

No. 23

JOURNAL OF THE HOUSE

House Chamber, Lansing, Tuesday, March 18, 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—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. Terry Geiger, from the 87th District, offered the following invocation:

“Our Father in Heaven, We come before You today with thanks for the many blessings You have bestowed upon us. We ask You to constantly remind us of those who are less fortunate and urge us to continue to reflect on ways we can make their lives better. We also give You thanks for the opportunity to serve our state and our nation. We ask again for the wisdom and the guidance necessary to allow us to make the correct decisions for the people of the state of Michigan. In the name of Your son, Jesus Christ, Amen.”

Notices

March 18, 1997

Mary Kay Scullion, Clerk
Michigan House of Representatives
Capitol Building
Lansing, Michigan 48909
Dear Madam Clerk:

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

Sincerely,
Curtis Hertel
Speaker of the House

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Concurrent Resolution No. 15.

A concurrent resolution to express support for the American Forest and Paper Association’s Sustainable Forestry Initiative.

(For text of resolution, see House Journal No. 15, p. 234.)

(The concurrent resolution was reported by the Committee on Forestry and Mineral Rights on March 11, consideration of which was postponed until March 12 under the rules.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Reps. Cropsey, Dobronski, Gagliardi, Geiger, Harder, Law, Lowe, Perricone, Rhead, Rocca, Walberg and Wallace were named co-sponsors of the concurrent resolution.

Third Reading of Bills

House Bill No. 4392, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 21052a.

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

Roll Call No. 105

Yeas—108

Agee	Emerson	Johnson	Perricone
Alley	Fitzgerald	Kaza	Price
Anthony	Frank	Kelly	Profit
Baade	Freeman	Kilpatrick	Prusi
Baird	Gagliardi	Kukuk	Quarles
Bankes	Galloway	LaForge	Rackowski
Birkholz	Geiger	Law	Rhead
Bobier	Gernaat	Leland	Richner
Bodem	Gilmer	LeTarte	Rocca
Bogardus	Gire	Llewellyn	Schauer
Brackenridge	Godchaux	London	Schermesser

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

Nays—0

In The Chair: 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. Anthony, Bankes, Birkholz, Brewer, Cassis, Dalman, DeVuyst, Dobb, Dobronski, Gagliardi, Gernaat, Gilmer, Hale, Hanley, Jellema, Johnson, Kaza, Kelly, Kilpatrick, McBryde, McManus, Middleton, Oxender, Prusi, Quarles, Raczkowski, Richner, Rison, Stallworth, Vaughn and Voorhees were named co-sponsors of the bill.

House Bill No. 4393, 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 501b.

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

Roll Call No. 106**Yeas—108**

Agee	Fitzgerald	Kaza	Price
Alley	Frank	Kelly	Profit
Anthony	Freeman	Kilpatrick	Prusi
Baade	Gagliardi	Kukuk	Quarles
Baird	Galloway	LaForge	Raczkowski
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

Nays—0

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. Bankes, Birkholz, Cassis, Ciaramitaro, Dalman, DeVuyst, Dobronski, Gagliardi, Gernaat, Gilmer, Hale, Harder, Jellema, Johnson, Kaza, Kelly, Kilpatrick, London, McBryde, Middleton, Oxender, Palamara, Raczkowski, Rison and Stallworth were named co-sponsors of the bill.

House Bill No. 4394, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3407a.

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

Roll Call No. 107

Yeas—107

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

Nays—0

In The Chair: 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. Bankes, Cassis, Ciaramitaro, DeVuyst, Dobb, Dobronski, Gagliardi, Gilmer, Jellema, Johnson, Kaza, Kelly, Kukuk, London, McBryde, Middleton, Olshove, Parks, Prusi, Raczkowski, Richner, Rison, Sikkema, Varga, Vaughn, Voorhees, Wallace and Wetters were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4206, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 139.

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

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

Rep. Birkholz moved to amend the bill as follows:

1. Amend page 1, line 5, after "15" by striking out "IS ADOPTED." and inserting "SHALL BE ADOPTED UPON THE CONCURRENCE OF THE DEPARTMENT OF COMMUNITY HEALTH, THE ENVIRONMENTAL PROTECTION AGENCY, AND THE FOOD AND DRUG ADMINISTRATION. IF THESE 3 AGENCIES ARE UNABLE TO CONCUR IN THIS VALUE OR ANOTHER APPROPRIATE VALUE OR WARNING, WITHIN 6 MONTHS OF THE EFFECTIVE DATE OF THIS ACT, THE GOVERNOR SHALL REQUEST THE NATIONAL ACADEMY OF SCIENCES TO MAKE SUCH DETERMINATIONS,".

2. Amend page 2, line 9, after "(1)." by inserting "THE ADVISORY SHALL REFLECT THE CONCURRENCE OF THE DEPARTMENT OF COMMUNITY HEALTH, THE ENVIRONMENTAL PROTECTION AGENCY AND THE FOOD AND DRUG ADMINISTRATION OR THE NATIONAL ACADEMY OF SCIENCES AS SPECIFIED IN SUBSECTION (1).".

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

Rep. Birkholz demanded the yeas and nays.

The demand was supported.

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

After debate,

Rep. Griffin demanded the previous question.

The demand was supported.

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

The previous question was ordered.

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

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

Roll Call No. 108

Yeas—25

Birkholz	Gernaat	Kukuk	Raczkowski
Byl	Green	LeTarte	Richner
Cassis	Gustafson	Lowe	Scranton
Cropsey	Horton	McNutt	Sikkema
DeVuyst	Jansen	Middaugh	Voorhees
Galloway	Jelinek	Perricone	Walberg
Geiger			

Nays—84

Agee	Dobronski	Kaza	Price
Alley	Emerson	Kelly	Profit
Anthony	Fitzgerald	Kilpatrick	Prusi
Baade	Frank	LaForge	Quarles
Baird	Freeman	Law	Rhead
Bankes	Gagliardi	Leland	Rison
Bobier	Gilmer	Llewellyn	Rocca

Bodem	Gire	London	Schauer
Bogardus	Godchaux	Mans	Schermesser
Brackenridge	Goschka	Martinez	Schroer
Brater	Griffin	Mathieu	Scott
Brewer	Gubow	McBryde	Stallworth
Brown	Hale	McManus	Tesanovich
Callahan	Hammerstrom	Middleton	Thomas
Cherry	Hanley	Murphy	Varga
Ciaramitaro	Harder	Nye	Vaughn
Crissman	Hertel	Olshove	Wallace
Curtis	Hood	Owen	Wetters
Dalman	Jaye	Oxender	Whyman
DeHart	Jellema	Palamara	Willard
Dobb	Johnson	Parks	Wojno

In The Chair: Hertel

Rep. Schroer 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. 4206, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 139.

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

Roll Call No. 109

Yeas—104

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

Nays—5

Horton
Jansen

LeTarte

Nye

Walberg

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. Anthony, Baird, Bodem, Bogardus, Brewer, Brown, Callahan, Cherry, Ciaramitaro, Dalman, DeHart, Dobb, Freeman, Gagliardi, Gernaat, Gire, Godchaux, Goschka, Hammerstrom, Harder, Jellema, Johnson, Kaza, Kelly, Kilpatrick, LaForge, Mans, McBryde, McManus, Price, Prusi, Raczkowski, Rison, Rocca, Schermesser, Scott, Tesanovich, Thomas, Varga, Vaughn and Willard were named co-sponsors of the bill.

Second Reading of Bills**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 second time.

Rep. Owen 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.

The Speaker called the Speaker Pro Tempore to the Chair.

By unanimous consent the House returned to the order of

Third Reading of Bills**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.

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

Roll Call No. 110**Yeas—105**

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

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. 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.

The bill was read a second time.

Rep. Rhead moved to amend the bill as follows:

1. Amend page 2, line 25, after "ACADEMY" by striking out "SHALL" and inserting "MAY, AT THE REQUEST OF THE EMPLOYEE,".

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

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

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

By unanimous consent the House returned to the order of

Reports of Select Committees

Joint Committee on Administrative Rules

March 13, 1997

Christy A. Baird
Executive Secretary
Department of State Police
Lansing, Michigan
Dear Ms. Baird:

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 97-17, submitted by the Department of State Police, Fire Safety Board, pertaining to Radioactive Material Transportation (Rescission), to May 19, 1997.

Sincerely,
REPRESENTATIVE CANDACE A. CURTIS
Chair

March 13, 1997

Ronald Gruesbeck
Regulatory Affairs Officer
Department of Family Independence Agency
Lansing, Michigan
Dear Mr. Gruesbeck:

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 97-18, submitted by the Department of Family Independence Agency, General Rules, pertaining to Hearings, Appeals and Declaratory Rulings (Part 9), to May 27, 1997.

Sincerely,
REPRESENTATIVE CANDACE A. CURTIS
Chair

March 13, 1997

Denise DeCook
Regulatory Affairs Officer
Department of State
Lansing, Michigan
Dear Ms. DeCook:

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 97-20, submitted by the Department of State, Board of State Canvassers, pertaining to Procedures, to June 10, 1997.

Sincerely,
REPRESENTATIVE CANDACE A. CURTIS
Chair

March 13, 1997

Tom Martin
Regulatory Affairs Officer
Department of Consumer and Industry Services
Lansing, Michigan
Dear Mr. Martin:

Pursuant to the authority granted in subsection (3) of section 45 of the Administrative Procedures Act, being 24.245 of the Michigan Compiled Laws, the Committee by majority vote extended the time for consideration of Trans. No. 97-21, submitted by the Department of Consumer and Industry Services, Director's Office, pertaining to Securities (Rescission), to June 12, 1997.

Sincerely,
REPRESENTATIVE CANDACE A. CURTIS
Chair

Reports of Standing Committees

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

House Bill No. 4239, entitled

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, dog pounds and animal shelters," by amending the title and sections 1, 6, 7, 8, and 9 (MCL 287.331, 287.336, 287.337, 287.338, and 287.339), section 1 as amended by 1980 PA 214, and by adding sections 8a, 9a, and 9b.

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

1. Amend page 9, line 12, by striking out "January 1, 1998" and inserting "90 days after the date of its enactment".
- The bill and amendment were referred to the order of Second Reading of Bills.

Favorable Roll Call**HB 4239 To Report Out:**

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

Nays: Rep. Llewellyn.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Palamara, Chair of the Committee on Health Policy, was received and read: Meeting held on: Tuesday, March 18, 1997, at 10:30 a.m.,

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

Absent: Reps. Murphy, Profit, Raczkowski,

Excused: Reps. Murphy, Profit, Raczkowski.

The Committee on Local Government, by Rep. Dobronski, Chair, reported

House Bill No. 4034, entitled

A bill to amend 1931 PA 285, entitled "An act to provide for city, village and municipal planning; the creation, organization, powers and duties of planning commissions; the regulation and subdivision of land; and to provide penalties for violation of the provisions of this act," by amending section 3 (MCL 125.33), as amended by 1986 PA 5.

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 4034 To Report Out:**

Yeas: Reps. Dobronski, Mans, Brater, Brewer, Callahan, Birkholz,

Nays: None.

The Committee on Local Government, by Rep. Dobronski, Chair, reported

House Bill No. 4221, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 799a and 803 (MCL 168.799a and 168.803), section 799a as amended by 1992 PA 8 and section 803 as amended by 1985 PA 160.

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 4221 To Report Out:**

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

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

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

Absent: Rep. Brackenridge,

Excused: Rep. Brackenridge.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Bill No. 4386, entitled

A bill to amend 1968 PA 317, entitled "An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts," by amending section 3 (MCL 15.323), as amended by 1984 PA 184.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4386 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Kilpatrick, Wallace, Wojno, Gustafson, DeVuyst, Fitzgerald, Perricone, Richner,

Nays: None.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

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.)

With the recommendation that the following amendments be adopted and that the resolution then be adopted.

1. Amend the title, line 3, after "include" by inserting "the Republic of".

2. Amend the second Whereas clause, line 2, after "nations." by inserting "The Republic of".

3. Amend the first Resolving clause, line 3, after "include" by inserting "the Republic of".

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

Favorable Roll Call

HR 22 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Brewer, DeHart, Hanley, Kilpatrick, Wallace, Wojno, DeVuyst, Perricone, Richner, Voorhees,

Nays: None.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

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.)

With the recommendation that the following amendments be adopted and that the concurrent resolution then be adopted.

1. Amend the title, line 3, after "include" by inserting "the Republic of".

2. Amend the second Whereas clause, line 2, after "nations." by inserting "The Republic of".

3. Amend the first Resolving clause, line 4, after "include" by inserting "the Republic of".

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

Favorable Roll Call

HCR 17 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Brewer, DeHart, Hanley, Wallace, Wojno, DeVuyst, Fitzgerald, Perricone, Richner, Voorhees,

Nays: None.

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

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.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call

HCR 22 To Report Out:

Yeas: Reps. Gagliardi, Cherry, DeHart, Hanley, Wallace, Wojno, DeVuyst, Perricone, Richner, Voorhees,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Monday, March 17, 1997, at 2:00 p.m.,

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

Absent: Rep. Varga,

Excused: Rep. Varga.

COMMITTEE ATTENDANCE REPORT

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

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

Present: Reps. LaForge, Scott, Bogardus, Gire, Schauer, Horton, Jaye, London, McManus.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Brewer, Chair of the Committee on Advanced Technology and Computer Development, was received and read:

Meeting held on: Tuesday, March 18, 1997, at 12:30 p.m.,

Present: Reps. Brewer, Brown, Anthony, Baird, Quarles, Kaza, Hammerstrom, Walberg, Whyman.

Messages from the Senate**House Concurrent Resolution No. 24.**

A concurrent resolution to commemorate the One Hundred and Fiftieth Anniversary of the selection of the City of Lansing as the permanent Capital of the State of Michigan.

(For text of resolution, see House Journal No. 22, p. 384.)

The Senate has adopted the concurrent resolution and named Senators Berryman, Stallings, Vaughn, Hart, Schwarz and Hoffman as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

Senate Concurrent Resolution No. 24.

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

Whereas, Article 4, Section 53 of the Constitution of the State of Michigan of 1963 requires the legislature by a majority vote of the members elected to and serving in each house to appoint an auditor general, who shall be a certified public accountant licensed to practice in this state to serve for a term of eight years; and

Whereas, Under the provisions of Article 4, Section 53, the Auditor General of the state of Michigan shall conduct post audits of financial transactions and accounts of the state and of all branches, departments, offices, boards, commissions, agencies, authorities, and institutions established by the state constitution or by law, and performance post audits; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the members of the Michigan Legislature, pursuant to Article 4, Section 53 of the Constitution of the State of Michigan, hereby reappoint Thomas H. McTavish, C.P.A., as Auditor General of the state of Michigan, to serve for a term of eight years.

The Senate has adopted the concurrent resolution.

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

Notices

March 17, 1997

Mary Kay Scullion, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Madam Clerk:

Effective immediately, the House Standing Committee on Advanced Technology and Computer Development has my permission to hold its regular committee meetings on Tuesdays at 12:30 pm instead of Wednesdays at 3:00 pm.

If you have any questions, feel free to contact my office.

Sincerely,

REP. CURTIS HERTEL
Speaker of the House

Public Hearing

House Appropriations Subcommittee on Community Health

Date: Friday, March 21, 1997

Time: 3:00-5:00 pm

Place: Pontiac City Hall
City Council Chambers
450 E. Wide Track Road
Pontiac, MI

Agenda: Proposed Closure of the Clinton
Valley Center
and any/or all bills properly before this subcommittee

Announcement by the Clerk of Printing and Enrollment

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

Senate Bill Nos.	282	283	284	285	286	287	288	289	290	291	292	293	294	295
	296	297	302	303										

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

House Bill Nos. 4467 4468 4469 4470 4471 4472 4473

The Clerk announced that the following Senate bill had been approved and signed by the Governor:

Enrolled Senate Bill No. 1 - Public Act No. 1

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

House Bill Nos.	4474	4475	4476	4477	4478	4479	4480	4482	4483	4484	4485	4486	4487	4488
	4489	4490	4491	4492	4493	4494	4495	4496	4497	4498				

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Tuesday, March 18:

House Bill Nos.	4499	4500	4501	4502	4503	4504	4505	4506	4507	4508	4509
House Joint Resolution	N										

Messages from the Governor

The following message from the Governor was received and read:

Executive Office, Lansing, Thursday, March 13, 1997.
EXECUTIVE ORDER
No. 1997 - 2

Michigan Department of State Police Michigan Department of Consumer & Industry Services Michigan Department of Environmental Quality

Fire Marshal Division

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, the Fire Marshal Division of the Michigan Department of State Police performs certain inspection functions which are duplicative of or similar to those performed by the Department of Consumer and Industry Services and the Department of Environmental Quality; and

WHEREAS, the Department of Consumer and Industry Services is the primary state department with inspection and licensing responsibilities; and

WHEREAS, in Executive Orders 1995-18 and 1996-1 the Michigan Department of Environmental Quality assumed certain responsibilities for dry cleaning programs and underground storage tanks; and

WHEREAS, certain functions, duties and responsibilities assigned to the Fire Marshal Division of the Michigan Department of State Police can be more effectively organized and carried out under the supervision and direction of the Michigan Department of Consumer & Industry Services and Michigan Department of Environmental Quality; and

WHEREAS, it is in the best interest of Michigan citizens to have the Department of State Police concentrate its efforts and functions on its primary role of criminal investigations, arson investigations, and arson-related training activities; and

WHEREAS, by relieving the Fire Marshal Division of certain inspection and administrative functions, state police resources will be made available to perform core functions of the Department of State Police; 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:

A. Department of Consumer and Industry Services.

1. All of the authority, powers, duties, functions and responsibilities, including but not limited to the functions of budgeting, procurement and management related functions of the following Fire Marshal Division programs:

- a) Fire safety inspections of adult foster care (MCL §400.711), correctional (MCL §791.762), and health care facilities (MCL §§330.1138 and 333.20156); and
- b) Plan review and construction inspections of schools, colleges, universities, school dormitories (MCL §388.853), as well as adult foster care (MCL §400.711), correctional (MCL §791.762), and health care facilities (MCL §§330.1138 and 333.21056); and

- c) Coordination of fire inspector training programs, including State Certified Fire Inspector School (SCFIS) and the biennial recertification of fire inspectors (MCL § 29.2b); and
- d) Fire alarm and fire suppression system installation, documentation and certification (MCL § 29.26 - 33); and
- e) Federally required fire inspections of certain health and mental care facilities, and
- f) Inspection and certification of places of public assemblage (MCL § 29.21c and 29.21d); and
- g) Federal inspection requirements pursuant to the Hotel/Motel Fire Safety Act of 1990 (PL 101-391 of 1990); and
- h) Fire drills in schools, colleges, universities and school dormitories (MCL § 29.19); and
- i) Fire extinguishing compound use approval (MCL § 29.21b(b); and
- j) Hazardous chemicals in the workplace (MCL § 29.29p),

are hereby transferred from the Department of State Police to the Department of Consumer & Industry Services by a Type II 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 granted to the Director of the State Police in Section 2 of Act No. 207 of the Public Acts of 1941, as amended, being Sections 29.2 of the Michigan Compiled Laws, which are related to the functions transferred by this Order, are hereby transferred from the Director of the Michigan Department of State Police to the Director of the Department of Consumer and Industry Services by a Type II 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 of the statutory authority, powers, duties, functions and responsibilities of the State Fire Safety Board, including but not limited to those set forth in Act No. 207 of the Public Acts of 1941, as amended, being Section 29.1 et. seq. of the Michigan Compiled Laws, are hereby transferred from the Department of State Police to the Department of Consumer and Industry Services by a Type I 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. The Director of the Department of Consumer & Industry Services shall provide executive direction and supervision for the implementation of the transfers. The assigned functions shall be administered under the direction and supervision of the Director of the Department of Consumer & Industry Services and all prescribed functions of rule making, licensing and registration, including the prescription of rules, regulations, standards and adjudications, shall be transferred to the Director of the Department of Consumer & Industry Services.

5. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Fire Marshal Division and State Fire Safety Board for the activities transferred to the Department of Consumer & Industry Services by this Order are hereby transferred to the Department of Consumer & Industry Services.

6. The Director of the Department of Consumer & Industry Services shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

7. The Director of the Department of State Police and the Director of the Department of Consumer & Industry Services shall immediately initiate coordination to facilitate the transfer and develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and State laws and regulations, or other obligations to be resolved by the Fire Marshal Division.

8. The Department of Management and Budget shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system for the remainder of the fiscal year.

9. All rules, orders, contracts and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.

10. 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 of any entity affected by this Order.

B. Department of Environmental Quality.

1. All of the statutory authority, powers, duties, functions and responsibilities, including but not limited to the functions of budgeting, procurement and related management functions of the following Fire Marshal Division programs:

- a. The Above Ground Storage Tank Program (MCL § 29.5c); and
- b. The inspection of dry cleaning establishments (MCL § 29.5i),

are hereby transferred from the Department of State Police to the Department of Environmental Quality by a Type II 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. The Director of the Michigan Department of Environmental Quality shall provide executive direction and supervision for the implementation of the transfers. The assigned functions shall be administered under the direction and supervision of the Director of the Michigan Department of Environmental Quality, and all related prescribed

functions of rule-making, licensing and registration, including the prescription of rules, regulations, standards and adjudications, are transferred to the Director of the Michigan Department of Environmental Quality.

3. The Director of the Department of Environmental Quality shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

4. All records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available to or to be made available to the activities, powers, duties, functions and responsibilities transferred to the Michigan Department of Environmental Quality by this Order are transferred to the Michigan Department of Environmental Quality.

5. The Director of the Michigan Department of Environmental Quality shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

6. The Director of the Michigan Department of State Police and the Director of the Michigan Department of Environmental Quality shall immediately initiate coordination to facilitate the transfers and develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the Michigan Department of Environmental Quality.

7. The Department of Management and Budget shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system for the remainder of the fiscal year.

8. All rules, orders, contracts and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.

9. 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 of 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 Order shall become effective September 30, 1997.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 12th 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.

The following message from the Governor was received and read:

Executive Office, Lansing, Monday, March 17, 1997.

EXECUTIVE ORDER

No. 1997 - 3

**Michigan Department of Management and Budget
Michigan Department of Environmental Quality**

**Michigan Environmental Science Board
Environmental Administration Division**

Executive Reorganization

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, the Michigan Environmental Science Board was created by Executive Order 1992-19 as an independent autonomous entity within the Department of Management and Budget to provide the Governor and others within state government with scientific and technical expertise and advise on important matters relating to environmental protection and natural resource management; and

WHEREAS, the Environmental Administration Division is an administrative body created within the Department of Management and Budget to provide administrative support to the Michigan Environmental Science Board; and

WHEREAS, the Department of Management and Budget is the state department which focuses upon financial and administrative issues affecting the State of Michigan, while the Department of Environmental Quality is the state department focused upon state-wide environmental issues; 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:

1. All the authority, powers, duties, functions, and responsibilities of the Michigan Environmental Science Board, created under Executive Order 1992-19, are hereby transferred from the Department of Management and Budget to the Department of Environmental Quality by a Type I 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 authority, powers, duties, functions, and responsibilities of the Environmental Administration Division are hereby transferred from the Department of Management and Budget to the Department of Environmental Quality by a Type II 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 records, personnel, property and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to the Michigan Environmental Science Board and the Environmental Administration Division are hereby transferred from the Department of Management and Budget to the Department of Environmental Quality.

4. The Department of Management and Budget shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system for the remainder of the fiscal year.

5. The Director of the Department of Environmental Quality shall provide executive direction and supervision for the implementation of the transfers.

6. The assigned functions of the Environmental Administration Division shall be administered under the direction and supervision of the Director of the Department of Environmental Quality, and all related prescribed functions of rulemaking, licensing and registration, including the prescription of rules, regulations, standards and adjudications, shall be transferred to the Director of the Department of Environmental Quality consistent with this Executive Order.

7. The Director of the Department of Environmental Quality may perform a duty or exercise a power conferred by law or this Order upon the Director of the Michigan Department of Environmental Quality at the time and to the extent the duty or power is delegated to the Director of the Department of Environmental Quality by law or by this Order.

8. The Director of the Department of Environmental Quality may, by written instrument, delegate a duty or a power conferred by law or this Order, and 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.

9. Decisions made by the Director of the Department of Environmental Quality or persons whom the Director has lawfully delegated decision-making authority, pursuant to this Order, shall be final when reduced to writing and delivered to all affected persons unless otherwise provided by law.

10. The Director of the Department of Environmental Quality shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

11. The Directors of the Department of Environmental Quality and the Department of Management and Budget shall immediately initiate coordination to facilitate the transfers and develop a memorandum of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the Department of Environmental Quality.

12. All rules, orders, contracts and agreements related to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended or repealed.

13. 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 of 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 after filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 14th 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 communication from the Saginaw, Midland Bay Job Training Consortium was received and read:

To: Interested Parties - As Addressed
From: Dennis J. Brieske, Director
Re: Title IIA and IIC, Biennial Plan for PY 1997/1998,
Title III EDWAAA, Biennial Plan for PY 1997/1998 and
Title IIB SYETP, Biennial Plan for the Period Oct. 1, 1996-Sept. 30, 1997
Date: March 4, 1997

Enclosed you will find the summaries of the Michigan Works!/Saginaw, Midland and Bay Job Training Consortium biennial plans for the following funding sources.

- ☐ Title IIA
- ☐ Title IIC
- ☐ Title III, EDWAAA
- ☐ SYETP

Comments on the Title IIA, IIC, and Title III, EDWAAA summaries are requested by April 11, 1997. The plans will be available for review on that date.

Comments on the SYETP summary is requested by May 23, 1997. The SYETP plan will be available for review on that date.

Plans are submitted for review in compliance with Section 105(a)(1) and (a)(2) of the Job Training Partnership Act.

Please send any comments in writing to:

Dennis Brieske, Director
Saginaw, Midland Bay/Michigan Works! Administration
1600 North Michigan Avenue, Room 400
Saginaw, Michigan 48602
Telephone (517) 754-1144

The communication was referred to the Clerk.

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

March 13, 1997

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

Financial Related Audit of the Statewide Indirect Cost
Allocation Plan
Department of Management and Budget
July 1, 1997 through September 30, 1996

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

March 13, 1997

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

Performance Audit of the Community Mental Health Board
of Clinton, Eaton, and Ingham Counties
An Agency Under Contract With the
Department of Community Health
March 1997

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

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

Introduction of Bills

Reps. McBryde, Goschka, Hammerstrom, Jelinek, McNutt, Cropsey, Dobb, DeVuyst, Voorhees, Oxender, Green, Dalman, Bodem, Brackenridge, Middleton, Rhead, LeTarte and Richner introduced

House Bill No. 4510, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1267 (MCL 380.1267), as amended by 1995 PA 289.

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

Reps. Brater, Freeman, Wallace, Brewer, Martinez, Schauer, Hale, Varga, Hanley, Kaza, Willard, Cherry, Price, Gubow, Ciaramitaro and Parks introduced

House Bill No. 4511, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 261c.

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

Reps. Freeman, Profit, Wetters, Varga, Martinez, Gubow, Owen, Lowe, Frank, Brewer, Goschka, LaForge, Mathieu, Anthony, Prusi, DeHart, Vaughn, Kelly, Scott, Kaza, Olshove, Dobronski, Jaye, Leland, Agee, Curtis, Palamara, Baade, DeVuyst, Middaugh, Stallworth, Price, Gire, Harder, Wallace, Murphy, Griffin, Rison, Schauer, Bogardus, Thomas, Schermesser, Hale, Wojno, Tesanovich, Brown, Cherry, Parks, Mans, Emerson, Quarles, Llewellyn, Brater, Kukuk, LeTarte, Law, Voorhees, Perricone, Bodem, Whyman, Hammerstrom, Callahan, Cassis, Rhead, Gernaat, Hood, Kilpatrick, Raczkowski, Ciaramitaro, Cropsey, Gagliardi and Green introduced

House Bill No. 4512, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 354 (MCL 18.1354), as amended by 1995 PA 286.

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

Reps. Oxender, Dobb, McBryde, Gilmer, Middleton, Jellema, Bobier, Crissman, Martinez, Bodem, Hammerstrom, Law, Godchaux, Birkholz, Dalman and Goschka introduced

House Bill No. 4513, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 1995 PA 194.

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

Reps. McNutt, Middaugh, Bodem, Anthony, Dalman, Gernaat, Tesanovich and Rhead introduced

House Bill No. 4514, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80142 (MCL 324.80142), as amended by 1996 PA 174.

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

Rep. Freeman introduced

House Bill No. 4515, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 33 (MCL 791.233), as amended by 1994 PA 217.

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

Reps. Hammerstrom and Brackenridge introduced

House Bill No. 4516, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 253 (MCL 560.253).

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

Rep. Middaugh introduced

House Bill No. 4517, entitled

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending the title and sections 2, 3, 6, 7, 12, 13, 21, and 22 (MCL 252.302, 252.303, 252.306, 252.307, 252.312, 252.313, 252.321, and 252.322) and by adding sections 4a, 7a, 13a, 13b, 17a, and 19a; and to repeal acts and parts of acts.

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

Reps. Gubow, Schauer and Freeman introduced

House Bill No. 4518, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 658 (MCL 257.658), as amended by 1984 PA 328.

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

Reps. Lowe, Freeman, Martinez, McBryde, Goschka, Cropsey, Kaza, Middleton, Gernaat, Whyman, Green, Bodem, Jaye, Voorhees, Llewellyn and Perricone introduced

House Bill No. 4519, entitled

A bill to amend 1935 PA 245, entitled "An act to provide educational opportunities for the children of certain members of the armed forces of the United States," by amending the title and section 2 (MCL 35.112), as amended by 1980 PA 27, and by adding section 3.

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

Reps. Emerson, Bogardus, Rison and Cherry introduced

House Bill No. 4520, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending section 17h (MCL 436.17h), as amended by 1996 PA 379.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Hale, Schroer, Gire, Prusi, Harder, Brewer, Baade, LaForge, Vaughn, Parks, Murphy, Hanley, Bogardus, Mathieu, Gagliardi, Baird, Anthony, Gubow, Freeman, Scott, Martinez, Cherry, Schermesser, Kilpatrick, Varga, Leland, Ciaramitaro, Schauer, Willard, Tesanovich, Scranton, Agee, Alley, Kelly, DeHart, Curtis, Olshove, Hertel, Jaye, Dobronski, Quarles, Thomas, Hood, Middaugh, Law, Bankes, Griffin, Wetters, Wojno, Price, Palamara, Mans, Frank, Callahan and Owen offered the following concurrent resolution:

This resolution is offered to comply with Article V, Section 2 of the Constitution of the State of Michigan.

House Concurrent Resolution No. 25.

A concurrent resolution to disapprove Executive Order 1997-2 on executive reorganization.

Whereas, On March 12, 1997, Governor Engler, pursuant to authority outlined in Article V, Section 2 of the Constitution of the State of Michigan, issued Executive Order 1997-2. This proposal on executive reorganization provides for changes in responsibilities for the Department of State Police, the Department of Consumer and Industry Services, the Department of Natural Resources, and the Fire Marshal Division; and

Whereas, Article V, Section 2 of the Constitution of the State of Michigan also provides:

Where these changes require the force of law, they shall be set forth in executive orders and submitted to the legislature. Thereafter the legislature shall have 60 calendar days of a regular session, or a full regular session if of shorter duration, to disapprove each executive order. Unless disapproved in both houses by a resolution concurred in by a majority of the members elected to and serving in each house, each order shall become effective at a date thereafter to be designated by the governor.

; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of the Michigan Legislature, pursuant to Article V, Section 2 of the Constitution of the State of Michigan, disapprove Executive Order 1997-2; and be it further

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

The concurrent resolution was referred to the Committee on Appropriations.

Rep. Schermesser moved that the House adjourn.

The motion prevailed, the time being 4:10 p.m.

Acting Speaker DeHart declared the House adjourned until Wednesday, March 19, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

