

**No. 11**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**90th Legislature**  
**REGULAR SESSION OF 2000**

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House Chamber, Lansing, Tuesday, February 15, 2000.

2:00 p.m.

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

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—present
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—present	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—present	Thomas—excused
Clark—excused	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—present	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—present
Dennis—present	Johnson, Ruth—present	Quarles—present	Vear—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—present	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Rev. Richard Rienstra, Development Director of Urban Missions for the Reformed Church of America, offered the following invocation:

“Gracious and Almighty God, we are grateful for Your blessings this day. Thank You for the beauty of the earth and for the beauty of one another around us—whether that beauty is in a child in a classroom, in a hospital or in a prison this day. We are created in Your image. We are especially are mindful of this beautiful place that speaks of Your creative power, of Your order and governance of our lives.

We thank You for leaders who have taken on the responsibility of making laws and providing for the common welfare of our people. We pray for Your guidance today as they consider budgets and oversee the many governmental umbrellas of care that are out in our communities. May Your Spirit rule their hearts and minds as they seek the welfare of this state. May they pick up the stones of justice and goodwill and in the fashion of David and Esther, strike down the giants of deceit, racism and neglect of some of our cities.

Knowing we are part of the United States, we in Michigan today pray for the people of Georgia and other parts of our country and world that need Your care and love. In the name of the God who lives and rules forever, the God of Abraham, Isaac, Jacob, Sarah, Rebecca and Rachel, Amen.”

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Rep. Scott moved that Rep. Thomas be excused from today’s session.  
The motion prevailed.

Rep. Scott moved that Rep. Clark be excused from this week’s session.  
The motion prevailed.

### Second Reading of Bills

#### Senate Bill No. 614, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1178 (MCL 380.1178), as amended by 1995 PA 289.

The bill was read a second time.

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. 614, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1178 (MCL 380.1178), as amended by 1995 PA 289.

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

#### Roll Call No. 32

#### Yeas—108

Allen	Frank	Kowall	Richner
Baird	Garcia	Kuipers	Rison
Basham	Garza	Kukuk	Rivet
Birkholz	Geiger	LaForge	Rocca
Bisbee	Gielegem	LaSata	Sanborn
Bishop	Gilbert	Law	Schauer
Bogardus	Godchaux	Lemmons	Schermesser

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

### Nays—0

In The Chair: Birkholz

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

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts.”

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.

### Second Reading of Bills

#### Senate Bill No. 631, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1179.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Education (for amendment, see House Journal No. 8, p. 106),

The amendment was 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. 631, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1179. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 33**

**Yeas—107**

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

**Nays—0**

In The Chair: Birkholz

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

"An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,".

The House agreed to the full title.

Rep. Rackowski 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. 4994, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 215 (MCL 750.215), as amended by 1991 PA 145.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Criminal Law and Corrections (for amendments, see House Journal No. 8, p. 107),

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

Rep. Callahan moved to amend the bill as follows:

1. Amend page 1, line 1, after “Sec. 215.” by inserting “(1)”.
2. Amend page 1, line 4, after the second “FIREFIGHTER,” by striking out “or”.
3. Amend page 1, line 5, after “police,” by inserting “ELECTED OFFICIAL, OR PUBLIC EMPLOYEE WITH LAW OR REGULATORY ENFORCEMENT DUTIES,”.
4. Amend page 1, line 9, after the second “FIREFIGHTER,” by striking out “or”.
5. Amend page 1, line 10, after “police,” by inserting “ELECTED OFFICIAL, OR PUBLIC EMPLOYEE WITH LAW OR REGULATORY ENFORCEMENT DUTIES,”.
6. Amend page 2, following line 3, by inserting:

“(2) AS USED IN THIS SECTION:

(A) “PUBLIC EMPLOYEE” MEANS AN EMPLOYEE OF THIS STATE, AN EMPLOYEE OF A CITY, VILLAGE, TOWNSHIP, OR COUNTY OF THIS STATE, OR AN EMPLOYEE OF A DEPARTMENT, BOARD, AGENCY, INSTITUTION, COMMISSION, AUTHORITY, DIVISION, COUNCIL, COLLEGE, UNIVERSITY, COURT, SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, SPECIAL DISTRICT, OR OTHER PUBLIC ENTITY OF THIS STATE OR OF A CITY, VILLAGE, TOWNSHIP, OR COUNTY IN THIS STATE, BUT DOES NOT INCLUDE A PERSON WHOSE EMPLOYMENT RESULTS FROM ELECTION.

(B) “ELECTED OFFICIAL” MEANS A PERSON WHO IS ELECTED TO ANY OF THE FOLLOWING:

- (i) AN OFFICE ESTABLISHED BY THE STATE CONSTITUTION OF 1963.
- (ii) A PUBLIC OFFICE OF A CITY, VILLAGE, TOWNSHIP, OR COUNTY IN THIS STATE.
- (iii) A DEPARTMENT, BOARD, AGENCY, INSTITUTION, COMMISSION, COURT, AUTHORITY, DIVISION, COUNCIL, COLLEGE, UNIVERSITY, SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, SPECIAL DISTRICT, OR OTHER PUBLIC ENTITY OF THIS STATE OR A CITY, VILLAGE, TOWNSHIP, OR COUNTY IN THIS STATE.”.

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

Rep. Kukuk 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. 4994, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 215 (MCL 750.215), as amended by 1991 PA 145.

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

**Roll Call No. 34**

**Yeas—105**

Allen	Garza	Kukuk	Rison
Baird	Geiger	LaForge	Rivet
Basham	Gielegthem	LaSata	Rocca
Birkholz	Gilbert	Law	Sanborn
Bisbee	Godchaux	Lemmons	Schauer
Bishop	Gosselin	Lockwood	Schermesser
Bogardus	Green	Mans	Scott

Bradstreet	Hager	Martinez	Scranton
Brater	Hale	Mead	Shackleton
Brewer	Hanley	Middaugh	Sheltrown
Brown, B.	Hansen	Minore	Shulman
Brown, C.	Hardman	Mortimer	Spade
Byl	Hart	Neumann	Stallworth
Callahan	Howell	O'Neil	Stamas
Cassis	Jacobs	Pappageorge	Switalski
Caul	Jamnack	Patterson	Tabor
Cherry	Jansen	Perricone	Tesanovich
Clarke, H.	Jelinek	Pestka	Toy
Daniels	Jellema	Price	Van Woerkom
DeHart	Johnson, Rick	Prusi	Vander Roest
DeRossett	Johnson, Ruth	Pumford	Vaughn
DeVuyst	Julian	Quarles	Vear
DeWeese	Kelly	Raczkowski	Voorhees
Ehardt	Koetje	Reeves	Wojno
Faunce	Kowall	Richardville	Woodward
Frank	Kuipers	Richner	Woronchak
Garcia			

### Nays—0

In The Chair: Birkholz

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.

Reps. Allen, Basham, Birkholz, Bishop, Bovin, Brewer, Cameron Brown, Callahan, Cassis, Clarke, Faunce, Gielegem, Hager, Hansen, Jamnick, LaSata, Mead, Mortimer, Neumann, Raczkowski, Richardville, Rocca, Sanborn, Shulman, Stallworth, Tabor, Toy, Vander Roest, Voorhees and Wojno were named co-sponsors of the bill.

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. Hart, Martinez, Switalski, Hager, Allen, Tabor, Shulman and Birkholz offered the following resolution:

#### **House Resolution No. 274.**

A resolution to request the Governor to appoint a task force to study gender equity in Michigan high school athletics, including the funding levels for both boys and girls teams.

Whereas, In the twenty-seven years since federal legislation made gender equity the law of the land, the level of participation in sports among young women has grown dramatically. From a level of seven percent of high school athletes being girls when Title IX passed in 1972, approximately forty percent of high school athletes today are women; and

Whereas, While the growth of girls sports now offers opportunities to far more young women than before, there are many more issues related to athletics than the number of participants. Some observers have expressed concerns that there are several aspects of high school sports that may not reflect gender equity. These include levels of financial support, access to the same expertise in coaching, use of quality facilities, and scheduling of sport seasons consistent with opportunities for college participation; and

Whereas, The benefits of participation in high school activities in general and interscholastic athletics in particular are well documented. Beyond the positive impact on the physical well-being of athletes, there are clear links between participation in sports and achievement in the classroom and all aspects of life. Apart from the requirements to follow the letter and the spirit of federal law, the strong positive influence of sports and the importance of full access to them as an option for every student are strong reasons for Michigan to ensure gender equity in high school athletics; now, therefore, be it

Resolved by the House of Representatives, That we request the Governor to appoint a task force to study gender equity in Michigan high school athletics, including the funding levels for both boys and girls teams; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor.

The resolution was referred to the Committee on Education.

Reps. Shackleton, Raczkowski, Birkholz, Spade, Julian, Tabor, Mans, Kukuk, Faunce, Voorhees, Gosselin, Jammick, Lockwood, Rocca, Kelly, Richner, Sheltrown, Garza, Gielegem, Wojno, Vear, Jacobs, Vander Roest, Middaugh, Scott, DeHart, Pappageorge, Howell, Koetje, Toy, Prusi, Baird, Bogardus, Schauer, Callahan, Mead, Bishop, DeVuyst, Mortimer, Caul, Rick Johnson, Jellema, Jelinek, Dennis, Woodward, Schermesser, Clarke, Kilpatrick, Lemmons, Sanborn, LaSata, LaForge, Tesanovich, Garcia, Cassis, Jansen, Hale, Bovin, Shulman, Vaughn, Richardville, Ehardt, Van Woerkom, Green and Price offered the following resolution:

**House Resolution No. 275.**

A resolution to recognize Miss America 2000, Heather French, for her outstanding achievements and her meritorious dedication to assisting our nation's homeless veterans.

Whereas, Miss America 2000, Heather French, is a young woman who, in her twenty-four years, has already achieved an understanding of how one individual can help so many. Through her dedication and devotion, Miss French has endeavored to help those who may not be able to help themselves—our nation's homeless veterans; and

Whereas, Miss French, a graduate of the University of Cincinnati and currently pursuing her master's degree in Fashion Design and Illustration, is a fine example for our nation's young people. Miss French's commitment to bettering herself academically is demonstrated by her many awards including the 1997 Mercantile Future Design Award, the 1995 Golden Brush Illustration Award and a university graduate scholarship awarded her by the University of Cincinnati; and

Whereas, Her academic achievements are great, however it is Miss French's efforts outside of the classroom which distinguish her most of all. As the daughter of a disabled veteran, Miss French has long been committed to helping our nation's homeless veterans. She frequently travels as many as 20,000 miles a month addressing audiences and advocating awareness, funding and volunteerism for homeless veterans' programs. Miss French has urged further funding of veterans administration hospitals, often volunteering to assist hospital residents, and has effectively promoted a statewide Vietnam Veterans Awareness Campaign in her home state of Kentucky. By these commendable efforts, Miss French has demonstrated her sincere concern for those in need. It is these qualities we most admire and appreciate in our nation's young leaders; and

Whereas, Miss French is a fashion drawing instructor at the University of Cincinnati, and an art director for EPA/OAO, Welage International, Inc. She also participates in the Make-A-Wish Foundation and the Maysville/Mason County Tourism Commission; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize Miss America 2000, Heather French, for her many achievements, but most of all, for her exceptional efforts to aid our forgotten heroes—America's homeless veterans; and be it further

Resolved, That a copy of this resolution be transmitted to Miss America 2000, Heather French, as a token of our esteem and appreciation for her highly commendable service to our nation's veterans. May her accomplishments and efforts inspire others to join her in this worthy endeavor.

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. DeWeese, Raczkowski, Birkholz, Julian, Tabor, Kukuk, Faunce, Voorhees, Rocca, Richner, Garza, Vear, Vander Roest, Middaugh, Scott, Pappageorge, Howell, Koetje, Bishop, DeVuyst, Caul, Rick Johnson, Schermesser, Kilpatrick, Lemmons, Cassis, Jansen, Richardville, Ehardt and Green offered the following resolution:

**House Resolution No. 276.**

A resolution in support of Michigan Friends of Education.

Whereas, Michigan Friends of Education is committed to serving the people of Michigan by promoting literacy with the distribution of free books to those in need, thereby enabling them to expand their potential; and

Whereas, The organization was established in 1983 when Donald H. Porter, who was then the Director of Migrant and Bilingual Programs for Stockbridge community schools, learned of a company that was going out of business. He immediately accepted the donation of one million books for this program. Since that time, the organization has continued to provide free books to the needy. In the 1999 fiscal year, Michigan Friends of Education distributed books with a value of almost 2 million dollars to 86,000 people in their service area. In the prior year they served 109,000 people. Since its inception, the organization has provided books to more than 2 million Michigan residents; and

Whereas, A 1995 study showed that 1,126,000 individuals of all ages in the 46 counties served by this organization live in poverty. Michigan Friends of Education is committed to helping these individuals improve their reading abilities, which will also help them to increase their earnings potential. The goal of the organization is to promote literacy, from infancy and beyond; and

Whereas, Michigan Friends of Education provides free books to the needy by seeking donations and materials from publishers and then distributing them to agencies and programs such as Title I, special education, migrant, domestic and homeless shelters, homes for the aged, early childhood centers, foster care homes, training schools, summer reading programs, the Salvation Army, food banks, and many more; now, therefore, be it

Resolved by the House of Representatives, That we commend Michigan Friends of Education for providing a legacy of service through literacy; and be it further

Resolved, That a copy of this resolution be transmitted to Michigan Friends of Education as evidence of our support and admiration.

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. DeWeese, Raczkowski, Birkholz, Spade, Julian, Kukuk, Voorhees, Rocca, Richner, Vear, Vander Roest, Pappageorge, Howell, Koetje, Toy, Baird, Schauer, Bishop, DeVuyst, Mortimer, Caul, Rick Johnson, Schermesser, Clarke, Kilpatrick, Lemmons, Cassis, Vaughn, Ehardt and Green offered the following resolution:

**House Resolution No. 277.**

A resolution declaring 2000-2010 as the Bone and Joint Decade.

Whereas, Musculoskeletal conditions have a huge impact on our society. They are the leading cause of restricting a person's activity, confinement to bed, physical disability, and severe long-term pain, as well as a leading cause of absence from work. Musculoskeletal impairments are the number one reported category of impairments and rank number one in visits to physicians' offices. They are estimated to cost \$215 billion a year in the United States alone; and

Whereas, It is estimated that approximately 36 million people have a musculoskeletal impairment that restricts their ability to perform the routine tasks of daily living. As our population continues to age, these impairments which are more prevalent in the older segments of our population will continue to increase over the next 30 years. Joint diseases such as arthritis account for half of all chronic conditions in the elderly. It is also estimated that 40% of all women over the age of 50 are expected to suffer at least one fracture related to osteoporosis in their lifetime; and

Whereas, The Bone and Joint Decade initiative is a global campaign to improve the quality of life for persons with musculoskeletal disorders and to advance understanding and treatment of musculoskeletal disorders through prevention, education, and research; and

Whereas, The goals of the Bone and Joint decade are to raise awareness and educate the world on the increasing societal impact of musculoskeletal injuries and disorders, empower patients to participate in decisions about their care and treatment, increase global funding for prevention activities and treatment research, and to continue seeking and promoting cost-effective prevention and treatment of musculoskeletal injuries and disorders; now, therefore, be it

Resolved by the House of Representatives, That the decade 2000-2010 is officially declared the Bone and Joint Decade; and be it further

Resolved, That a copy of this resolution be forwarded to the American Academy of Orthopaedic Surgeons and the Michigan Orthopaedic Society as evidence of our support.

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.



### Reports of Standing Committees

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

**House Bill No. 5196, entitled**

A bill to codify the licensure and regulation of certain persons engaged in processing, manufacturing, production, packing, preparing, repacking, canning, preserving, freezing, fabricating, storing, selling, serving, or offering for sale food or drink for human consumption; to prescribe powers and duties of the department of agriculture; to provide for delegation of certain powers and duties to certain local units of government; to provide exemptions; to regulate the labeling, manufacture, distribution, and sale of food for protection of the consuming public and to prevent fraud and deception by prohibiting the misbranding, adulteration, manufacture, distribution, and sale of foods in violation of this act; to provide standards for food products and food establishments; to provide for enforcement of the act; to provide penalties and remedies for violation of the act; to provide for fees; to provide for promulgation of rules; and to repeal acts and parts of acts.

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 5196** To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Ruth Johnson, Raczkowski, Rocca, Vear, Schauer, Baird, Dennis, Jacobs, Neumann,

Nays: None.

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Law, Chair of the Committee on Health Policy, was received and read:

Meeting held on: Thursday, February 10, 2000, at 10:30 a.m.,

Present: Reps. Law, DeWeese, DeRossett, Ehardt, Gosselin, Green, Ruth Johnson, Raczkowski, Rocca, Vear, Schauer, Baird, Dennis, Jacobs, Neumann, Reeves, Woodward.

The Committee on Family and Civil Law, by Rep. Richner, Chair, reported

**House Bill No. 5044, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 1 of chapter XI (MCL 711.1), as amended by 1996 PA 495, and by adding section 3 to chapter XI.

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 5044** To Report Out:

Yeas: Reps. Richner, Shulman, Hart, Koetje, Voorhees, Baird, Minore, Switalski, Schermesser,

Nays: None.

The Committee on Family and Civil Law, by Rep. Richner, Chair, reported

**Senate Bill No. 757, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 31 and 32 (MCL 552.631 and 552.632), as amended by 1996 PA 301.

With the recommendation that the substitute (H-2) 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

**SB 757** To Report Out:

Yeas: Reps. Richner, Shulman, Hart, Koetje, Law, Voorhees,

Nays: Reps. Baird, Minore, Schermesser.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Richner, Chair of the Committee on Family and Civil Law, was received and read:

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

Present: Reps. Richner, Shulman, Hart, Koetje, Law, Voorhees, Baird, Minore, Switalski, Schermesser,

Absent: Rep. Sanborn,

Excused: Rep. Sanborn.

The Committee on Agriculture and Resource Management, by Rep. Julian, Vice-Chair, reported

**House Bill No. 4875, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 528; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-2) 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 4875** To Report Out:

Yeas: Reps. Green, Julian, Bradstreet, DeRossett, DeVuyst, Howell, Rick Johnson, Koetje, Vear, Spade,

Nays: Reps. Rivet, Sheltroun.

The Committee on Agriculture and Resource Management, by Rep. Julian, Vice-Chair, reported

**House Bill No. 5143, entitled**

A bill to amend 1959 PA 228, entitled "An act to promote the development of the Michigan fruit and vegetable industry; to define certain types and methods of fruit and vegetable storage; to prohibit the sale of fruits and vegetables misbranded as to type of storage; to provide for records; to provide for licensing of certain fruit and vegetable storage facilities; to provide for registration and permits for packers or repackers; to provide for revocation of licenses; to provide for the enforcement of this act; and to provide penalties for violation of this act," by amending sections 1, 2, 3, 4, 5, 6, and 9 (MCL 286.371, 286.372, 286.373, 286.374, 286.375, 286.376, and 286.379) and by adding sections 2a and 4a; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

## Favorable Roll Call

**HB 5143** To Report Out:

Yeas: Reps. Julian, Bradstreet, DeVuyst, Howell, Rick Johnson, Koetje, Vear, Brater, Bogardus, Hansen, Rivet, Sheltroun, Spade,

Nays: None.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Julian, Vice-Chair of the Committee on Agriculture and Resource Management, was received and read:

Meeting held on: Tuesday, February 15, 2000, at 9:00 a.m.,

Present: Reps. Green, Julian, Bradstreet, DeRossett, DeVuyst, Ehardt, Howell, Rick Johnson, Koetje, Vear, Brater, Bogardus, Hansen, Rivet, Sheltroun, Spade,

Absent: Reps. LaForge,

Excused: Rep. LaForge.

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

**House Bill No. 4260, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 53b (MCL 211.53b), as amended by 1995 PA 74.

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 4260** To Report Out:

Yeas: Reps. Cassis, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Quarles, Basham, Garza, Jamnick, Minore, O'Neil, Switalski,  
Nays: None.

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

**House Bill No. 4891, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 17 (MCL 205.67), as amended by 1995 PA 254.

With the recommendation that the bill pass.

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

## Favorable Roll Call

**HB 4891** To Report Out:

Yeas: Reps. Cassis, Woronchak, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Quarles, Basham, Minore, O'Neil, Switalski,  
Nays: None.

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

**House Bill No. 5017, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 154 (MCL 211.154), as amended by 1996 PA 476.

With the recommendation that the substitute (H-4) 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 5017** To Report Out:

Yeas: Reps. Cassis, Woronchak, Faunce, Gosselin, Patterson, Vander Roest, Quarles, Basham, Garza, Jamnick, Minore, O'Neil, Switalski,  
Nays: None.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cassis, Chair of the Committee on Tax Policy, was received and read:

Meeting held on: Tuesday, February 15, 2000, at 9:00 a.m.,

Present: Reps. Cassis, Woronchak, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Quarles, Basham, Garza, Jamnick, Minore, O'Neil, Switalski,

Absent: Reps. Allen, Vear,

Excused: Reps. Allen, Vear.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

**House Bill No. 4690, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 160 of chapter XVII (MCL 777.160), as added by 1998 PA 317.

With the recommendation that the bill pass.

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

## Favorable Roll Call

**HB 4690** To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman, O'Neil,  
Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

**House Bill No. 5184, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 18a to chapter XVII.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.  
The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

**HB 5184** To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman, Baird, Callahan, Jacobs, O'Neil,  
Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

**House Bill No. 5185, entitled**

A bill to amend 1979 PA 53, entitled "An act to prohibit access to computers, computer systems, and computer networks for certain fraudulent purposes; to prohibit intentional and unauthorized access, alteration, damage, and destruction of computers, computer systems, computer networks, computer software programs, and data; and to prescribe penalties," by amending section 6 (MCL 752.796), as amended by 1996 PA 326.

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 5185** To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman, Baird, Callahan, Jacobs, O'Neil,  
Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

**House Bill No. 5186, entitled**

A bill to amend 1979 PA 53, entitled "An act to prohibit access to computers, computer systems, and computer networks for certain fraudulent purposes; to prohibit intentional and unauthorized access, alteration, damage, and destruction of computers, computer systems, computer networks, computer software programs, and data; and to prescribe penalties," by amending section 7 (MCL 752.797), as amended by 1996 PA 326.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.  
The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

**HB 5186** To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman, Baird, Callahan, Jacobs, O'Neil,  
Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

**House Bill No. 5187, entitled**

A bill to amend 1979 PA 53, entitled "An act to prohibit access to computers, computer systems, and computer networks for certain fraudulent purposes; to prohibit intentional and unauthorized access, alteration, damage, and destruction of computers, computer systems, computer networks, computer software programs, and data; and to prescribe penalties," (MCL 752.791 to 752.797) by adding section 8.

With the recommendation that the substitute (H-2) 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 5187** To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman, Baird, Callahan, Jacobs, O'Neil,  
 Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Faunce, Chair of the Committee on Criminal Law and Corrections, was received and read:

Meeting held on: Tuesday, February 15, 2000, at 10:30 a.m.,

Present: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman, Baird, Callahan, Jacobs, O'Neil.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 15, 2000, at 11:00 a.m.,

Present: Reps. Hart, Cassis, Shulman, LaForge, Gielegem, Hardman, Jacobs,

Absent: Reps. DeRossett, Law,

Excused: Rep. DeRossett.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 15, 2000, at 11:15 a.m.,

Present: Reps. Richardville, Ehardt, Allen, Garcia, Schermesser, Bovin, Mans.

**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, February 9:

**Senate Bill Nos.**    965   966   967   968   969   970   971   972   973   974   975   976   977   978  
                               979

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, February 10:

**Senate Bill Nos.**    963   964

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Friday, February 11:

**House Bill Nos.**    5301 5302 5303 5304 5305 5306 5307 5308 5309 5310 5311 5312 5313 5314  
                               5315 5316 5317 5318 5319 5320 5321 5322 5323 5324 5325 5326 5327 5328  
                               5329 5330 5331 5332 5333 5334 5335 5336 5337

**House Joint Resolution O**

**Senate Bill Nos.**    980   981   982   983   986   987

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

**House Bill Nos.**    5338 5339 5340 5341 5342 5343 5344 5345 5346 5347 5348

**Senate Bill Nos.**    947   984   988   989   990   991   992   993   994   995   996   997   998   999  
                               1000 1001 1002 1003 1004

**Senate Joint Resolution S**

### Communications from State Officers

The following communication from the Central Area Partnership Consortium Michigan Works! Agency was received and read:

February 9, 2000

Enclosed is a copy of CAPC's Transition Plan for Youth Activities (April 1, 2000 - June 30, 2005) and Comprehensive 5-Year Local Plan (July 1, 2000 - June 30, 2005).

In accordance with the Americans with Disabilities Act (ADA), this information will be made available in alternative format (large type, audio tape, etc.) upon special request. Please feel free to direct your questions to Tim Vanaman.

Sincerely,  
Ralph F. Loeschner  
President

The communication was referred to the Clerk.

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

February 10, 2000

Enclosed is a copy of the following audit report and/or executive digest:  
Performance Audit of the  
Senate Fiscal Agency  
February 2000

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 Operations.

### Introduction of Bills

Reps. Geiger, Garcia, DeVuyst, Koetje, Law and Jellema introduced  
**House Bill No. 5349, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1311a (MCL 380.1311a), as added by 1999 PA 104.

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

Reps. Geiger, Garcia, DeVuyst, Koetje, Law and Jellema introduced  
**House Bill No. 5350, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1310 (MCL 380.1310), as added by 1999 PA 102.

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

Rep. Geiger introduced  
**House Bill No. 5351, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding sections 15 and 602.

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

Reps. Garcia, Bishop, Martinez, Mans, Vander Roest and Gosselin introduced  
**House Bill No. 5352, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1165. The bill was read a first time by its title and referred to the Committee on Education.

Reps. Jansen, Julian, Birkholz, Spade, Rocca, Voorhees, DeWeese, Price, Green, Gosselin and Scott introduced  
**House Bill No. 5353, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811d. The bill was read a first time by its title and referred to the Committee on Transportation.

Rep. Jansen introduced

**House Bill No. 5354, entitled**

A bill to regulate telephone solicitation; to prescribe the powers and duties of certain state agencies and officials; and to provide for penalties.

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

Reps. Schermesser, Scranton, DeHart, Rivet, Julian, Bogardus, Hale and Scott introduced

**House Bill No. 5355, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 328 and 907 (MCL 257.328 and 257.907), section 328 as amended by 1995 PA 287 and section 907 as amended by 1998 PA 103.

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

Reps. Schermesser, DeHart, Rivet, DeRossett, Bogardus, Bovin, Hale and Scott introduced

**House Bill No. 5356, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 701.1 to 712A.32) by adding section 181 to chapter XII.

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

Reps. DeWeese, Martinez, Brewer, Baird, Richardville, Birkholz, Hager, DeHart, Koetje, Scott, Voorhees, Toy, Scranton, Vear, Bradstreet and Gosselin introduced

**House Bill No. 5357, entitled**

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 13 (MCL 15.243), as amended by 1996 PA 553.

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

Reps. Koetje, Mans, Patterson, Vander Roest, Kuipers, Bishop, Toy, Gosselin, Vear, Birkholz, Tabor, Julian, Ehardt, Pappageorge, Ruth Johnson and Jansen introduced

**House Bill No. 5358, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 24b.

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

Reps. Ehardt, Richardville, Vear, Green, Brater and Rivet introduced

**House Bill No. 5359, entitled**

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 601 and 602 (MCL 280.601 and 280.602) and by adding sections 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 603, 604, 605, 606, 607, 615, and 616; and to repeal acts and parts of acts.

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

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Rep. Brewer moved that the House adjourn.

The motion prevailed, the time being 3:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, February 16, at 2:00 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives.

