

No. 10
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House Chamber, Lansing, Thursday, February 10, 2000.

12:00 Noon.

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

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

Allen—present	Frank—present	Kuipers—present	Rison—present
Baird—present	Garcia—present	Kukuk—present	Rivet—present
Basham—present	Garza—present	LaForge—present	Rocca—present
Birkholz—present	Geiger—present	LaSata—present	Sanborn—absent
Bisbee—present	Gielegem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—present
Bogardus—present	Godchaux—present	Lockwood—present	Scott—present
Bovin—present	Gosselin—present	Mans—present	Scranton—present
Bradstreet—present	Green—present	Martinez—present	Shackleton—present
Brater—present	Hager—present	Mead—present	Sheltrown—present
Brewer—present	Hale—present	Middaugh—present	Shulman—present
Brown, Bob—present	Hanley—present	Minore—present	Spade—present
Brown, Cameron—present	Hansen—present	Mortimer—present	Stallworth—present
Byl—present	Hardman—excused	Neumann—present	Stamas—present
Callahan—present	Hart—present	O’Neil—present	Switalski—present
Cassis—present	Howell—present	Pappageorge—present	Tabor—present
Caul—present	Jacobs—present	Patterson—present	Tesanovich—present
Cherry—present	Jamnick—present	Perricone—e/d/s	Thomas—present
Clark—present	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—excused	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—present	Quarles—present	Year—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—e/d/s	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Rep. Valde Garcia, from the 86th District, offered the following invocation:

“Our Heavenly Father, we thank You for this day You have given to us. We thank You for this opportunity to serve. We ask that You will be with us, guide us, direct us and we ask that tonight, as we travel back home, that You will give us safety and bring us back together once again. In Jesus’ name we ask. Amen.”

Rep. Scott moved that Reps. Daniels and Hardman be excused from today’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 4769, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 801 (MCL 257.801), as amended by 1998 PA 384.

The bill was read a second time.

Rep. Caul moved to amend the bill as follows:

1. Amend page 4, line 7, after the second “THE” by striking out “MILK PROCESSING PLANT” and inserting “FIRST POINT OF DELIVERY”.

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

Rep. Rick Johnson 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. Raczkowski 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. 4769, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 801 (MCL 257.801), as amended by 1998 PA 384.

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

Roll Call No. 29

Yeas—104

Allen	Garcia	Kuipers	Rison
Baird	Garza	Kukuk	Rivet
Basham	Geiger	LaForge	Rocca
Birkholz	Gielegem	LaSata	Schauer
Bisbee	Gilbert	Law	Schermesser
Bishop	Godchaux	Lemmons	Scott
Bogardus	Gosselin	Lockwood	Scranton
Bovin	Green	Mans	Shackleton
Bradstreet	Hager	Martinez	Sheltrown
Brater	Hale	Mead	Shulman
Brewer	Hanley	Middaugh	Spade
Brown, B.	Hansen	Minore	Stallworth
Brown, C.	Hart	Mortimer	Stamas
Byl	Howell	Neumann	Switalski
Callahan	Jacobs	O’Neil	Tabor

Cassis	Jamnick	Pappageorge	Tesanovich
Caul	Jansen	Patterson	Thomas
Cherry	Jelinek	Pestka	Toy
Clark, I.	Jellema	Price	Van Woerkom
Clarke, H.	Johnson, Rick	Prusi	Vander Roest
DeHart	Johnson, Ruth	Pumford	Vaughn
Dennis	Julian	Quarles	Vear
DeVuyst	Kelly	Raczkowski	Voorhees
Ehardt	Kilpatrick	Reeves	Wojno
Faunce	Koetje	Richardville	Woodward
Frank	Kowall	Richner	Woronchak

Nays—0

In The Chair: Scranton

The House agreed to the title of the bill.
 Rep. Raczkowski 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. 5067, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 214 (MCL 330.1214).
 The bill was read a second time.

Rep. Shackleton 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. Raczkowski moved that the bill be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

Reps. Perricone and DeWeese entered the House Chambers.

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

House Bill No. 5067, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 214 (MCL 330.1214).

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

Roll Call No. 30**Yeas—104**

Allen	Faunce	Kuipers	Richner
Baird	Frank	Kukuk	Rivet
Basham	Garcia	LaForge	Rocca
Birkholz	Garza	LaSata	Schauer
Bisbee	Geiger	Law	Schermesser
Bishop	Gielegem	Lemmons	Scott

Bogardus	Gilbert	Lockwood	Scranton
Bovin	Green	Mans	Shackleton
Bradstreet	Hager	Martinez	Sheltrown
Brater	Hale	Mead	Shulman
Brewer	Hanley	Middaugh	Spade
Brown, B.	Hansen	Minore	Stallworth
Brown, C.	Hart	Mortimer	Stamas
Byl	Howell	Neumann	Switalski
Callahan	Jacobs	O'Neil	Tabor
Cassis	Jamnack	Pappageorge	Tesanovich
Caul	Jansen	Patterson	Thomas
Cherry	Jelinek	Perricone	Toy
Clark, I.	Jellema	Pestka	Van Woerkom
Clarke, H.	Johnson, Rick	Price	Vander Roest
DeHart	Johnson, Ruth	Prusi	Vaughn
Dennis	Julian	Pumford	Vear
DeRossett	Kelly	Quarles	Voorhees
DeVuyst	Kilpatrick	Rackowski	Wojno
DeWeese	Koetje	Reeves	Woodward
Ehardt	Kowall	Richardville	Woronchak

Nays—0

In The Chair: Scranton

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

Messages from the Senate

The Senate returned, in accordance with the request of the House

Senate Bill No. 657, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16348 and part 185; and to repeal acts and parts of acts.

Rep. Rackowski moved that Rule 67 be suspended.

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

Rep. Rackowski moved to reconsider the vote by which the House passed the bill.

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

Third Reading of Bills

Senate Bill No. 657, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16348 and part 185; and to repeal acts and parts of acts.

Rep. Rackowski moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

Second Reading of Bills

Senate Bill No. 657, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16348 and part 185; and to repeal acts and parts of acts.

Rep. Rocca moved to amend the bill as follows:

1. Amend page 8, line 12, after the second “A” by striking out “PRIVILEGED” and inserting “CONFIDENTIAL”.
2. Amend page 8, line 13, after “COMMUNICATION.” by striking out the balance of the line and inserting “A CONFIDENTIAL”.

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

Rep. Raczkowski 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. Raczkowski 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. 657, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16348 and part 185; and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

Roll Call No. 31

Yeas—106

Allen	Frank	Kuipers	Richner
Baird	Garcia	Kukuk	Rison
Basham	Garza	LaForge	Rocca
Birkholz	Geiger	LaSata	Schauer
Bisbee	Gielegem	Law	Schermesser
Bishop	Gilbert	Lemmons	Scott
Bogardus	Godchaux	Lockwood	Scranton
Bovin	Gosselin	Mans	Shackleton
Bradstreet	Green	Martinez	Sheltrown
Brater	Hager	Mead	Shulman
Brewer	Hale	Middaugh	Spade
Brown, B.	Hanley	Minore	Stallworth
Brown, C.	Hansen	Mortimer	Stamas
Byl	Hart	Neumann	Switalski
Callahan	Howell	O’Neil	Tabor
Cassis	Jacobs	Pappageorge	Tesanovich
Caul	Jamnick	Patterson	Thomas
Cherry	Jansen	Perricone	Toy
Clark, I.	Jelinek	Pestka	Van Woerkom
Clarke, H.	Jellema	Price	Vander Roest
DeHart	Johnson, Rick	Prusi	Vaughn
Dennis	Johnson, Ruth	Pumford	Vear
DeRossett	Julian	Quarles	Voorhees
DeVuyst	Kelly	Raczkowski	Wojno
DeWeese	Kilpatrick	Reeves	Woodward
Ehardt	Koetje	Richardville	Woronchak
Faunce	Kowall		

Nays—0

In The Chair: Scranton

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”

The House agreed to the full title.

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

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Martinez, Raczkowski, Julian, Kelly, DeHart, Garcia, Mead, Clark, Garza, Lemmons, Hale, Spade, Prusi, Schermesser, Jamnick, Minore, Callahan, Wojno, Hansen, Vander Roest, Lockwood, LaForge, Hager, Scott, Tesanovich, Mans, Stallworth, Van Woerkom, Toy, Caul, Brater, Schauer, Reeves, Dennis, Woodward, Neumann, Basham, Cherry, Hanley, Scranton, Faunce, Jacobs, Richner, Thomas, Vaughn, Jelinek, Koetje, Bogardus, Baird, Gielegghem, Bovin, Price, DeWeese and Pappageorge offered the following resolution:

House Resolution No. 269.

A resolution honoring Sparrow Health System for being recognized as one of the nation's 100 top hospitals by HCIA.

Whereas, It is with deep appreciation of the significance of this milestone that we commend the management and staff of Sparrow Health System as they are recognized as one of the nation's 100 top hospitals by HCIA, a Baltimore based information management company, and The Health Network. We are proud to recognize the important role that this enterprise has played in contributing to both the economic well-being of the area and the lives of countless citizens; and

Whereas, Sparrow Health System is mid-Michigan's most comprehensive health delivery system committed to improving the health status of the community by providing quality, compassionate, cost-effective care. Sparrow Health System offers a network of primary, secondary and tertiary care spanning Mid-Michigan and includes Sparrow Hospital, mid-Michigan's premier acute care medical center; St. Lawrence Hospital; Mason Community Health Center; Clinton Memorial Hospital; and affiliates Carson Health Network, Central Michigan Health System, and Ionia Community Health System. Sparrow Health System is affiliated with Michigan State University's College of Human Medicine, Osteopathic Medicine and Nursing; and

Whereas, Since its founding, Sparrow Health System has become a vital element in helping Michigan grow and adapt to needs in commerce and all aspects of life in Lansing. This success in maintaining competitiveness during an era of many challenges is the direct result of the commitment of the people of this company and their ability to work together to offer the best in products and services over the years. Even as our cyclical Michigan economy has presented obstacles to growth and stability, Sparrow Health System has sustained itself through dedication and innovation; and

Whereas, In looking back over the years of Sparrow Health System's history, it is clear that this business has set its course with a continuing look to the future. While the changes of the marketplace dictate many of the decisions for any good company, Sparrow Health System has also demonstrated the importance of looking beyond the balance sheet alone to include the ideas of its people and the role of the company in community life in making choices. We are grateful for all that Sparrow Health System has contributed to Lansing and all of Michigan; now, therefore, be it

Resolved by the House of Representatives, That this resolution be dedicated to honor Sparrow Health System for being recognized as one of the nation's 100 top hospitals by HCIA. We salute them on this happy occasion and wish them well in the years to come; and be it further

Resolved, That a copy of this resolution be transmitted to Sparrow Health System as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Martinez, Raczkowski, Julian, Kelly, Jellema, DeHart, Mead, Frank, Clark, Garza, Lemmons, Hale, Spade, Prusi, Schermesser, Jamnick, Minore, Callahan, Wojno, Hansen, Lockwood, LaForge, Richardville, Hager, Scott, Tesanovich, Mans, Toy, Shulman, Brater, Schauer, Reeves, Dennis, Woodward, Neumann, Basham, Cherry, Hanley, Scranton, Faunce, Jacobs, Richner, Thomas, Vaughn, Jelinek, Bogardus, Baird, Gielegem, Bovin, Price, Pappageorge and Godchaux offered the following resolution:

House Resolution No. 270.

A resolution commemorating the Eightieth Anniversary of the League of Women Voters.

Whereas, It is with deep appreciation of the significance of this milestone that we commend the League of Women Voters as they mark their Eightieth Anniversary. We are proud to recognize the important role the League of Women Voters have played in contributing to the well-being of the state and the lives of countless citizens; and

Whereas, The League of Women Voters was formed in 1920 as an outgrowth of the women's suffrage movement. These goals were established: first, to educate 20 million new voters; second, to work to pass needed legislation; and third, to encourage the electorate to become involved in government. These three objectives galvanized the members of the League of Women Voters into an organization that has continually succeeded in its mission; and

Whereas, Throughout the past eighty years, the League of Women Voters has been a significant force in national, state, and local government. The League has sponsored political debates, campaign finance reform, voter registration drive, and the distribution of election guides. In addition, the League's efforts have been felt as a promoter of responsible legislation in such areas as education, human resources, and the environment; and

Whereas, The theme for the eightieth anniversary celebration of the League of Women Voters is "Making Democracy Work". These words certainly exemplify the longstanding dedication and effective work of the League's members over the years. We thank the League of Women Voters for helping citizens to help themselves by empowering them to shape better communities through involvement in the governmental process; now, therefore, be it

Resolved by the House of Representatives, That a unanimous accolade of praise and tribute be accorded in commemoration of the Eightieth Anniversary of the League of Women Voters; and be it further

Resolved, That a copy of this resolution be transmitted to coordinators of the eightieth anniversary celebration as evidence of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Middaugh, Green, Allen, Rick Johnson, Brown, Vander Roest, Jelinek, Mead, Toy, Pappageorge, Rocca, Scranton, Mans, Birkholz, Lemmons, Julian, Kelly, Garcia, Kukuk, Prusi, Hager, Scott, Tesanovich, Cassis, Voorhees, Caul, Cherry, Gielegem, Faunce, Vear, Vaughn and Koetje offered the following resolution:

House Resolution No. 271.

A resolution to memorialize the Congress of the United States to enact the Regulatory Fairness and Openness Act to provide for standards of implementation and enforcement of the Food Quality Protection Act.

Whereas, Determining the appropriate balance between the use of pesticides and other chemicals and the need for food and a healthy agriculture system is a matter of great importance. The Food Quality Protection Act of 1996 has generated considerable concern as a result of the enforcement of the law by the Environmental Protection Agency and standards that many feel are based on inappropriate assumptions; and

Whereas, Congress is presently considering a bill to provide a more effective and clearer means of identifying standards and tolerances of pesticides and other components of modern agriculture. This legislation, the Regulatory Fairness and Openness Act (H.R. 1592), which enjoys strong bipartisan support within Michigan's congressional delegation, would, among other things, require the EPA to conduct safety analyses prior to issuing public announcements or making final tolerance decisions. The bill also sets forth reassessment procedures, provides a timetable for rules, recognizes the need for agriculture to respond to both plant diseases and international concerns, and puts in place procedures to ensure that decisions on food safety are made on the basis of factual research data and not on assumed risks or maximum use rates; and

Whereas, Ensuring both a safe food supply both now and in the future requires the full understanding of scientific effects and economic realities. The Regulatory Fairness and Openness Act (H.R. 1592) addresses these needs through its requirements for the gathering of data and through its provisions to clarify standards; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the Regulatory Fairness and Openness Act to provide for standards of implementation and enforcement of the Food Quality Protection Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Agriculture and Resource Management.

Reps. Middaugh, Julian, Kelly, Jellema, DeHart, Garcia, Mead, Kukuk, Frank, Clark, Garza, Lemmons, Sheltrown, Hale, Spade, Prusi, Schermesser, Jamnick, Minore, Callahan, Wojno, Hansen, Vander Roest, Lockwood, Howell, LaForge, Martinez, Richardville, Hager, Scott, Tesanovich, Mans, Van Woerkom, Bradstreet, Toy, Cassis, Jansen, Kuipers, Shulman, Voorhees, Caul, Schauer, Reeves, Neumann, Cherry, Scranton, Gielegem, Faunce, Vear, Jacobs, Richner, Kowall, Cameron Brown, Vaughn, Jelinek, Green, Bishop, Koetje, Baird, Bovin, Price, DeWeese and Pappageorge offered the following resolution:

House Resolution No. 272.

A resolution recognizing the 90th Anniversary of the Boy Scouts of America.

Whereas, Boy Scouts of America was incorporated on February 8, 1910 and chartered by Congress in 1916; and

Whereas, Since 1910, the purpose of Boy Scouts of America has been to provide an educational program for boys and young adults to build character, to train in the responsibilities of participating citizenship and to develop personal fitness; and

Whereas, Boy Scouts of America endeavors to develop American citizens who are physically, mentally, and emotionally fit, have a high degree of self-reliance as evidenced in such qualities as initiative, courage, and resourcefulness, have personal values based on religious concepts, and have the desire and skills to help others; and

Whereas, Boy Scouts of America helps develop American citizens who understand the principles of the American social, economic, and governmental systems, are knowledgeable about and take pride in their American heritage and understand our nation's role in the world, have a keen respect for the basic rights of all people, and are prepared to participate in and give leadership to American society; and

Whereas, Over the past 90 years, the Boy Scouts of America and its members have made considerable contributions to our country as an advocate for traditional American values; and

Whereas, Through this commitment, 3.4 million Scouts, their families and 1.5 million volunteers represent 142,587 scouting units, 321 councils, 16,800 communities, and all 50 states; and

Whereas, Over the past two years, 3.4 million Scouts have provided 100,757,046 hours of community service to others; now, therefore, be it

Resolved by the House of Representatives, That members of this Legislative body call upon the citizens of Michigan to recognize the 90th Anniversary of the Boy Scouts of America; and be it further

Resolved, That a copy of this resolution be transmitted to the National Council of the Boy Scouts of America as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Garza, Kelly, Jellema, DeHart, Garcia, Frank, Pestka, Clark, Lemmons, Hale, Spade, Quarles, Prusi, Schermesser, Jamnick, Minore, Callahan, Wojno, Hansen, Lockwood, LaForge, Martinez, Hager, Scott, Tesanovich, Stallworth, Voorhees, Brater, Schauer, Reeves, Dennis, Woodward, Basham, Cherry, Hanley, Scranton, Gielegem, Faunce, Vear, Jacobs, Rivet, Thomas, Vaughn, Green, Bogardus, Baird, Bovin, Price, DeWeese and Godchaux offered the following resolution:

House Resolution No. 273.

A resolution to commemorate the birthday of Cesar E. Chavez.

Whereas, Cesar E. Chavez was born March 31, 1927, on a small farm near Yuma, Arizona, and died on April 23, 1993; and

Whereas, Numerous holidays, schools, parks, libraries, and other structures and events have been named after Cesar E. Chavez, internationally and in California, New York, Michigan, Indiana, Oklahoma, Arizona, Illinois, Minnesota, Colorado, New Mexico, Massachusetts, Texas, and Hawaii, with many more planned; and

Whereas, Cesar E. Chavez was a recipient of the Martin Luther King, Jr., Peace Prize during his lifetime and was awarded the Presidential Medal of Freedom by President Clinton on August 8, 1994; and

Whereas, The grandson of a Mexican immigrant and settler, he grew up working with migrant farm workers, himself picking grapes, melons, beans, and other staple crops at low wages and for long hours, during which time he developed a strong work ethic and respect for the farm workers his father called 'the children of God'; and

Whereas, At the age of 18, Cesar E. Chavez entered the United States Navy and served his country with distinction for 2 years; and

Whereas, As early as 1949, Cesar E. Chavez committed himself to organizing farm workers to campaign for safe and fair working conditions, reasonable wages, decent housing, and the outlawing of child labor; and

Whereas, In 1962, Cesar E. Chavez founded the National Farm Workers Association, predecessor of the United Farm Workers of America, which brought hope to farm workers that they might one day realize the basic protections and workers' rights to which all Americans aspire; and

Whereas, Through his commitment to nonviolence, Cesar E. Chavez brought dignity and respect to the farm workers who organized themselves, and became an inspiration and a resource to other Americans and people engaged in human rights struggles throughout the world; and

Whereas, Cesar E. Chavez was an advocate for nonviolence at a time when violence penetrated every level of our society; and

Whereas, Cesar E. Chavez and his family also dedicated themselves to the education of farm workers' children through migrant schools, many of whom graduated and worked as teachers, doctors, nurses, and in other professional occupations; and

Whereas, The legacy of Cesar E. Chavez includes healthy working conditions that yield uncontaminated food for America's tables and the enforcement of employer sanctions for those who hire illegal immigrants; and

Whereas, Cesar E. Chavez's influence extends far beyond agriculture and provides inspiration for those working to better human rights through his example of organizing voter registration drives in urban and farm areas, initiating complaints against mistreatment by police and welfare officials, and empowering everyday workers to seek advancement in education and politics; and

Whereas, Cesar E. Chavez lived alongside his campesino brothers and sisters in humble surroundings and upon his passing was laid to rest where he lived and worked for 23 years on the grounds of the headquarters of the United Farm Workers of America, known as Nuestra Senora de La Paz (Our Lady of Peace), located in the Tehachapi Mountains at Keene, California; now, therefore, be it

Resolved by the House of Representatives, That Cesar E. Chavez be honored for his tireless commitment to improve the plight of farm workers and the poor throughout the United States and for the inspiration his heroic efforts gave to so many Americans to work nonviolently for justice in their communities and that a Federal holiday be recognized throughout the United States, and that all Americans be encouraged to commit themselves to working for justice through nonviolence in their communities and remind themselves of the work of the people who put food on the tables of America.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Middaugh, Green, Allen, Rick Johnson, Cameron Brown, Vander Roest, Jelinek, Mead, Toy, Pappageorge, Rocca, Scranton, Mans, Birkholz, Lemmons, Julian, Kelly, Garcia, Kukuk, Prusi, Callahan, Hager, Scott, Tesanovich, Cassis, Voorhees, Caul, Gielegem, Faunce, Vear, Vaughn and Koetje offered the following concurrent resolution:

House Concurrent Resolution No. 83.

A concurrent resolution to memorialize the Congress of the United States to enact the Regulatory Fairness and Openness Act to provide for standards of implementation and enforcement of the Food Quality Protection Act.

Whereas, Determining the appropriate balance between the use of pesticides and other chemicals and the need for food and a healthy agriculture system is a matter of great importance. The Food Quality Protection Act of 1996 has generated considerable concern as a result of the enforcement of the law by the Environmental Protection Agency and standards that many feel are based on inappropriate assumptions; and

Whereas, Congress is presently considering a bill to provide a more effective and clearer means of identifying standards and tolerances of pesticides and other components of modern agriculture. This legislation, the Regulatory Fairness and Openness Act (H.R. 1592), which enjoys strong bipartisan support within Michigan's congressional delegation, would, among other things, require the EPA to conduct safety analyses prior to issuing public announcements or making final tolerance decisions. The bill also sets forth reassessment procedures, provides a timetable for rules, recognizes the need for agriculture to respond to both plant diseases and international concerns, and puts in place procedures to ensure that decisions on food safety are made on the basis of factual research data and not on assumed risks or maximum use rates; and

Whereas, Ensuring both a safe food supply both now and in the future requires the full understanding of scientific effects and economic realities. The Regulatory Fairness and Openness Act (H.R. 1592) addresses these needs through its requirements for the gathering of data and through its provisions to clarify standards; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to enact the Regulatory Fairness and Openness Act to provide for standards of implementation and enforcement of the Food Quality Protection Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The concurrent resolution was referred to the Committee on Agriculture and Resource Management.

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hager, Vice-Chair of the Committee on Local Government and Urban Policy, was received and read:

Meeting held on: Thursday, February 10, 2000, at 9:00 a.m.,

Present: Reps. Birkholz, Hager, Bishop, Julian, Vander Roest, Lockwood, Jamnick, Minore,

Absent: Reps. DeWeese, Tabor, Reeves,

Excused: Reps. DeWeese, Tabor, Reeves.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following Senate bills had been received on Thursday, February 10:

Senate Bill Nos. 658 766

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 658, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1704. The Senate has passed the bill.

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

Senate Bill No. 766, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1104 (MCL 380.1104), as amended by 1995 PA 289.

The Senate has passed the bill.

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

Introduction of Bills

Rep. Law introduced

House Bill No. 5338, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," by amending the title and sections 13a, 18a, 19, 20, 20a, 35, 36, 41a, 46, 48, 66, 78, 78a, 78b, and 79 (MCL 780.763a, 780.768a, 780.769, 780.770, 780.770a, 780.785, 780.786, 780.791a, 780.796, 780.798, 780.816, 780.828, 780.828a, 780.828b, and 780.829), sections 13a, 20a, 36, 41a, and 48 as amended by 1998 PA 523, sections 18a, 35, 46, 66, and 78 as amended and section 78b as added by 1993 PA 341, sections 19 and 78a as amended by 1996 PA 105, and section 79 as added by 1988 PA 21, and by adding section 12a.

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

Rep. Law introduced

House Bill No. 5339, entitled

A bill to amend 1993 PA 136, entitled "An act to provide immunity from civil liability to persons who donate food for use or distribution by certain nonprofit or charitable corporations, organizations, or associations; and to repeal certain acts and parts of acts," by amending the title and sections 1, 2, and 3 (MCL 691.1571, 691.1572, and 691.1573).

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

Rep. Law introduced

House Bill No. 5340, entitled

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending section 7 (MCL 390.1457).

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

Reps. DeVuyst, Rick Johnson, Richardville, Jelinek, Hager, Kukuk, Mead, Green, Bovin, Howell, Scranton, Vear, Voorhees, Pappageorge, Tabor, Geiger and Koetje introduced

House Bill No. 5341, entitled

A bill to amend 1978 PA 361, entitled "Michigan exposition and fairgrounds act," by amending sections 2, 5, 6, 7, 8, 9, and 11 (MCL 285.162, 285.165, 285.166, 285.167, 285.168, 285.169, and 285.171) and by adding sections 14a and 15a; and to repeal acts and parts of acts.

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

Reps. Woronchak, Richardville, Spade, Shackleton, Kowall, Hager, Gilbert, DeRossett, Faunce, Van Woerkom, Sanborn, Bisbee, Koetje, DeHart, Toy, Julian and Howell introduced

House Bill No. 5342, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 803e (MCL 257.803e), as amended by 1998 PA 68.

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

Rep. Thomas introduced

House Bill No. 5343, entitled

A bill to amend 1986 PA 89, entitled "Michigan BIDCO act," by amending section 717 (MCL 487.1717).

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

Reps. Raczkowski, Bishop, Julian, Bovin, Pappageorge, Scranton and Birkholz introduced

House Bill No. 5344, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 2a to chapter X.

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

Reps. Scott, DeWeese, DeHart, Hale, Richner, Garza, Daniels, Price, Jacobs, Prusi, Thomas and Lemmons introduced

House Bill No. 5345, entitled

A bill to provide for expedited eviction of persons engaged in certain drug-related activities and to enjoin persons engaged in certain drug-related activities from being at or near certain residential premises; to provide civil remedies; to prescribe duties for certain state agencies; to grant immunity to certain persons; to provide for the distribution of information and drug treatment services; and to provide opportunities for drug rehabilitation.

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

Reps. Scott, DeWeese, DeHart, Price, Hale, Richner, Garza, Daniels, Jacobs, Prusi, Thomas and Lemmons introduced

House Bill No. 5346, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 28 of chapter XIII (MCL 712A.28), as amended by 1998 PA 478.

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

Reps. Scott, DeWeese, DeHart, Hale, Richner, Garza, Daniels, Price, Jacobs, Prusi, Thomas and Lemmons introduced **House Bill No. 5347, entitled**

A bill to enjoin certain criminal offenders from entering certain premises; to provide for penalties for violations of injunctions; to provide for certain standards of proof; and to provide victims with certain rights.

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

Reps. Scott, DeWeese, DeHart, Hale, Richner, Garza, Daniels, Price, Jacobs, Prusi, Thomas and Lemmons introduced **House Bill No. 5348, entitled**

A bill to create certain civil actions; to provide certain civil remedies for certain drug related nuisances; to impose certain penalties; to grant immunity to certain persons; to prescribe duties for certain state agencies; to create certain revolving funds; and to provide for certain standards of proof.

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

Rep. Brater moved that the House adjourn.
The motion prevailed, the time being 1:10 p.m.

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

GARY L. RANDALL
Clerk of the House of Representatives.