, as amended, being Section 330.1162 of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of Community Health by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

3. All the statutory authority, powers, duties, functions and responsibilities of the State Mental Health Advisory Council on Deafness set forth in Act No. 258 of the Public Acts of 1974, as amended, being Section 330.1939 of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of Community Health by a Type III transfer, as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

4. All the statutory authority, powers, duties, functions and responsibilities of the State Advisory Council on Mental Health and Aging set forth in Act No. 258 of the Public Acts of 1974, as amended, being Section 330.1941 of the Michigan Compiled Laws, and Act No. 437 of the Public Acts of 1988, being Section 400.585a of the Michigan Compiled Laws, are hereby transferred to the Director of the Department of Community Health by a Type III transfer as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

5. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available for the activities, powers, duties, functions, and responsibilities transferred in paragraphs III. 1-4 of this Order are hereby transferred to the Department of Community Health.

### **IV. Community Health Advisory Council**

1. A Community Health Advisory Council is established to advise and assist the Director of the Department of Community Health in developing and executing community health policies and services.

2. The Council shall consist of 15 members who shall be appointed by the Governor. The term of office of each member shall be 2 years. A member shall be paid a reasonable per diem and reimbursed for necessary travel expenses for each meeting attended. A meeting should be held at least once every 3 months, upon the call of the Director. The Council shall annually, by majority vote, choose a chairperson from among its own membership.

3. The composition of the Council shall be representatives of primary consumers, family members, agencies and professionals having a working involvement with community health services, and the general public. At least 5 members of the Council shall be primary consumers or family members, and at least 3 of the 5 shall be primary consumers.

### **V. Office of Drug Control Policy**

1. The Office of Drug Control Policy created in Executive Order 1991-20 is hereby redesignated as a Type II agency as defined in Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

2. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Department of Management and Budget for the activities, powers, duties, functions, and responsibilities transferred by this Order are hereby transferred to the Department of Community Health.

### **VI. General**

1. The Director of the Department of Community Health shall provide executive direction and supervision for the implementation of the transfers prescribed in this Order. The assigned functions shall be administered under the direction and supervision of the Director, and all prescribed functions of rule making, licensing and regulation, including the prescription or rules, regulations, standards and adjudications, shall be transferred to the Director of the Department of Community Health.

2. The Director of the Department of Community Health shall administer the assigned functions in such ways as to promote efficient administration and shall make internal organizational changes, as may be administratively necessary, to complete the realignment of responsibilities prescribed by this Order.

3. The Director of the Department of Community Health and the Director of the Department of Management and Budget shall immediately initiate coordination and develop a memorandum of record identifying all outstanding settlements, issues of compliance with applicable federal and state laws, or other obligations to be resolved by the Office of Drug Control Policy.

4. The Director of the Department of Community Health may, by written instrument, delegate a duty or power conferred by law or this Order, including but not limited to Medicaid provider appeals, Certificate of Need and the Office of Recipient Rights. The person to whom such duty or power is so delegated may perform such duty or exercise

such power at the time and to the extent that such duty or power is delegated by the Director of the Department of Community Health.

5. All rules, orders, contracts, and agreements relating to the functions transferred to the Department of Community Health which were lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, or repealed.

6. Any suit, action or other proceeding lawfully commenced by, against or before any entity affected by this Order, shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor or any entity affected by this Order.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the State of Michigan of 1963, the provisions of this Executive Order shall become effective sixty (60) days from the date of filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 18th day of March, in the Year of our Lord, One Thousand Nine Hundred Ninety-Seven.

John Engler  
Governor  
By the Governor:  
Candice S. Miller  
Secretary of State

The message was referred to the Clerk and ordered printed in the Journal.

### Communications from State Officers

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

February 18, 1997

#### Notices of Filing Administrative Rules

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:56 a.m. this date, administrative rule (97-2-10) for the Department of Consumer & Industry Services, Bureau of Safety and Regulation, entitled "*Construction Safety Standards - Part 19. Tools*", effective 15 days hereafter.

February 18, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:54 a.m. this date, administrative rule (97-2-9) for the Department of Consumer & Industry Services, Bureau of Safety and Regulation, entitled "*General Industry Safety Standards*", effective 15 days hereafter.

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

The communications were referred to the Clerk.

By unanimous consent the House returned to the order of

### Reports of Standing Committees

The Committee on Constitutional and Civil Rights, by Rep. Vaughn, Chair, reported

#### House Bill No. 4413, entitled

A bill to amend 1846 RS 12, entitled "Of certain state officers," (MCL 14.28 to 14.35) by adding section 29a.

With the recommendation that the bill pass.

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

### Favorable Roll Call

#### HB 4413 To Report Out:

Yeas: Reps. Vaughn, Freeman, Dobronski, McManus, Kaza,

Nays: Rep. Baird.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Vaughn, Chair of the Committee on Constitutional and Civil Rights, was received and read:

Meeting held on: Wednesday, March 19, 1997, at 3:50 p.m.,

Present: Reps. Vaughn, Freeman, Baird, Dobronski, McManus, Kaza, Llewellyn, Whyman,

Absent: Rep. Wallace,

Excused: Rep. Wallace.

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

**House Bill No. 4499, entitled**

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," (MCL 28.721 to 28.732) by adding section 8a.

With the recommendation that the substitute (H-3) 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 4499** To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Kilpatrick, Schauer, Vaughn, Willard, Cropsey, Dalman, Law, McNutt, Richner,

Nays: Reps. Nye, Fitzgerald.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 18, 1997, at 9:00 a.m.,

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

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

**House Bill No. 4483, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80101, 80102, 80104, 80113, 80124, 80125, 80131, 80142, 80144, 80146, 80150, 80152, 80154, 80159, 80166, 80167, 80168, 80169, 80170, 80171, 80176, 80180, 80198a, and 80198b (MCL 324.80101, 324.80102, 324.80104, 324.80113, 324.80124, 324.80125, 324.80131, 324.80142, 324.80144, 324.80146, 324.80150, 324.80152, 324.80154, 324.80159, 324.80166, 324.80167, 324.80168, 324.80169, 324.80170, 324.80171, 324.80176, 324.80180, 324.80198a, and 324.80198b), sections 80101, 80102, 80104, 80113, 80124, 80125, 80131, 80144, 80146, 80150, 80152, 80154, 80159, 80166, 80167, 80168, 80169, 80170, 80171, 80198a, and 80198b as added by 1995 PA 58 and sections 80142, 80176, and 80180 as amended by 1996 PA 174, and by adding sections 80168a, 80193a, 80199a, 80199b, 80199c, 80199d, 80199e, 80199f, 80199g, and 80199h; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

## Favorable Roll Call

**HB 4483** To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Gire, LaForge, Mans, Schermesser, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McNutt, Walberg,

Nays: None.

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

**House Bill No. 4484, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1e of chapter IV (MCL 764.1e), as added by 1980 PA 506.

With the recommendation that the bill pass.

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

## Favorable Roll Call

**HB 4484** To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Gire, LaForge, Mans, Schermesser, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McNutt, Walberg,

Nays: None.

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

**House Bill No. 4485, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 113, 8313, 8375, 8391, 8511, and 8512, (MCL 600.113, 600.8313, 600.8375, 600.8391, 600.8511, and 600.8512), sections 113 and 8511 as amended by 1996 PA 79 and sections 8313, 8375, and 8512 as amended by 1995 PA 54.

With the recommendation that the bill pass.

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

## Favorable Roll Call

**HB 4485** To Report Out:

Yeas: Reps. Alley, Callahan, Anthony, Brater, Brown, Gire, LaForge, Mans, Schermesser, Wetters, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McNutt, Walberg,

Nays: None.

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

**House Bill No. 4486, entitled**

A bill to amend 1945 PA 246, entitled "An act to authorize township boards to adopt ordinances and regulations to secure the public health, safety and general welfare; to provide for the establishment of a township police department; to provide for policing of townships by certain law enforcement officers and agencies; to provide for the publication of ordinances; to prescribe powers and duties of township boards and certain local and state officers and agencies; to provide sanctions; and to repeal all acts and parts of acts in conflict with the act," by amending section 3 (MCL 41.183), as amended by 1996 PA 34.

With the recommendation that the bill pass.

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

## Favorable Roll Call

**HB 4486** To Report Out:

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

Nays: None.

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

**House Bill No. 4487, entitled**

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 21 (MCL 42.21), as amended by 1996 PA 36.

With the recommendation that the bill pass.

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

## Favorable Roll Call

**HB 4487** To Report Out:

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

Nays: None.

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

**House Bill No. 4488, entitled**

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 2 of chapter VI (MCL 66.2), as amended by 1996 PA 41.

With the recommendation that the bill pass.

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

Favorable Roll Call

**HB 4488** To Report Out:

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

Nays: None.

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

**House Bill No. 4489, entitled**

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 25a (MCL 78.25a), as amended by 1996 PA 42.

With the recommendation that the bill pass.

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

Favorable Roll Call

**HB 4489** To Report Out:

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

Nays: None.

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

**House Bill No. 4490, entitled**

A bill to amend 1895 PA 215, entitled "The fourth class city act," by amending section 2 of chapter IX (MCL 89.2), as amended by 1996 PA 43.

With the recommendation that the bill pass.

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

Favorable Roll Call

**HB 4490** To Report Out:

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

Nays: None.

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

**House Bill No. 4491, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4l (MCL 117.4l), as amended by 1996 PA 44.

With the recommendation that the bill pass.

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

Favorable Roll Call

**HB 4491** To Report Out:

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

Nays: None.

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

**House Resolution No. 17.**

A resolution to memorialize the Congress of the United States to enact legislation to authorize states to regulate the flow of solid waste from other states or another country.

(For text of resolution, see House Journal No. 15, p. 233.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

**HR 17** To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 19, 1997, at 10:30 a.m.,

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

Absent: Rep. Kilpatrick,

Excused: Rep. Kilpatrick.

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

**House Bill No. 4213, entitled**

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

With the recommendation that the substitute (H-2) previously recommended by the Committee on Senior Citizens and Veterans Affairs be adopted.

The committee further recommended that the following amendment be adopted and that the bill then pass.

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

"(3) IN CALCULATING THE AMOUNT OF A CREDIT UNDER THIS SECTION, A TAXPAYER SHALL NOT INCLUDE ANY EXPENSES DEDUCTED UNDER ANY OTHER SECTION OF THIS ACT."

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

Favorable Roll Call

**HB 4213** To Report Out:

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

Nays: None.

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

**House Bill No. 4357, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 438.

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 4357** To Report Out:

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

Nays: None.

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

**House Bill No. 4463, entitled**

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

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

1. Amend page 2, following line 3, by inserting:

"(3) IN CALCULATING THE AMOUNT OF A CREDIT UNDER THIS SECTION, A TAXPAYER SHALL NOT INCLUDE ANY EXPENSES DEDUCTED UNDER ANY OTHER SECTION OF THIS ACT."

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

Favorable Roll Call

**HB 4463** To Report Out:

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

Nays: None.

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

**House Bill No. 4509, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 8.

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

1. Amend page 1, line 5, after "OF" by inserting "THE UNCOLLECTIBLE ACCOUNT DEDUCTED FROM".

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

Favorable Roll Call

**HB 4509** To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 19, 1997, at 9:00 a.m.,

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

Absent: Rep. Palamara,

Excused: Rep. Palamara.

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

**House Bill No. 4464, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 861 (MCL 380.861) and by adding section 861a.

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 4464** To Report Out:

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

Nays: None.



## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gire, Chair of the Committee on Education, was received and read:  
Meeting held on: Wednesday, March 19, 1997, at 12:00 Noon,  
Present: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, LaForge, Schauer, Scott, Dalman, Crissman, Cropsy, Jelinek, LeTarte, McNutt, Middleton,  
Absent: Rep. Kilpatrick,  
Excused: Rep. Kilpatrick.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Olshove, Chair of the Committee on Public Utilities, was received and read:  
Meeting held on: Tuesday, March 18, 1997, at 3:55 p.m.,  
Present: Reps. Olshove, Thomas, Alley, Baade, Dobronski, Griffin, Gubow, Hanley, Leland, Murphy, Profit, Wetters, Dobb, Cassis, Galloway, Gustafson, Kukuk, LeTarte, Middaugh, Raczkowski, Whyman.

**Introduction of Bills**

Reps. Kaza, Martinez, Cherry, Scott, Baird, Brater, Schroer, Bogardus, Gire, Ciaramitaro, Gubow, LaForge, Anthony, Profit, Baade, Dobronski, DeHart, Crissman, Brewer, Schauer, Harder and Freeman introduced

**House Bill No. 4521, entitled**

A bill to repeal part 148 of 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.14801 to 324.14810).

The bill was read a first time by its title and referred to the Committee on Conservation, Environment and Recreation.

Reps. Bobier, Alley, Bodem and McNutt introduced

**House Bill No. 4522, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82113 (MCL 324.82113), as added by 1995 PA 58.

The bill was read a first time by its title and referred to the Committee on Conservation, Environment and Recreation.

Reps. Gagliardi, Bodem and Prusi introduced

**House Bill No. 4523, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 160a. The bill was read a first time by its title and referred to the Committee on Tourism.

Reps. Ciaramitaro, McBryde, Walberg, Law, Kaza, Baade, Harder, Palamara, Griffin, Callahan, Goschka, Birkholz, Horton, McNutt, Green, Dalman, Gernaat, Brown and Lowe introduced

**House Bill No. 4524, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2922 (MCL 600.2922), as amended by 1985 PA 93, and by adding section 2922a.

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

Reps. Agee, Hood, Wallace, Freeman, Vaughn, Parks, Varga, Kilpatrick, Baade, LaForge, Hanley, Hale, Brewer, Bogardus, Martinez, Murphy, Prusi, Anthony, Baird, Schauer, Gubow, Kelly, Thomas, Gire, Callahan and Brater introduced

**House Bill No. 4525, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 105 (MCL 388.1705), as added by 1996 PA 300.

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

Reps. Baade, Curtis, Freeman, Schauer, LaForge, Cherry, Mathieu, Baird, Kelly, DeHart, Willard, Martinez, Gubow, Harder, Goschka, Dobronski, Wetters, Scott, Brewer, Hale, Bogardus, Anthony, Olshove, Schermesser, Ciaramitaro, Owen, Hanley, Agee and Brown introduced

**House Bill No. 4526, entitled**

A bill to create a state community policing program; to create a commission; to provide for certain powers and duties of certain departments and officials; and to provide for an appropriation.

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

Reps. Brewer, Griffin, LaForge, Gire, Callahan and Hale introduced

**House Bill No. 4527, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 684 (MCL 257.684).

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

Reps. Anthony, Harder, Prusi, Griffin, Tesanovich, Gagliardi, Wetters and Gire introduced

**House Bill No. 4528, entitled**

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 3a (MCL 436.3a), as added by 1996 PA 440.

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

Reps. Griffin, Goschka, Jellema, Bodem, Walberg, Law, Curtis, Johnson, Nye, Dalman and McNutt introduced

**House Bill No. 4529, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending the title and section 27 (MCL 552.627), the title as amended by 1996 PA 25 and section 27 as amended by 1985 PA 210, and by adding sections 5, 5a, and 5b.

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

Reps. Law, Nye, Goschka, Jellema, Bodem, Walberg, Curtis, Johnson, Dalman and McNutt introduced

**House Bill No. 4530, entitled**

A bill to amend 1846 RS 84, entitled "Of divorce," by amending sections 15, 16, and 17 (MCL 552.15, 552.16, and 552.17), as amended by 1996 PA 9; and to repeal acts and parts of acts.

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

Reps. Jellema, Goschka, Bodem, Dalman, Law, Walberg, Curtis, Johnson, Nye and McNutt introduced

**House Bill No. 4531, entitled**

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 7 (MCL 722.27), as amended by 1996 PA 19; and to repeal acts and parts of acts.

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

Reps. Nye, Dalman, Goschka, Jellema, Bodem, Walberg, Law, Curtis and McNutt introduced

**House Bill No. 4532, entitled**

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 7, 10, and 11 (MCL 722.717, 722.720, and 722.721), sections 7 and 10 as amended by 1996 PA 18 and section 11 as amended by 1990 PA 244; and to repeal acts and parts of acts.

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

Reps. Curtis, Goschka, Jellema, Bodem, Dalman, Walberg, Law, Johnson, Nye and McNutt introduced

**House Bill No. 4533, entitled**

A bill to amend 1968 PA 293, entitled "An act to establish the status of minors; to define the rights and duties of parents; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; and to establish the conditions for emancipation of minors," by amending section 3 (MCL 722.3), as amended by 1996 PA 17; and to repeal acts and parts of acts.

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

Reps. Dalman, Goschka, Jellema, Bodem, Walberg, Law, Curtis, Johnson, Nye and McNutt introduced  
**House Bill No. 4534, entitled**

A bill to amend 1966 PA 138, entitled "The family support act," by amending section 2 (MCL 552.452), as amended by 1996 PA 5; and to repeal acts and parts of acts.

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

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Rep. Perricone moved that the House adjourn.  
The motion prevailed, the time being 6:00 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, March 20, at 10:00 a.m.

MARY KAY SCULLION  
Clerk of the House of Representatives.

