

No. 12

JOURNAL OF THE HOUSE

House Chamber, Lansing, Wednesday, February 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—present	Prusi—present
Baade—present	Gagliardi—present	Kukuk—present	Quarles—present
Baird—present	Galloway—present	LaForge—present	Rackowski—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—absent	Martinez—present	Scott—present
Brown—present	Gubow—excused	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. Howard Wetters, from the 97th District, offered the following invocation:

“Thank You, Heavenly Father, for bringing us here together to do the business of the people of this great state. Guide our thoughts and our decisions that we make here today and throughout the rest of this legislative session. Be with us always and help us as elected officials through those times when conflicts exist between what we try to do here and with our families and the other commitments that we have. Amen.”

Third Reading of Bills

House Bill No. 4219, entitled

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

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

Roll Call No. 34

Yeas—75

Agee	DeHart	Kelly	Prusi
Alley	Dobb	Kilpatrick	Quarles
Anthony	Dobronski	LaForge	Richner
Baade	Emerson	Law	Rison
Baird	Fitzgerald	Leland	Rocca
Banks	Frank	LeTarte	Schauer
Birkholz	Freeman	Martinez	Schermesser
Bobier	Galloway	Mathieu	Scranton
Bodem	Geiger	McBryde	Sikkema
Bogardus	Gilmer	McManus	Stallworth
Brackenridge	Godchaux	Middleton	Tesanovich
Brater	Hale	Murphy	Thomas
Brewer	Hammerstrom	Olshove	Varga
Brown	Hanley	Owen	Vaughn
Callahan	Harder	Oxender	Wallace
Cassis	Hertel	Palamara	Wetters
Cherry	Hood	Parks	Willard
Crissman	Jansen	Price	Wojno
Curtis	Jelinek	Profit	

Nays—23

Byl	Green	Kukuk	Middaugh
Cropsey	Gustafson	Llewellyn	Rackowski
Dalman	Horton	London	Rhead
DeVuyst	Jaye	Lowe	Walberg
Gernaat	Johnson	Mans	Whyman
Goschka	Kaza	McNutt	

In The Chair: Hertel

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

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

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 1201, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1214, 1217, and 1218 (MCL 339.1201, 339.1204, 339.1205, 339.1206, 339.1207, 339.1208,

339.1209, 339.1210, 339.1211, 339.1214, 339.1217, and 339.1218), sections 1204, 1205, 1207, 1208, 1209, 1211, and 1214 as amended by 1988 PA 463, and by adding sections 1203a, 1203b, and 1210a; and to repeal acts and parts of acts.

The 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.

Reps. Bogardus, Gagliardi, Kelly, Kilpatrick, Murphy, Parks, Schermesser, Scott and Vaughn were named co-sponsors of the bill.

House Bill No. 4220, entitled

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

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

Roll Call No. 35

Yeas—76

Agee	DeVuyst	Jelinek	Quarles
Alley	Dobb	Kelly	Richner
Anthony	Dobronski	Kilpatrick	Rison
Baade	Fitzgerald	LaForge	Rocca
Baird	Freeman	Law	Schauer
Banks	Gagliardi	LeTarte	Schermesser
Birkholz	Galloway	Llewellyn	Schroer
Bobier	Geiger	Mans	Scott
Bodem	Gilmer	Mathieu	Scranton
Brackenridge	Gire	McManus	Sikkema
Brater	Godchaux	McNutt	Stallworth
Brown	Hale	Middleton	Tesanovich
Callahan	Hammerstrom	Murphy	Thomas
Cassis	Hanley	Olshove	Varga
Cherry	Harder	Owen	Vaughn
Ciaramitaro	Hertel	Oxender	Voorhees
Crissman	Hood	Parks	Wetters
Curtis	Jansen	Price	Willard
DeHart	Jaye	Prusi	Wojno

Nays—27

Bogardus	Goschka	Kukuk	Perricone
Brewer	Green	London	Profit
Byl	Gustafson	Lowe	Rackowski
Cropsey	Horton	McBryde	Rhead
Dalman	Jellema	Middaugh	Walberg
Frank	Johnson	Nye	Whyman
Gernaat	Kaza	Palamara	

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

Senate Bill No. 1, entitled

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending sections 2, 4, 4a, 7, 7a, and 13 (MCL 408.382, 408.384, 408.384a, 408.387, 408.387a, and 408.393), section 2 as amended by 1980 PA 97, and by adding section 4b.

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

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

Rep. Emerson moved to amend the bill as follows:

1. Amend page 2, line 4, by striking out all of section 4a.

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

Rep. Emerson moved to amend the bill as follows:

1. Amend page 1, line 1, after "Sec. 4." by striking out "SUBJECT TO THE EXCEPTIONS" and inserting "EXCEPT AS OTHERWISE".

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

Rep. Raczkowski moved to amend the bill as follows:

1. Amend page 1, line 1, after "Sec. 4." by inserting "(1)".

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

"(2) EXCEPT AS OTHERWISE PROVIDED FOR IN THIS ACT OR REQUIRED BY FEDERAL LAW, A MINIMUM HOURLY WAGE RATE THAT IS DIFFERENT FROM THE MINIMUM HOURLY WAGE RATE DESCRIBED IN SUBSECTION (1) IS NOT EFFECTIVE.".

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

Rep. Horton demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 36

Yeas—48

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

Nays—54

Agee	Emerson	Mans	Rocca
Anthony	Frank	Martinez	Schauer
Baade	Freeman	Mathieu	Schermesser
Baird	Gagliardi	Murphy	Scott
Bogardus	Gire	Olshove	Stallworth
Brater	Goschka	Owen	Tesanovich
Brewer	Hale	Palamara	Thomas
Brown	Hanley	Parks	Varga

Callahan	Harder	Price	Vaughn
Cherry	Hertel	Profit	Voorhees
Ciaramitaro	Hood	Prusi	Wetters
Curtis	Kelly	Quarles	Willard
DeHart	Kilpatrick	Rison	Wojno
Dobronski	LaForge		

In The Chair: Hertel

Rep. Middleton moved to amend the bill as follows:

1. Amend page 1, line 1, after "Sec. 4." by inserting "(1)".
2. Amend page 2, following line 3, by inserting:

"(2) BEGINNING THE EFFECTIVE DATE OF THE 1997 AMENDATORY ACT THAT ADDED THIS SENTENCE, THE MINIMUM HOURLY WAGE RATE SHALL BE \$4.25 FOR AN EMPLOYEE WHO IS PARTICIPATING IN AN EMPLOYER FUNDED TUITION REIMBURSEMENT PROGRAM. AN EMPLOYEE WHO DOES NOT PARTICIPATE IN A TUITION REIMBURSEMENT PROGRAM OF HIS OR HER EMPLOYER SHALL BE PAID AN HOURLY WAGE RATE AS DESCRIBED IN SUBSECTION (1).

(3) AS USED IN THIS SECTION, "TUITION REIMBURSEMENT PROGRAM" MEANS PAYMENT OF AT LEAST 50% OF AN EMPLOYEE'S COSTS FOR COURSE FEES AND BOOKS IN A COLLEGE, UNIVERSITY, COMMUNITY COLLEGE, ADULT EDUCATION, VOCATIONAL, OR JOB TRAINING PROGRAM, OR IN A GENERAL EDUCATIONAL DEVELOPMENT (G.E.D.) TEST PREPARATION PROGRAM."

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. 37

Yeas—54

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

Nays—46

Agee	Dobronski	Kilpatrick	Schauer
Anthony	Emerson	LaForge	Schermesser
Baade	Frank	Martinez	Scott
Baird	Freeman	Mathieu	Stallworth
Bogardus	Gagliardi	Murphy	Tesanovich
Brater	Gire	Olshove	Thomas
Brewer	Hale	Owen	Varga
Callahan	Hanley	Parks	Vaughn

Cherry
Ciaramitaro
Curtis
DeHart

Harder
Hertel
Hood
Kelly

Price
Prusi
Quarles

Wetters
Willard
Wojno

In The Chair: Hertel

Rep. Galloway moved to amend the bill as follows:

1. Amend page 7, line 8, after "BE" by striking out "\$2.65" and inserting "\$2.52".
2. Amend page 7, line 13, after "BETWEEN" by striking out "\$2.65" and inserting "\$2.52".

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

Rep. Galloway demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 38

Yeas—36

Banks
Birkholz
Bodem
Cassis
Crissman
Cropsey
Dalman
Dobb
Galloway

Geiger
Gernaat
Gilmer
Godchaux
Green
Hammerstrom
Horton
Jansen
Jaye

Jelinek
Johnson
Kaza
Law
Llewellyn
Lowe
McBryde
McManus
Middaugh

Nye
Perricone
Raczkowski
Rhead
Richner
Scranton
Sikkema
Walberg
Whyman

Nays—68

Agee
Alley
Anthony
Baade
Bobier
Bogardus
Brackenridge
Brater
Brewer
Brown
Byl
Callahan
Cherry
Ciaramitaro
Curtis
DeHart
DeVuyst

Dobronski
Emerson
Fitzgerald
Frank
Freeman
Gagliardi
Gire
Goschka
Gustafson
Hale
Hanley
Hertel
Hood
Jellema
Kelly
Kilpatrick
LaForge

Leland
LeTarte
London
Mans
Martinez
Mathieu
McNutt
Middleton
Murphy
Olshove
Owen
Oxender
Palamara
Parks
Price
Profit
Prusi

Quarles
Rison
Rocca
Schauer
Schermesser
Schroer
Scott
Stallworth
Tesanovich
Thomas
Varga
Vaughn
Voorhees
Wallace
Wetters
Willard
Wojno

In The Chair: Hertel

Rep. Middleton moved to amend the bill as follows:

1. Amend page 1, line 1, after "Sec. 4." by inserting "(1)".
2. Amend page 2, following line 3, by inserting:

"(2) BEGINNING THE EFFECTIVE DATE OF THE 1997 AMENDATORY ACT THAT ADDED THIS SENTENCE, THE MINIMUM HOURLY WAGE RATE SHALL BE \$4.30 FOR AN EMPLOYEE WHO IS

PARTICIPATING IN AN EMPLOYER FUNDED TUITION REIMBURSEMENT PROGRAM. AN EMPLOYEE WHO DOES NOT PARTICIPATE IN A TUITION REIMBURSEMENT PROGRAM OF HIS OR HER EMPLOYER SHALL BE PAID AN HOURLY WAGE RATE AS DESCRIBED IN SUBSECTION (1).

(3) AS USED IN THIS SECTION, "TUITION REIMBURSEMENT PROGRAM" MEANS PAYMENT OF AT LEAST 50% OF AN EMPLOYEE'S COSTS FOR COURSE FEES AND BOOKS IN A COLLEGE, UNIVERSITY, COMMUNITY COLLEGE, ADULT EDUCATION, VOCATIONAL, OR JOB TRAINING PROGRAM, OR IN A GENERAL EDUCATIONAL DEVELOPMENT (G.E.D.) TEST PREPARATION PROGRAM."

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. 39

Yeas—53

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

Nays—53

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

In The Chair: Hertel

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. 1, entitled

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending sections 2, 4, 4a, 7, 7a, and 13 (MCL 408.382, 408.384, 408.384a, 408.387, 408.387a, and 408.393), section 2 as amended by 1980 PA 97, and by adding section 4b.

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

Roll Call No. 40

Yeas—93

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

Nays—13

Crissman	Jaye	Nye	Richner
Galloway	Kaza	Perricone	Walberg
Green	Law	Raczkowski	Whyman
Horton			

In The Chair: Hertel

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

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

A bill to amend 1964 PA 154, entitled "An act to fix minimum wages for employees within this state; to prohibit wage discrimination; to provide for the administration and enforcement of this act; and to prescribe penalties for the violation of this act," by amending sections 4, 7, 7a, and 13 (MCL 408.384, 408.387, 408.387a, and 408.393) and by adding section 4b.

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.

Rep. Kaza, 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:

This bill, which is similar to legislation passed last week, is likely to increase youth unemployment in sectors of Michigan’s economy. I will not vote for legislation that leads to the unemployment of young people. We should be increasing employment opportunities for young people, not destroying them.

Another reason for voting against this legislation is the absence of a tiebar to any Earned Income Tax Credit (EITC).”

Rep. Jaye, 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:

On November 1978, Michigan voted to stop unfunded state mandates which was contained in the 1978 Headlee Amendment to the Michigan Constitution. The Headlee Amendment prohibits the state from imposing unfunded state mandates on local units of government.

On January 11, 1995, Representative John Jamian introduced House Bill No. 4061, which would have prohibited the state from complying with unfunded federal mandates. On April 26, 1995, according to the House Journal, this bill passed the House unanimously. It later died in the Senate Committee on Government Operations.

Now the Michigan Legislature is voting on an unfunded state mandate on small businesses. Some employees are not worth \$5.15 an hour, but they must be paid \$5.15 an hour according to a new unfunded state mandate. It would be more honest for the legislature to provide tax cuts for the employer or employee which would also provide the same financial benefit as an unfunded new wage.”

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Senior Citizens and Veterans Affairs, by Rep. Willard, Chair, reported

House Bill No. 4202, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 803i (MCL 257.803i), as amended by 1994 PA 104.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4202 To Report Out:

Yeas: Reps. Willard, Anthony, Baade, DeHart, Lowe, Kaza, Rocca,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Willard, Chair of the Committee on Senior Citizens and Veterans Affairs, was received and read:

Meeting held on: Wednesday, February 19, 1997, at 12:00 Noon,

Present: Reps. Willard, Anthony, Baade, DeHart, Lowe, Kaza, Rocca,

Absent: Reps. Schermesser, Goschka,

Excused: Reps. Schermesser, Goschka.

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

House Bill No. 4041, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” (MCL 208.1 to 208.145) by adding section 38e.

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 4041 To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Hanley, Wallace, Wetters, Wojno, Perricone, Brackenridge, Cassis, Dobb, Middleton,
Nays: None.

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

House Bill No. 4109, 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-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 4109 To Report Out:

Yeas: Reps. Profit, Quarles, Agee, Freeman, Hanley, Wallace, Wojno, Brackenridge, Cassis, Dobb, Middleton,
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, February 19, 1997, at 9:00 a.m.,

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

Absent: Reps. Gubow, Palamara, Goschka, Whyman,

Excused: Reps. Gubow, Palamara, Goschka, Whyman.

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

House Concurrent Resolution No. 5.

A concurrent resolution to disapprove Executive Order 1996-12 on executive reorganization.

(For text of resolution, see p. 85 of House Journal No. 4.)

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

HCR 5 To Report Out:

Yeas: Reps. Gire, Bogardus, Agee, Brown, Cherry, Curtis, Kilpatrick, LaForge, Schauer, Scott, Crissman, Cropsey, LeTarte, McNutt, Middleton,
Nays: None.

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

House Concurrent Resolution No. 6.

A concurrent resolution to disapprove Executive Order 1996-11 on executive reorganization.

(For text of resolution, see p. 85 of House Journal No. 4.)

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

HCR 6 To Report Out:

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

COMMITTEE ATTENDANCE REPORT

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Alley, Chair of the Committee on Conservation, Environment and Recreation, was received and read:
Meeting held on: Wednesday, February 19, 1997, at 10:30 a.m.,
Present: Reps. Alley, Callahan, Anthony, Brater, Gire, Kilpatrick, LaForge, Mans, Schermesser, Wetters, Middaugh, Birkholz, Bodem, Byl, DeVuyst, McManus, McNutt, Walberg.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Baird, Chair of the Committee on Mental Health, was received and read:
Meeting held on: Wednesday, February 19, 1997, at 12:00 Noon,
Present: Reps. Baird, Brater, LaForge, Scranton, Cassis, Green, Hammerstrom,
Absent: Reps. Gubow, Wallace,
Excused: Reps. Gubow, Wallace.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hanley, Chair of the Committee on Urban Policy and Economic Development, was received and read:
Meeting held on: Wednesday, February 19, 1997, at 3:15 p.m.,
Present: Reps. Hanley, Schauer, LaForge, Thomas, Cassis, Voorhees,
Absent: Reps. Byl, Raczkowski,
Excused: Reps. Byl, Raczkowski.

Messages from the Senate**House Bill No. 4177, entitled**

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending sections 2, 4, 4a, 7, and 7a (MCL 408.382, 408.384, 408.384a, 408.387, and 408.387a), section 2 as amended by 1980 PA 97.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1964 PA 154, entitled "An act to fix minimum wages for employees within this state; to prohibit wage discrimination; to provide for the administration and enforcement of this act; and to prescribe penalties for the violation of this act," by amending sections 2, 4, and 4a (MCL 408.382, 408.384, and 408.384a), section 2 as amended by 1980 PA 97.

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

Senate Bill No. 3, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7410 (MCL 333.7410), as amended by 1994 PA 174.

The Senate has passed the bill.

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

Senate Bill No. 6, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 217b.

The Senate has passed the bill.

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

Senate Bill No. 50, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 316 (MCL 750.316), as amended by 1996 PA 21.

The Senate has passed the bill.

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

Notices**Public Hearing**

Committee on Human Services and Children

Place: Room 428, State Capitol, Lansing

Time: 1:00 p.m.

Date: Monday, February 24, 1997

Rep. LaForge
Chair

Agenda: Public Input on Welfare Reform and Administrative Rules
any and/or all business properly before this committee.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members, Thursday, February 13:

Senate Bill No. 140

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, February 14:

Senate Bill Nos. 142 143 144 145 146 147 148 149 150 151 152 153 154 155

The Clerk announced that the following Senate bills had been received on Wednesday, February 21:

Senate Bill Nos. 3 6 50

Introduction of Bills

Rep. Whyman introduced

House Bill No. 4354, entitled

A bill to prohibit governmental entities from requiring individuals to reside within certain geographic areas or specified distances or travel times from their place of employment as a condition of employment or promotion.

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

Reps. Owen, Nye, Baade, Cherry, Mans, Tesanovich, Jelinek, McBryde, Goschka, Raczkowski, Kaza, Dobronski, Bogardus, Bodem, Jaye, Galloway and Perricone introduced

House Bill No. 4355, entitled

A bill to amend 1925 PA 289, entitled "An act to create a bureau of criminal identification and records within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties for violation of this act," by amending section 1a (MCL 28.241a), as amended by 1996 PA 259.

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

Reps. Owen, Green, Gagliardi, Walberg, Nye, Lowe, Oxender, Baade, Cherry, Mans, Jaye, Martinez, Brater, Tesanovich, Jelinek, Goschka, Raczkowski, Kaza, Dobronski, Mathieu, Bogardus, McBryde, Bodem and Perricone introduced

House Bill No. 4356, entitled

A bill to amend 1927 PA 150, entitled "An act to prescribe a privilege tax for the use of the public highways by owners and drivers of motor vehicles by imposing a specific tax upon the sale or use, within the state of Michigan, of

motor fuel; to prescribe the manner and the time of paying this tax and the duties of officials and others respecting the payment and collection of this tax; to provide for the licensing of wholesale distributors, certain retail dealers, exporters, and suppliers as defined in this act; to fix a time when this tax and interest and penalties thereon become a lien upon the property of persons, firms, partnerships, associations, or corporations, subject to the payment of this tax; to provide for the enforcement of this lien; to permit the inspection and testing of petroleum products; to provide for certain exemptions and refunds and for the disposition of the proceeds of this tax; and to prescribe penalties for the violation of this act," by amending section 12 (MCL 207.112), as amended by 1996 PA 56.

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

Rep. Profit introduced

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.

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

Reps. Hammerstrom, Martinez, DeHart, Scott, Mans and Goschka introduced

House Bill No. 4358, entitled

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

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

Reps. Hammerstrom, Martinez, DeHart, Scott, Mans and Goschka introduced

House Bill No. 4359, entitled

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

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

Reps. Hammerstrom, Martinez, DeHart, Scott, Mans and Goschka introduced

House Bill No. 4360, entitled

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

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

Reps. Owen, Galloway, Green, Walberg, Nye, Alley, Mans, McBryde, Jaye, Rhead, Goschka, Raczkowski, Dobronski, Mathieu and Bodem introduced

House Joint Resolution M, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 46 of article IV, to provide for the death penalty in certain circumstances.

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

Rep. Parks moved that the House adjourn.

The motion prevailed, the time being 3:30 p.m.

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

MARY KAY SCULLION
Clerk of the House of Representatives.

