

No. 28

JOURNAL OF THE HOUSE

House Chamber, Lansing, Thursday, April 10, 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—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—excused
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—excused
Cassis—present	Hammerstrom—present	McNutt—excused	Tesanovich—present
Cherry—present	Hanley—present	Middaugh—present	Thomas—present
Ciaramitaro—present	Harder—excused	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—excused	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

Pastor Willet Oeschger, from Sebewaing Christian Church in Sebewaing, offered the following invocation:

“Please join with me as we pray this morning. Father God, we give You thanks this morning for these people who comprise the House of Representatives of the State of Michigan. They have been chosen to be leaders in this state. So Lord, help us always to remember that in this role of leadership of the people of Michigan that we are also called to be servants. I am reminded this morning of the scripture that says God blesses those who realize the need for Him. Lord, we need Your wisdom and Your guidance daily. Lord, I ask that You would freely give of Your wisdom and guidance to these people today so that they can fulfill the role of leadership that You have called them to. We know that we will have differences of opinion and that we might have strong debates on various issues. But, I pray that the desire of our hearts would be to do what is pleasing to You and beneficial to the people of this state. So Lord, I ask for Your blessing on this group of people. Lord, I ask for Your love, for Your grace, Your mercy, Your peace, Your wisdom and Your guidance to be with everyone here today. I ask this all in the name of our Lord and Savior, Jesus Christ. Amen.”

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

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

Third Reading of Bills

House Bill No. 4237, entitled

A bill to amend 1846 RS 14, entitled “Of county officers,” by amending section 117 (MCL 55.117).

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

Roll Call No. 154

Yeas—102

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

DeVuyst
Dobb
Dobronski

Jaye
Jelinek
Jellema

Palamara
Parks

Willard
Wojno

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 1846 RS 14, entitled "Of county officers," by amending sections 107 and 117 (MCL 55.107 and 55.117), section 107 as amended by 1993 PA 96.

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.

Second Reading of Bills

House Bill No. 4066, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by amending the title, as amended by 1995 PA 289, and by adding part 28a; and to repeal acts and parts of acts.

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

Rep. Oxender moved that consideration of the bill be postponed until the next legislative session day.

The motion prevailed.

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 second time.

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

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

House Bill No. 4117, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8 (MCL 722.628), as amended by 1988 PA 372.

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

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

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

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

House Bill No. 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.

The bill was read a second time.

Reps. Kilpatrick and Birkholz moved to amend the bill as follows:

1. Amend page 3, following line 24, by inserting:

~~"Sec. 8. This act shall supersede all local charter provisions, whether incorporated in legislative acts or local charters, which relate to the matter of conflict of interest. It is the intention that this act shall constitute the sole law in this state and shall supersede all other acts in respect to conflicts of interest relative to public contracts, involving public servants other than members of the legislature and state officers, including but not limited to subsection (3) of section 30 of Act No. 156 of the Public Acts of 1851, as amended, being section 46.30 of the Compiled Laws of 1948~~

1851 PA 156, MCL 46.30. THIS ACT DOES NOT PROHIBIT A UNIT OF LOCAL GOVERNMENT FROM ADOPTING AN ORDINANCE OR ENFORCING AN EXISTING ORDINANCE RELATING TO CONFLICT OF INTEREST IN SUBJECTS OTHER THAN PUBLIC CONTRACTS INVOLVING PUBLIC SERVANTS.”.

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

Rep. Jaye moved to amend the bill as follows:

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

“Sec. 1. (1) As used in this act:

(a) “Public servant” includes all persons serving any public entity INCLUDING JUDGES AND JUDICIAL EMPLOYEES, except members of the legislature and state officers who are within the provisions of section 10 of article IV of the state constitution as implemented by legislative act.

(b) “Public entity” means the state including all agencies thereof, any public body corporate within the state, including all agencies thereof, or any non-incorporated public body within the state of whatever nature, including all agencies thereof, AND THE COURTS OF THIS STATE.

(2) IF ANY PORTION OF THIS ACT IS FOUND BY A COURT TO BE INVALID, THE PORTION DETERMINED TO BE INVALID SHALL BE SEVERED AND SHALL NOT AFFECT THE VALIDITY OF THE REMAINING PORTIONS OF THIS ACT.”.

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 155

Yeas—53

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

Nays—48

Agee	Dobronski	Kelly	Profit
Alley	Emerson	Kilpatrick	Prusi
Anthony	Frank	LaForge	Quarles
Baade	Freeman	Leland	Rison
Baird	Gagliardi	Mans	Schauer
Bogardus	Gire	Martinez	Scott
Brater	Griffin	Mathieu	Tesanovich
Brown	Gubow	Murphy	Thomas
Callahan	Hale	Olshove	Vaughn
Cherry	Hanley	Owen	Wallace
Ciaramitaro	Hertel	Palamara	Wetters
Curtis	Hood	Parks	Wojno

In The Chair: Gire

Rep. Jaye moved to amend the bill as follows:

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

"Sec. 2. (1) Except as provided in sections 3 and 3a, a public servant shall not be a party, directly or indirectly, to any contract between himself or herself and the public entity of which he or she is an officer or employee.

(2) Except as provided in section 3, a public servant shall not directly or indirectly solicit any contract between the public entity of which he or she is an officer or employee and any of the following:

(a) Him or herself.

(b) Any firm, meaning a co-partnership or other unincorporated association, of which he or she is a partner, member, or employee.

(c) Any private corporation in which he or she is a stockholder owning more than 1% of the total outstanding stock of any class if the stock is not listed on a stock exchange, or stock with a present total market value in excess of \$25,000.00 if the stock is listed on a stock exchange or of which he or she is a director, officer, or employee.

(d) Any trust of which he or she is a beneficiary or trustee.

(3) In regard to a contract described in subsection (2), a public servant shall not do either of the following:

(a) Take any part in the negotiations for such a contract or the renegotiation or amendment of the contract, or in the approval of the contract.

(b) Represent either party in the transaction.

(4) AS USED IN THIS ACT, "CONTRACT" INCLUDES ALL OF THE FOLLOWING:

(A) THE APPROVAL OR DISBURSEMENT OF PUBLIC FUNDS.

(B) THE EMPLOYMENT OF AN INDIVIDUAL WITH PUBLIC FUNDS.

(C) A TAX BENEFIT CONFERRED, INCLUDING A TAX REDUCTION, ABATEMENT, OR DEFERRAL.

(D) THE ISSUANCE OF BONDS THAT WILL BE PAID FOR WITH PUBLIC FUNDS."

2. Amend page 3, following line 24, by inserting:

"Sec. 5. (1) This act is aimed to prevent public servants from engaging in certain activities and is not intended to penalize innocent persons. Therefore, no contract shall be absolutely void by reason of this act. Contracts involving prohibited activities on the part of public servants shall be voidable only by decree of a court of proper jurisdiction in an action by the public entity, which is a party thereto, as to any person, firm, corporation or trust that entered into the contract or took any assignment thereof, with actual knowledge of the prohibited activity. In the case of the corporation, the actual knowledge must be that of a person or body finally approving the contract for the corporation. All actions to avoid any contract hereunder shall be brought within 1 year after discovery of circumstances suggesting a violation of this act. In order to meet the ends of justice any such decree shall provide for the reimbursement of any person, firm, corporation or trust for the reasonable value of all moneys, goods, materials, labor or services furnished under the contract, to the extent that the public entity has benefited thereby. This provision shall not prohibit the parties from arriving at an amicable settlement.

(2) Negotiable and nonnegotiable bonds, notes or evidences of indebtedness, ~~whether heretofore or hereafter~~ issued BEFORE THE EFFECTIVE DATE OF THE 1997 AMENDMENTS TO THIS SECTION, in the hands of purchasers for value, shall not be void or voidable by reason of this act or of any previous statute, charter or rule of law."

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 156

Yeas—52

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

Nays—45

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

In The Chair: Gire

Rep. Jaye moved to amend the bill as follows:

1. Amend page 3, following line 24, by inserting:

“SEC. 6A. A PUBLIC SERVANT SHALL NOT OBTAIN MANAGER, EXECUTIVE, AND OFFICER EMPLOYMENT OR ENTER INTO A CONTRACT FOR SERVICES WITH ANY ENTITY THAT RECEIVES PUBLIC FUNDING FOR A PERIOD OF 2 YEARS AFTER THE DATE OF TERMINATION OF HIS OR HER POSITION WITH A PUBLIC ENTITY THAT PROVIDES THE PUBLIC FUNDING.”.

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

Rep. Jaye demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 157**Yeas—54**

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

Nays—41

Agee	Gagliardi	Martinez	Rison
Anthony	Gire	Mathieu	Schauer
Baade	Griffin	Murphy	Schroer
Baird	Hale	Olshove	Scott
Bogardus	Hanley	Palamara	Tesanovich
Brater	Hertel	Parks	Thomas
Brown	Hood	Price	Vaughn
Callahan	Kelly	Profit	Wallace

Cherry
Dobronski
Frank

LaForge
Mans

Prusi
Quarles

Wetters
Wojno

In The Chair: Gire

Rep. Voorhees moved to amend the bill as follows:

1. Amend page 3, following line 24, by inserting:

“Sec. 7. (1) ~~Any person violating the provisions of~~ EXCEPT AS PROVIDED IN SUBSECTION (2), A PERSON WHO VIOLATES this act is guilty of a misdemeanor.

(2) THIS SECTION DOES NOT APPLY TO A MEMBER OF AN OFFICIAL BODY WHO HAS A PECUNIARY INTEREST IN A CONTRACT THAT THE OFFICIAL BODY HAS THE POWER TO APPROVE AND WHO FAILS TO COMPLY WITH THE DISCLOSURE REQUIREMENTS OF SECTION 3 IF, BECAUSE OF A PRIOR APPROVED ABSENCE, THE MEMBER DOES NOT ATTEND THE SESSION OF THE OFFICIAL BODY AT WHICH THE CONTRACT IS APPROVED OR DISAPPROVED.”.

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

Rep. Voorhees demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 158

Yeas—47

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

Galloway
Geiger
Gernaat
Gilmer
Godchaux
Green
Gustafson
Hammerstrom
Horton
Jansen
Jaye
Jelinek

Jellema
Johnson
Kaza
Kukuk
Law
LeTarte
Llewellyn
Lowe
McBryde
McManus
Middaugh
Middleton

Nye
Perricone
Raczkowski
Rhead
Richner
Rocca
Scranton
Sikkema
Voorhees
Walberg
Whyman

Nays—53

Agee
Alley
Anthony
Baade
Baird
Bogardus
Brater
Brown
Callahan
Cassis
Cherry
Ciaramitaro
Curtis
Dobronski

Emerson
Frank
Freeman
Gagliardi
Gire
Goschka
Griffin
Gubow
Hanley
Hertel
Hood
Kelly
Kilpatrick

LaForge
Leland
London
Mans
Martinez
Mathieu
Murphy
Olshove
Owen
Palamara
Parks
Price
Profit

Prusi
Quarles
Rison
Schauer
Scott
Tesanovich
Thomas
Varga
Vaughn
Wallace
Wetters
Willard
Wojno

In The Chair: Gire

Rep. Profit 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 when the House adjourns today it stand adjourned until Tuesday, April 15, at 2:00 p.m.
The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Bobier, Freeman, Brater, Lowe, LeTarte, Middleton, Bodem, DeVuyst, Sikkema, Hammerstrom, Byl, Fitzgerald, Wetters, Dalman, Dobb, Bankes, Oxender, Martinez, Jellema, Schroer, McBryde, Kaza, Law, Mans, LaForge, Baade and Birkholz offered the following concurrent resolution:

This resolution is offered to comply with the provisions of Article 10, Section 5 of the Constitution of the State of Michigan of 1963 and requires a two-thirds vote in each house.

House Concurrent Resolution No. 33.

A concurrent resolution to designate the Jordan Valley Management Area, the Sand Lakes Quiet Area, and the Mason River Tract Management Area as lands in the state land reserve.

Whereas, The Michigan Constitution, in Article 10, Section 5, provides the legislature with general supervisory jurisdiction over all state-owned lands useful for forest preserves, game areas, and other recreational purposes. This provision permits the legislature to designate state-owned lands as part of a state land reserve. Lands designated as a state land reserve may not be removed from the reserve, sold, leased, or otherwise disposed of except by the legislature; and

Whereas, Among the lands owned by the state are three tracts with unique resource significance. These areas are known as the Jordan Valley Management Area, the Sand Lakes Quiet Area, and the Mason River Tract Management Area (also referred to as the George Mason River Retreat). Each of the three parcels is under the authority of the Department of Natural Resources within a management plan. The department promotes improvements in the forests, wildlife habitat, and recreational opportunities through the management plans; and

Whereas, The Jordan Valley, the Sand Lakes Quiet Area, and the George Mason River Retreat are subject to pressures for activities that could threaten the aims of their management plans to safeguard these areas from potential damage; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, pursuant to the provisions of Article 10, Section 5 of the Constitution of the State of Michigan of 1963, the members of the Michigan Legislature designate that all lands, in which the state holds title in fee simple absolute, in the Jordan Valley Management Area, the Sand Lakes Quiet Area, and the Mason River Tract Management Area as lands in the state land reserve. The boundaries of these tracts for purposes of state land reserve designation are as administered under management plans of the Department of Natural Resources; and be it further

Resolved, That the lands of the Jordan Valley, Sand Lakes Quiet Area, and George Mason River Retreat held in the state land reserve are to be held in fee simple title, with the state holding surface and mineral rights; and be it further

Resolved, That lands and minerals not owned by the state in the Jordan River Valley Management Area, the Sand Lakes Quiet Area, and the George Mason River Retreat be given high priority for acquisition by the Department of Natural Resources through the appropriate fund; and be it further

Resolved, That copies of this resolution be transmitted to the Natural Resources Commission.

The concurrent resolution was referred to the Committee on Forestry and Mineral Rights.

Reports of Standing Committees

The Committee on Transportation, by Rep. Leland, Chair, reported

House Bill No. 4436, entitled

A bill to co-designate a part of Michigan state highway M-85 as Matt McNeely boulevard; and to prescribe the duties of the state transportation department.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4436 To Report Out:

Yeas: Reps. Leland, Baade, Brown, Curtis, Mans, Olshove, Scott, Wojno, Birkholz, Byl, Galloway, Gernaat, Green, Middleton,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 9, 1997, at 3:07 p.m.,

Present: Reps. Leland, Baade, Brown, Curtis, Mans, Olshove, Scott, Wojno, Birkholz, Byl, Galloway, Gernaat, Green, Middleton,

Absent: Reps. Schermesser, Schauer, London,

Excused: Reps. Schermesser, Schauer, London.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 9, 1997, at 3:10 p.m.,

Present: Reps. Gubow, Scott, Bogardus, Dobronski, Freeman, Palamara, Thomas, Varga, Llewellyn, Green, Jelinek, Law, Middaugh,

Absent: Reps. Profit, Vaughn, London, Voorhees,

Excused: Reps. Profit, Vaughn, London, Voorhees.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. DeHart, Chair of the Committee on Public Retirement, was received and read:

Meeting held on: Thursday, April 10, 1997, at 9:30 a.m.,

Present: Reps. Brewer, Dobronski, Mans, Rhead, Dobb, Jelinek, LeTarte,

Absent: Reps. DeHart, Griffin,

Excused: Reps. DeHart, Griffin.

Notices

Notice is hereby given that on the next legislative day I intend to move to discharge the House Committee on Tax Policy from further consideration of **House Joint Resolution E**.

Rep. David Jaye

Public Hearings

House Appropriations Subcommittee on Transportation

Date: Monday, April 14, 1997

Time: 11:00 a.m.

Place: Lincoln Park City Hall, Lincoln Park, Michigan

Rep. Harder
Chair

Agenda: Transportation funding from the budget stabilization fund and/or all business properly before this subcommittee

House Appropriations Subcommittee on Transportation

Date: Monday, April 14, 1997

Time: 2:00 p.m.

Place: Redford Township Hall, Redford Township, Michigan

Rep. Harder
Chair

Agenda: Transportation Funding from the Budget Stabilization Fund and any/or all bills properly before this subcommittee

Committee on Human Services and Children

Date: Friday, April 25, 1997

Time: 1:00 p.m.

Place: Genesee County Administration Building, Third Floor Auditorium, 1101 Beech Street, Flint, Michigan
Rep. LaForge
Chair

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

Communications from State Officers

The following communication from the Secretary of State was received and read:

April 1, 1997

Notice of Filing
Administrative Rules

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 3:10 p.m. this date, administrative rule (97-4-1) for the Department of Treasury, Higher Education Facilities Authority entitled "*Educational Loans*", effective 15 days hereafter.

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

The communication was referred to the Clerk.

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

April 9, 1997

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

Compliance Audit of Private Colleges' Enrollments
Department of Treasury
1996-97

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

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

Introduction of Bills

Rep. Nye introduced

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 section 2 (MCL 129.12).

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

Rep. Nye introduced

House Bill No. 4611, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11510 (MCL 324.11510), as amended by 1996 PA 358.

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

Rep. Griffin introduced

House Bill No. 4612, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16401 (MCL 333.16401).

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

Reps. Leland, Wallace, DeHart, Hale, Stallworth, Vaughn, Lowe, Quarles, Brewer, Kelly, Rison, Agee, Callahan, Kaza, LeTarte, Law, Emerson, Scott, Freeman, Schroer, Brater, Parks, Hood, Raczkowski, Griffin, Dobronski, Cropsey, Bobier, Geiger, Byl, Jaye, Rocca, Murphy and Schauer introduced

House Bill No. 4613, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 1993 PA 22.

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

Reps. Brown, Freeman, Schauer, Martinez, Varga, Emerson, Schroer, Mans, Parks, Agee, Tesanovich, Hanley, Schermesser, Willard, Goschka, Kelly, Bogardus, Rison, Quarles, Griffin, Brewer, Hale, Gire, Harder, Curtis, Dobronski, Wetters, Baird, DeHart, Law, Gagliardi, McBryde, Murphy, Wojno, Price, Brackenridge and LaForge introduced

House Bill No. 4614, entitled

A bill to amend 1981 PA 118, entitled "An act to regulate motor vehicle manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate dealings between manufacturers and distributors or wholesalers and their dealers; to regulate dealings between manufacturers, distributors, wholesalers, dealers, and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending section 2 (MCL 445.1562), as amended by 1983 PA 188, and by adding sections 17a and 17b.

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

Reps. DeVuyst, Goschka, Hammerstrom, LeTarte, McBryde, Jansen, Scranton, Raczkowski, Oxender, Dalman, Jelinek and Perricone introduced

House Bill No. 4615, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 1987 PA 255.

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

Rep. Cropsey moved that the House adjourn.

The motion prevailed, the time being 11:45 a.m.

The Associate Speaker Pro Tempore declared the House adjourned until Tuesday, April 15, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.

