

No. 49
JOURNAL OF THE HOUSE

House Chamber, Lansing, Thursday, May 29, 1997.

10:00 a.m.

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

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

Agee—present	Fitzgerald—present	Kaza—present	Price—present
Alley—present	Frank—present	Kelly—present	Profit—present
Anthony—present	Freeman—present	Kilpatrick—excused	Prusi—present
Baade—present	Gagliardi—present	Kukuk—present	Quarles—present
Baird—excused	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—e/d/s	LeTarte—excused	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—excused	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—excused	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—e/d/s	Whyman—present
Dobb—present	Jellema—present	Parks—present	Willard—present
Dobronski—present	Johnson—excused	Perricone—present	Wojno—present
Emerson—present			

e/d/s = entered during session

Father Raymond Bucon, Pastor, St. Mary Catholic church, Wayne, offered the following invocation:

“Creator God, We know You by many names, yet You are a unity of love. Today, we ask You to help us create harmony. Help in balancing care and compassion with fiscal responsibility and wise use of our state’s resources. Help in blending together the hearts, minds and voices of the members of this body so that they may make decisions that promote the common good. To this we say, Amen.”

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

Rep. Hammerstrom moved that Reps. Johnson and Nye be excused from today’s session.
The motion prevailed.

Rep. Hammerstrom moved that Rep. LeTarte be excused from today’s session due to a death in his family.
The motion prevailed.

Second Reading of Bills

House Bill No. 4067, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” (MCL 445.901 to 445.922) by adding section 11a.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Wojno moved to substitute (H-3) the bill.

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

Rep. Crissman moved to amend the bill as follows:

1. Amend page 1, line 6, after “ACT.” by inserting “MONEY COLLECTED UNDER THIS SECTION SHALL FIRST BE APPLIED TO ANY UNPAID DAMAGES AND ATTORNEY FEES ORDERED TO BE PAID UNDER THIS ACT BEFORE IT IS APPLIED TO COLLECTION OF A CIVIL FINE UNDER THIS SECTION.”.

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

Rep. Crissman demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 417

Yeas—97

Agee	Dobronski	Jellema	Prusi
Alley	Emerson	Kaza	Quarles
Anthony	Fitzgerald	Kelly	Raczkowski
Baade	Frank	Kukuk	Rhead
Bankes	Freeman	LaForge	Richner
Birkholz	Gagliardi	Law	Rison
Bobier	Galloway	Leland	Rocca
Bodem	Geiger	Llewellyn	Schauer
Bogardus	Gernaat	London	Schermesser
Brackenridge	Gire	Lowe	Schroer
Brater	Godchaux	Martinez	Scott
Brewer	Goschka	Mathieu	Scranton
Brown	Green	McBryde	Sikkema

Byl	Gubow	McManus	Stallworth
Callahan	Hale	McNutt	Tesanovich
Cassis	Hammerstrom	Middaugh	Thomas
Cherry	Hanley	Middleton	Vaughn
Ciaramitaro	Harder	Murphy	Voorhees
Crissman	Hertel	Olshove	Walberg
Cropsey	Hood	Owen	Wallace
Curtis	Horton	Parks	Wetters
Dalman	Jansen	Perricone	Whyman
DeHart	Jaye	Price	Willard
DeVuyst	Jelinek	Profit	Wojno
Dobb			

Nays—0

In The Chair: Gire

Rep. Wojno 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. 4067, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," (MCL 445.901 to 445.922) by adding section 11a.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 4323, entitled

A bill to amend 1981 PA 180, entitled "Older Michiganians act," (MCL 400.581 to 400.594) by adding section 6l.

The bill was read a second time.

Rep. Harder moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was 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. 4323, entitled

A bill to amend 1981 PA 180, entitled "Older Michiganians act," (MCL 400.581 to 400.594) by adding section 6l.

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

Roll Call No. 418**Yeas—101**

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

Nays—0

In The Chair: Gire

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

Rep. Gilmer entered the House Chambers.

Rep. Palamara entered the House Chambers.

Second Reading of Bills**House Bill No. 4700, entitled**

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to provide for certain duties of the secretary of state; and to prescribe certain penalties for violations," by amending section 2 (MCL 28.292), as amended by 1996 PA 204.

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

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

Reps. London and Brater moved to amend the bill as follows:

1. Amend page 13, line 2, after the second "TO" by striking out the balance of the subdivision and inserting "ANOTHER PERSON THAT THE INDIVIDUAL DESIGNATES IN WRITING TO THE SECRETARY OF STATE."

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.
 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. 4700, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to provide for certain duties of the secretary of state; and to prescribe certain penalties for violations," by amending section 2 (MCL 28.292), as amended by 1996 PA 204.

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

Roll Call No. 419

Yeas—103

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

Nays—0

In The Chair: Gire

The question being on agreeing to the title of the bill,
 Rep. Gagliardi moved to amend the title to read as follows:

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to provide for certain duties of the secretary of state; and to prescribe certain penalties for violations," by amending the title and sections 1 and 2 (MCL 28.291 and 28.292), section 2 as amended by 1996 PA 204, and by adding sections 1a, 5a, 6, 7, 8, 9, and 10.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Anthony, Baade, Bankes, Bodem, Bogardus, Brackenridge, Brewer, Callahan, Cassis, Crissman, Cropsey, Dalman, DeVuyst, Dobb, Dobronski, Freeman, Jelinek, Kaza, Kelly, Law, McBryde, Profit, Prusi, Rocca, Sikkema, Stallworth, Tesanovich, Thomas, Vaughn, Voorhees and Wallace were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4701, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 204a, 208, 217, 221, 232, and 307 (MCL 257.204a, 257.208, 257.217, 257.221, 257.232, and 257.307), section 204a as amended by 1996 PA 102, section 208 as amended by 1996 PA 471, section 217 as amended by 1996 PA 59, and section 307 as amended by 1996 PA 205.

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

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

Reps. Brater and London moved to amend the bill as follows:

1. Amend page 7, line 6, after the second "TO" by striking out the balance of the subdivision and inserting "ANOTHER PERSON THAT THE INDIVIDUAL DESIGNATES IN WRITING TO THE SECRETARY OF STATE."

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

Rep. Brater 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. 4701, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 204a, 208, 217, 221, 232, and 307 (MCL 257.204a, 257.208, 257.217, 257.221, 257.232, and 257.307), section 204a as amended by 1996 PA 102, section 208 as amended by 1996 PA 471, section 217 as amended by 1996 PA 59, and section 307 as amended by 1996 PA 205.

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

Roll Call No. 420

Yeas—102

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

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

Nays—0

In The Chair: Gire

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

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

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 208, 221, 232, and 903 (MCL 257.208, 257.221, 257.232, and 257.903), section 208 as amended by 1996 PA 471 and section 903 as amended by 1992 PA 309, and by adding sections 40b, 208a, 208b, 208c, and 208d.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Anthony, Baade, Bankes, Bodem, Bogardus, Brackenridge, Brewer, Callahan, Cassis, Crissman, Cropsey, Dalman, DeVuyst, Dobb, Dobronski, Jelinek, Kelly, Law, Prusi, Rocca, Sikkema, Stallworth, Thomas, Vaughn and Voorhees were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 4702, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80129, 81120, and 82113 (MCL 324.80129, 324.81120, and 324.82113), as added by 1995 PA 58.

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

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

Rep. Alley 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

The House returned to the consideration of

House Bill No. 4067, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," (MCL 445.901 to 445.922) by adding section 11a.

(The bill was considered earlier today, see today's Journal, p. 1059.)

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 421**Yeas—98**

Agee	Fitzgerald	Kaza	Prusi
Alley	Frank	Kelly	Quarles
Anthony	Freeman	Kukuk	Raczkowski

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

Nays—0

In The Chair: Gire

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

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

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," (MCL 445.901 to 445.922) by adding section 3c.

The motion prevailed.

The House agreed to the title as amended.

Reps. Anthony, Bodem, Brater, Brown, Byl, Cassis, Cherry, Dalman, DeHart, DeVuyst, Dobb, Dobronski, Gagliardi, Gilmer, Goschka, Gubow, Hammerstrom, Jaye, Kelly, Kukuk, LaForge, McBryde, Palamara, Perricone, Profit, Prusi, Quarles, Richner, Schermesser, Scott, Scranton, Sikkema, Tesanovich, Varga, Vaughn, Voorhees, Wallace, Wetters, Whyman and Willard were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4694, entitled

A bill to amend 1913 PA 206, entitled "An act to declare telephone lines and telephone companies within this state to be common carriers; to regulate the telephone business; to confer certain powers, duties, and responsibilities on the public service commission; to provide for the consolidation of telephone lines and telephone companies; to prohibit certain uses of telephone lines and telephone equipment; to regulate persons using telephone lines and telephone equipment; to prescribe a penalty for the violation of this act; and to repeal certain acts and parts of acts on specific dates," by amending section 25 (MCL 484.125), as added by 1980 PA 47.

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

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

Rep. DeHart 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. 4694, entitled

A bill to amend 1913 PA 206, entitled "An act to declare telephone lines and telephone companies within this state to be common carriers; to regulate the telephone business; to confer certain powers, duties, and responsibilities on the public service commission; to provide for the consolidation of telephone lines and telephone companies; to prohibit certain uses of telephone lines and telephone equipment; to regulate persons using telephone lines and telephone equipment; to prescribe a penalty for the violation of this act; and to repeal certain acts and parts of acts on specific dates," by amending section 25 (MCL 484.125), as added by 1980 PA 47.

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

Roll Call No. 422

Yeas—99

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

Nays—0

In The Chair: Gire

The House agreed to the title of the bill.

Second Reading of Bills

The House returned to the consideration of

House Bill No. 4702, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80129, 81120, and 82113 (MCL 324.80129, 324.81120, and 324.82113), as added by 1995 PA 58.

(The bill was considered earlier today, see today's Journal, p. 1063.)

Reps. Brater and London moved to amend the bill as follows:

1. Amend page 9, line 9, after the second "TO" by striking out the balance of the subdivision and inserting "ANOTHER PERSON THAT THE INDIVIDUAL DESIGNATES IN WRITING TO THE SECRETARY OF STATE."

2. Amend page 18, line 20, after the second "TO" by striking out the balance of the subdivision and inserting "ANOTHER PERSON THAT THE INDIVIDUAL DESIGNATES IN WRITING TO THE SECRETARY OF STATE."

3. Amend page 32, line 9, after the second "TO" by striking out the balance of the subdivision and inserting "ANOTHER PERSON THAT THE INDIVIDUAL DESIGNATES IN WRITING TO THE SECRETARY OF STATE."

4. Amend page 45, line 6, after the second "TO" by striking out the balance of the subdivision and inserting "ANOTHER PERSON THAT THE INDIVIDUAL DESIGNATES IN WRITING TO THE SECRETARY OF STATE."

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

Rep. Brater 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. 4702, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80129, 81120, and 82113 (MCL 324.80129, 324.81120, and 324.82113), as added by 1995 PA 58.

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

Roll Call No. 423

Yeas—98

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

Nays—0

In The Chair: Gire

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

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

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80104, 80129, 80130, 80301, 80310, 80315, 81101, 81113, 81114, 81120, 82101, 82113, and 82156 (MCL 324.80104, 324.80129, 324.80130, 324.80301, 324.80310, 324.80315, 324.81101, 324.81113, 324.81114, 324.81120, 324.82101, 324.82113, and 324.82156), as added by 1995 PA 58, and by adding sections 80130a, 80130b, 80130c, 80130d, 80315a, 80315b, 80315c, 80319a, 81114a, 81114b, 81114c, 82156a, 82156b, 82156c, and 82160.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Anthony, Baade, Bankes, Bodem, Bogardus, Brackenridge, Brewer, Callahan, Cassis, Crissman, Cropsey, Dalman, DeVuyst, Dobb, Dobronski, Freeman, Jelinek, Kaza, Kelly, Law, McBryde, Profit, Prusi, Rocca, Sikkema, Stallworth, Tesanovich, Thomas, Vaughn, Voorhees and Wallace were named co-sponsors of the bill.

Rep. Cherry moved that when the House adjourns today it stand adjourned until Tuesday, June 3, at 2:00 p.m.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Green, Gire, Cherry, DeHart, Wojno, Baade, Anthony, LaForge, Dobronski, Hanley, Galloway, Bodem, Freeman, Cropsey, Raczkowski, Scranton, Jelinek, Cassis, Gubow, Kukuk, Rocca, Scott, DeVuyst, Voorhees, Hammerstrom, McNutt, Middaugh, Llewellyn, Rhead, Lowe, Law, Horton, Dalman, Goschka, Dobb, Gernaat, Richner, Fitzgerald, Crissman, Vaughn, Wallace, Bogardus, Birkholz, Middleton, Olshove, Bankes, Oxender, Perricone, Kelly, Parks and Palamara offered the following resolution:

House Resolution No. 69.

A resolution honoring the Mayville Alumni Association on their 110th year.

Whereas, The Mayville Alumni Association will be holding its one hundred tenth consecutive alumni banquet and business meeting on June 7, 1997; and

Whereas, This is the fiftieth year the Association has sponsored the Norman Duncan Award in honor of one of Mayville's scholar-athletes who was killed in World War II; and

Whereas, The Association each year gives golden diplomas to former students who graduated fifty years ago from Mayville High School and mascot pins to twenty-five year graduates; and

Whereas, The alumni committee each year produces the multiple-page Mayville Alumni Historian which is sent to all former graduates who are on their computerized, continually updated address list; and

Whereas, The Association has given a college scholarship to a graduating senior at Mayville High School for the past seven years and expects to continue this practice; now, therefore, be it

Resolved by the House of Representatives, That the members of the Michigan House of Representatives join in honoring the Mayville Alumni Association as the oldest continuously functioning high school alumni association in Michigan at its annual banquet on June 7, 1997; and be it further

Resolved, That a copy of this resolution be presented to the Mayville Alumni Association as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

House Resolution No. 70.

A resolution honoring Joyce Morgridge upon her retirement.

Whereas, On May 30, 1997, Joyce Morgridge will bring to a close her distinguished service as Amending Clerk for the Michigan House of Representatives. This special occasion provides us with the opportunity to express our heartfelt gratitude for her many years of loyalty to the legislative process and for the friendly, courteous, and professional manner with which she carried out her demanding responsibilities; and

Whereas, A graduate of Grand Ledge High School, Joyce began her career with the State of Michigan on August 25, 1958, when she began working for the Department of Conservation, now known as the Department of Natural Resources. After honing her considerable skills for nearly a decade in that office, she signed on with the House of Representatives on May 14, 1966, as a Stenographer. Shortly thereafter, Joyce assumed the demanding position of Amending Clerk, in which capacity her meticulous precision, her exacting attention to detail, penchant for hard work, and ability to work under pressure have served state legislators, and indeed all the citizens of Michigan; and

Whereas, During her more than a quarter of a century of service in the lawmaking process, Joyce Morgridge has worked under the administration of 8 Speakers and 6 Clerks of the House. Throughout this time, her contributions to the smooth and effective functioning of the legislature have made her an invaluable asset to the good government of the Great Lake State; and

Whereas, As Joyce leaves behind the responsibilities of her position and the unique demands of round-the-clock sessions, her well-deserved retirement will be filled with canoeing, mushrooming and relaxing at her cabin in Mio, as well as with more time to enjoy activities with Ken, her husband of 35 years, her children, family, and many dear friends. May she know how much her quick wit, unending sense of humor and true friendship will be missed by all her coworkers who love and care for her very deeply; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body are proud to unite with her friends and colleagues in praising the thirty-one-year record of outstanding state service of Joyce Morgridge, the current longest serving House employee, at the end of her tenure with the Michigan House of Representatives; and be it further

Resolved, That a copy of this resolution be transmitted to Joyce, and her family, as a token of our warm wishes for her health and happiness in the future.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. McBryde, Gire, Cherry, DeHart, Wojno, Baade, Anthony, LaForge, Dobronski, Hanley, McNutt, Horton, Galloway, Rhead, Lowe, Bodem, Gernaat, Freeman, Cropsey, Raczkowski, Scranton, Birkholz, Jelinek, Cassis, Kukuk, Rocca, Green, Scott, DeVuyst, Voorhees, Hammerstrom, Llewellyn, Law, Dalman, Goschka, Dobb, Richner, Fitzgerald, Crissman, Vaughn, Wallace, Bogardus, Middleton, Bankes, Perricone, Kelly, Agee, Parks and Palamara offered the following resolution:

House Resolution No. 71.

A resolution honoring Robert Janson.

Whereas, It is with great pleasure that we join in offering praise and tribute to honor Robert A. Janson upon the occasion of his retirement. As Robert A. Janson brings to a close his service to the field of education, he can reflect on his many contributions and accomplishments over the last 35 years, 16 years of which he served in the capacity of superintendent for over more than 4,500 students and a \$30,000,000 budget; and

Whereas, Robert A. Janson's many accomplishments include the initiation of a Strategic Planning Process, a School Improvement Process implemented in all schools, and Curriculum Audit, while establishing a Comprehensive Communications Program, a Site-Based Decision Making Process, and a Target Specific Bargaining Process; programs key to the development of a successful educational system; and

Whereas, Robert A. Janson's work as Superintendent for Mt. Pleasant Public Schools has been a history of great milestones with an emphasis on community involvement. His professional career was heavily combined with civic projects, such as the Mt. Pleasant Downtown Development Authority, his Chairmanship of the Isabella United Way Board of Directors, his membership to the Mt. Pleasant Tax Increment Finance Authority, Co-Directorship of the Mt. Pleasant Area Leadership Institute, and member of the Middle Michigan Development Corporation Board of Directors; all noteworthy occupations which have enhanced the socioeconomic environment of Mt. Pleasant and its surrounding communities; and

Whereas, Robert Janson's leadership and accomplishments as an educator and active member of numerous organizations, both civic and professional, warrant our sincere commendation. A list of his professional memberships include the Michigan Association of School Administrators, American Association of School Administrators, Association for Supervision and Curriculum Development, and Phi Delta Kappa, an honorary educational society. His deep concern for the betterment of his community and enrichment of his professional skills impresses upon us Robert Janson's determination and will to create positive change in the lives of generations to come; now, therefore, be it

Resolved by the House of Representatives, That we thank Robert A. Janson for his commitment to the young people of Mt. Pleasant through his many years as an educator and administrator. As he completes his final duty as the Superintendent of Mt. Pleasant Schools, may he know of our esteem and gratitude for his extensive contributions to the Mt. Pleasant community and the Michigan education system; and be it further

Resolved, That a copy of this resolution be transmitted to him as we extend our best wishes to him and his family for health and happiness.

Pending the reference of the resolution to a committee,
Rep. Gagliardi moved that Rule 77 be suspended and the resolution be considered at this time.
The motion prevailed, 3/5 of the members present voting therefor.
The question being on the adoption of the resolution,
The resolution was adopted, a majority of the members serving voting therefor.

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hood, Chair of the Committee on Appropriations, was received and read:
Meeting held on: Thursday, May 29, 1997, at 9:50 a.m.,
Present: Reps. Hood, Mathieu, Ciaramitaro, Emerson, Frank, Hale, Harder, Kelly, Martinez, Owen, Parks, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, McBryde, Oxender,
Absent: Rep. Johnson,
Excused: Rep. Johnson.

Messages from the Senate

House Bill No. 4102, entitled

A bill to regulate the manufacturing and assembling of public playground equipment; and to provide penalties.
The Senate has substituted (S-2) the bill.
The Senate has passed the bill as substituted (S-2) and ordered that it be given immediate effect.
The Speaker announced that pursuant to rule 45, the bill was laid over one day.

House Bill No. 4601, entitled

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

The Senate has substituted (S-1) the bill.
The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.
The Speaker announced that pursuant to rule 45, the bill was laid over one day.

House Bill No. 4610, entitled

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

The Senate has substituted (S-1) the bill.
The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.
The Speaker announced that pursuant to rule 45, the bill was laid over one day.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Tuesday, May 27:

Senate Bill Nos. 518 519 520 521 522 523 524 525

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, May 29, for his approval of the following bills:

Enrolled House Bill No. 4034 at 9:34 a.m.
Enrolled House Bill No. 4242 at 9:41 a.m.

Introduction of Bills

Reps. Willard, DeHart, McBryde, Wetters, Goschka, Kaza, Dalman, Brackenridge, Mans and Jaye introduced
House Bill No. 4851, entitled

A bill to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act," by amending section 4 of chapter XIIA (MCL 712A.4[1]), as amended by 1996 PA 409.

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

Reps. Willard, DeHart, McBryde, Wetters, Goschka, Brackenridge, Kaza, Dalman, Mans and Jaye introduced
House Bill No. 4852, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," (MCL 780.751 to 780.834) by adding section 43a. The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Rison, Freeman, Bogardus, Wallace, Brewer, Schauer, Cherry, Kelly, Scott, DeHart, Curtis, Wetters, Hale, Thomas, Brown, Wojno, Callahan, Price, Parks, Mans, Prusi, Godchaux, Quarles, Stallworth, LaForge, Vaughn, Mathieu, Ciaramitaro, Varga, Baird, Willard, Harder, Schermesser, Dobronski, Goschka, Rocca, Emerson, Galloway, Murphy, Brater, Frank, Griffin and Gagliardi introduced

House Bill No. 4853, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20155 (MCL 333.20155), as amended by 1996 PA 267.

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

Reps. Kukuk, Perricone, Jelinek, DeVuyst and Walberg introduced

House Bill No. 4854, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80142, 80143, and 80152 (MCL 324.80142, 324.80143, and 324.80152) section 80142 as amended by 1996 PA 174 and sections 80143 and 80152 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. Profit and Palamara introduced

House Bill No. 4855, entitled

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

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

Rep. Profit introduced

House Bill No. 4856, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 31b.

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

Reps. Jelinek, Brackenridge, Kaza, Raczkowski, Birkholz, Cassis, Goschka, Gernaat, McBryde, Oxender, Lowe and Perricone introduced

House Bill No. 4857, entitled

A bill to authorize the department of transportation to convey certain state owned property in Berrien county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue derived from the conveyance.

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

Reps. Perricone, Birkholz, Baird, Raczkowski, McNutt, Hammerstrom, Jelinek, McBryde, Oxender, Hanley, Richner, Jansen and Jaye introduced

House Bill No. 4858, entitled

A bill to amend 1989 PA 24, entitled "The district library establishment act," by amending section 3 (MCL 397.173). The bill was read a first time by its title and referred to the Committee on Local Government.

Rep. Brater moved that the House adjourn.
The motion prevailed, the time being 12:20 p.m.

The Associate Speaker Pro Tempore declared the House adjourned until Tuesday, June 3, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

