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House Chamber, Lansing, Thursday, February 22, 2001.

12:00 Noon.

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.

Adamini—present	Garza—excused	Lockwood—present	Schauer—present
Allen—present	George—present	Mans—present	Schermesser—present
Anderson—present	Gielegem—present	McConico—present	Scranton—present
Basham—present	Gilbert—present	Mead—present	Shackleton—present
Bernero—present	Godchaux—present	Meyer—present	Sheltrown—present
Birkholz—present	Gosselin—present	Middaugh—present	Shulman—present
Bisbee—present	Hager—present	Minore—present	Spade—present
Bishop—present	Hale—present	Mortimer—present	Stallworth—present
Bogardus—present	Hansen—present	Murphy—present	Stamas—present
Bovin—present	Hardman—present	Neumann—present	Stewart—present
Bradstreet—present	Hart—present	Newell—present	Switalski—excused
Brown, Bob—present	Howell—present	O’Neil—present	Tabor—present
Brown, Cameron—present	Jacobs—present	Pappageorge—present	Thomas—present
Brown, Rich—present	Jamnick—present	Patterson—present	Toy—present
Callahan—present	Jansen—present	Pestka—present	Vander Roest—present
Cassis—present	Jelinek—present	Phillips—present	Vander Veen—present
Caul—present	Johnson, Rick—present	Plakas—present	Van Woerkom—present
Clark—present	Johnson, Ruth—present	Pumford—present	Vear—present
Clarke—present	Julian—present	Quarles—present	Voorhees—present
Daniels—excused	Kilpatrick—present	Raczkowski—present	Waters—present
Dennis—present	Koetje—present	Reeves—present	Whitmer—present
DeRossett—present	Kolb—present	Richardville—present	Williams—present
DeVuyst—excused	Kooiman—present	Richner—present	Wojno—present
DeWeese—present	Kowall—present	Rison—present	Woodward—present
Ehardt—present	Kuipers—present	Rivet—present	Woronchak—present
Faunce—present	LaSata—excused	Rocca—present	Zelenko—present
Frank—present	Lemmons—present	Sanborn—present	
Garcia—present	Lipsey—present		

e/d/s = entered during session

Father Dan Zaleski, Pastor of St. Alberts Catholic Church in Dearborn Heights, offered the following invocation:

“Rather this story be true or not, it has a meaning that will give way to our prayer. A few years ago, at a Special Olympics, nine contestants, all physically or mentally disabled, assembled at the starting line for the 100-yard dash. At the gun they all started out, not exactly in a dash, but with a relish to run the race to the finish and win.

All, that is, except one little boy who stumbled on the asphalt, tumbled over a couple of times, and began to cry. The other eight heard the boy cry. They slowed down and looked back. Then they all turned around and went back every one of them. One girl with Down’s syndrome bent down and kissed him and said, ‘this will make you better.’ Then all nine linked arms and walked together to the finish line.

Everyone in the stadium stood up, and the cheering went on for several minutes. People who were there are still telling the story. Why? Because deep down we know this one thing: What matters in this life is more than winning for ourselves. What matters in this life is helping others win, even if it means slowing down and changing our course.

All Powerful and Mighty God, help me never to be self-centered where I only please the me, myself and I, but to be open to help others as I was elected by the people of my state to fulfill.

And give me Your guidance and strength to make the lives of others better. In doing so, I will help my family, my hometown, my state and my country to have a better future. I ask of this in Your name for You are the God who gave me life to be in the service of my neighbor, especially those who need my help the most. Amen.”

—

Rep. Jacobs moved that Reps. Daniels, Garza and Switalski be excused from today’s session.
The motion prevailed.

Rep. Vander Roest moved that Reps. DeVuyst and LaSata be excused from today’s session.
The motion prevailed.

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 33.

A resolution to memorialize the Congress of the United States to enact President Bush’s tax relief plan.

(For text of resolution, see House Journal No. 10, p. 128.)

(The resolution was reported by the Committee on Tax Policy on February 21, with substitute (H-2), consideration of which was postponed until today under the rules.)

(For substitute, see House Journal No. 11, p. 140.)

The question being on the adoption of the proposed substitute (H-2) recommended by the Committee,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

Rep. Bob Brown moved to amend the resolution as follows:

1. Amend the resolution, following the first Resolving clause, by inserting:

“Resolved, That the members of this legislative body memorialize the Congress of the United States to pay off the entire national debt before enacting President Bush’s tax cut plan; and be it further”.

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

The question being on the adoption of the resolution,

The resolution was adopted.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Gielegem, Schermesser, Callahan, Bernero, Minore, Anderson, Whitmer, Zelenko, Wojno, Lipsey, Adamini, Hansen, Julian, DeWeese, Rivet, Woodward, Spade, Raczkowski, Thomas, Clarke, Rocca, Newell, Neumann, Rich Brown, Sheltrown, DeRossett, Bishop, Richardville, Faunce, Frank, Patterson, Stallworth, Lemmons, Clark, Vander Roest,

Birkholz, Hardman, Rison, Dennis, Schauer, Hale, Bogardus, Jelinek, Woronchak, Sanborn, Richner, Ehardt, Jamnick, Quarles, Pestka, Waters, Vear, Jansen, Ruth Johnson, McConico, Kolb, Kooiman, Garcia, Jacobs, Kilpatrick, Bisbee and Murphy offered the following resolution:

House Resolution No. 37.

A resolution to honor the life of Officer Richard Lee Vauris.

Whereas, It is with deep sorrow that we join the Clinton Township community and all of Michigan in mourning the tragic loss of Officer Richard Lee Vauris. A dedicated and experienced police officer, Richard responded to a call and, in the line of duty, lost his life while struggling with the suspect. With genuine respect and immense gratitude for his service, we extend our condolences to his family, his colleagues, and his friends. He will be sincerely missed and long remembered; and

Whereas, As someone who took on one of society's most difficult tasks each day throughout his career, Richard Lee Vauris earned the respect of his entire community. In his 31 years in law enforcement, Officer Vauris was a key contributor to the order and the justice that distinguishes our country from most of the world. With the utmost respect for the law and a strong personal sense of duty, this dedicated professional faced dangers and risks most of us cannot imagine. Over the years, Richard Lee Vauris met the unique challenges of police work with conscientiousness and diligence, even when confronted with the aspects of life that most people would hope to never see; and

Whereas, Serving others was a well-established trait of Richard Lee Vauris. He served his country as a member of the United States Army. He had a successful 27-year career with the Detroit Police Department as an officer in the Armed Robbery Unit before retiring as a sergeant in 1997. He then joined the Clinton Township Police Department as a patrol officer because, in the words of Police Chief Al Ernst, "He said he believed he could bring something to benefit our department, and that's exactly what he did. He was a leader that people looked up to here." May his family know of our appreciation of his service and his ultimate sacrifice; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the life of Richard Lee Vauris of the Clinton Township Police Department for his years of outstanding dedication to law enforcement and his community; and be it further

Resolved, That copies of this resolution be transmitted to his family and to the Clinton Township Police Department as evidence of our sympathy and our gratitude for his selfless service.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Lemmons, Waters, Schermesser, Anderson, Whitmer, Lipsey, Adamini, Hansen, DeWeese, Rivet, Woodward, Spade, Thomas, Reeves, Clarke, Newell, Phillips, Neumann, Plakas, Rich Brown, Gielegem, DeRossett, Van Woerkom, Faunce, Stallworth, Clark, Birkholz, Hardman, Rison, Dennis, Schauer, Hale, Bogardus, Richner, Ehardt, Jamnick, Quarles, Vear, Jansen, McConico, Kolb, Kooiman, Jacobs, Kilpatrick and Murphy offered the following resolution:

House Resolution No. 38.

A resolution honoring Dr. Nathaniel Leach for his dedicated work with the Second Baptist Church Underground Railroad collection.

Whereas, Dr. Leach is credited as being the oldest living Underground Railroad researcher in Michigan. He has conducted tours of the Underground Railroad site at Second Baptist Church, located on the corner of Beaubien and Monroe in Greektown, every Wednesday, Friday, and Saturday for the past forty years; and

Whereas, Dr. Leach is the historian of the Midwest's oldest black church. His office in the Second Baptist Church was historically the last station for slaves on the Underground Railroad, before they were transported to Canada. Approximately 4,000 to 5,000 slaves came through Second Baptist Church's three locations. Dr. Leach's Second Baptist office holds literature, photographs, and other materials that make it one of the nation's most complete record of how runaway slaves escaped to the Detroit River and on to Canada. Some of the exhibits include a map of downtown Detroit in the mid-1800's marked with the escape route, major U.S. Underground Railroad routes, seven major Michigan routes, lists of black inventors, and a painting of the slave ship Amistad; and

Whereas, Dr. Nathaniel Leach has provided an invaluable service to our state's and nation's understanding of an intolerant, tumultuous period in our history. A member of Second Baptist since 1924, Dr. Leach began collecting oral histories from church elders who knew about the Underground Railroad. Approximately in 1950 he began editing the church magazine, *Second Baptist Advocate*. He recorded major church activities, such as Dr. Martin Luther King, Jr.'s first politically important speech in 1954. In 1988, the history he had painstakingly gathered bore fruit when he published his booklet, *The Second Baptist Connection, Eyewitness History*. One year prior to this, on December 21, 1987, the church's downstairs room was dedicated as a teaching room regarding the church's history as an Underground Railroad. Dr. Leach cleaned out the room and selected the exhibits and materials with a grant from Blue Cross/Blue Shield of Michigan; and

Whereas, Dr. Leach has also served the community as a French, English, and black history teacher in the Detroit Public Schools until his retirement in 1976. He was the first black counselor at Cass Technical High School in Detroit.

He is the devoted husband of Justina White and the proud father of four sons. The community of Detroit, state of Michigan, and the nation benefit from the historical research and his dedication to the Second Baptist Underground Railroad collection; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commend the hard work, dedication and enthusiasm of Dr. Nathaniel Leach as the oldest living Underground Railroad researcher in Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Dr. Nathaniel Leach as evidence of our most sincere respect and support.

Pending the reference of the resolution to a committee,

Rep. Patterson 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 Conservation and Outdoor Recreation, by Rep. DeVuyst, Chair, reported

House Bill No. 4018, entitled

A bill to repeal 1947 LA 9, entitled "The act to prevent hunting, on Sunday, for game animals and game birds in the county of Macomb."

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 4018 To Report Out:

Yeas: Reps. DeVuyst, Tabor, Bradstreet, Garcia, Kowall, Rocca, Voorhees, Callahan, Basham, Sheltroun,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. DeVuyst, Chair of the Committee on Conservation and Outdoor Recreation, was received and read:

Meeting held on: Thursday, February 22, 2001, at 10:30 a.m.,

Present: Reps. DeVuyst, Tabor, Bradstreet, Garcia, Kowall, Rocca, Voorhees, Callahan, Basham, Sheltroun,

Absent: Rep. Garza,

Excused: Rep. Garza.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 22, 2001, at 9:00 a.m.,

Present: Reps. Kuipers, Meyer, Allen, Bradstreet, DeWeese, Hager, Hart, Ruth Johnson, Van Woerkom, Voorhees, Hansen, Clark, Gielegem, McConico, Spade, Zelenko,

Absent: Rep. Bogardus.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Patterson, Chair of the Committee on Redistricting and Elections, was received and read:

Meeting held on: Thursday, February 22, 2001, at 10:30 a.m.,

Present: Reps. Patterson, Richner, Allen, Bishop, Cassis, Quarles, Jamnick, Lemmons,

Absent: Rep. Hart,

Excused: Rep. Hart.

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, Thursday, February 22:

House Bill Nos.	4281	4282	4283	4284	4285	4286	4287	4288	4289	4290	4291	4292	4293	4294
	4295	4296	4297	4298	4299	4300	4301	4302	4303	4304	4305	4306	4307	4308
	4309	4310	4311	4312	4313	4314								

The Clerk announced that the following Senate bills had been received on Thursday, February 22:

Senate Bill Nos. 28 180 199

By unanimous consent the House returned to the order of
Messages from the Senate

Senate Bill No. 28, entitled

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," (MCL 474.51 to 474.70) by amending the title, as amended by 1984 PA 210, and by adding section 15a.

The Senate has passed the bill.

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

Senate Bill No. 180, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 451 (MCL 750.451).

The Senate has passed the bill.

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

Senate Bill No. 199, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3104 (MCL 500.3104), as amended by 1980 PA 445.

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 6.

A concurrent resolution to memorialize the President and the Congress of the United States to support the addition of Estonia, Latvia, and Lithuania into the North Atlantic Treaty Organization.

Whereas, For more than fifty years, the North Atlantic Treaty Organization (NATO) has played a pivotal role in promoting stability and peace in Europe. This highly successful venture is predicated on the commitment of its member nations to ideals that closely parallel the precepts of democracy, internationally recognized human rights, and civilian control of the military that are fundamental to the United States; and

Whereas, Since its establishment, NATO has gradually expanded its membership to reflect the changing face of Europe. Countries that have joined this alliance have shared the same commitment to the long-term strength and stability of the region that is vital to our nation and the world. The most recent additions have in common the peaceful transition to a free-market economy after long years under the yoke of Communism; and

Whereas, The Baltic nations of Latvia, Estonia, and Lithuania have clearly demonstrated the principles of NATO. These three countries, each with strong dedication to peace and exemplary records of resisting oppression, have a great deal to contribute to the alliance. Latvia, Estonia, and Lithuania have set examples of the ideals of freedom through their institutions and cultures. The addition of these nations to NATO will only make more secure the bonds of peace and democracy; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the President and the Congress of the United States to support the addition of Estonia, Latvia, and Lithuania into the North Atlantic Treaty Organization; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, 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 Senate has adopted the concurrent resolution.

Reps. Toy, Lipsey, Richardville, Julian, DeWeese, Raczkowski, Pappageorge, Rocca, Gielegghem, Bishop, Faunce, Birkholz, Bogardus, Richner, Ehardt, Garcia, Jacobs and Shulman were named co-sponsors of the concurrent resolution.

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

Introduction of Bills

Reps. Kuipers, Richner and Gosselin introduced

House Bill No. 4327, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10a (MCL 247.660a), as amended by 1992 PA 137.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Reps. Richner, Gosselin and Kuipers introduced

House Bill No. 4328, entitled

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending the title and section 3 (MCL 408.383).

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Reps. Gosselin, Kuipers and Richner introduced

House Bill No. 4329, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 503 and 1311e (MCL 380.503 and 380.1311e), section 503 as amended by 1995 PA 289 and section 1311e as added by 1999 PA 23.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Reps. Vander Roest, Meyer, Julian, Middaugh, Kuipers, Bishop, Birkholz, Richardville, Kooiman, Spade and Bovin introduced

House Bill No. 4330, entitled

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending sections 2 and 7 (MCL 390.1452 and 390.1457).

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

Reps. Vander Roest, Meyer, Kuipers, Bishop, Richardville, Pappageorge, Kooiman, Ruth Johnson and Birkholz introduced

House Bill No. 4331, entitled

A bill to amend 1993 PA 354, entitled "Railroad code of 1993," by amending section 391 (MCL 462.391).

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

Reps. Vander Roest, Meyer, Julian, Kuipers, Richardville, Pappageorge, Spade, Kooiman, Bovin, Lipsey and Birkholz introduced

House Bill No. 4332, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 12 (MCL 125.2692). The bill was read a first time by its title and referred to the Committee on Commerce.

Reps. Vander Roest, Meyer, Julian, Van Woerkom, Birkholz, Richardville, Pappageorge and Bovin introduced

House Bill No. 4333, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 5 (MCL 38.1305), as amended by 2000 PA 150.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Vander Roest, Meyer, Julian, Kuipers, Richardville, Pappageorge, Spade, Bovin, Lipsey and Birkholz introduced

House Bill No. 4334, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 27 (MCL 38.27), as amended by 1987 PA 241.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Rep. Woronchak introduced

House Bill No. 4335, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 31a (MCL 388.1631a), as amended by 2000 PA 297.

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

Reps. Gilbert, Julian, Hager, Shackleton, Gosselin, Woronchak, Van Woerkom, Ruth Johnson, Birkholz and Neumann introduced

House Bill No. 4336, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 2000 PA 41.

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

Reps. Gilbert, Julian, Hager, Shackleton, Gosselin, Woronchak, Ruth Johnson, Birkholz and Neumann introduced

House Bill No. 4337, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2000 PA 400.

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

Rep. Allen introduced

House Bill No. 4338, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81129 and 81130 (MCL 324.81129 and 324.81130), as added by 1995 PA 58.

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

Rep. Allen introduced

House Bill No. 4339, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4o (MCL 205.54o), as added by 1994 PA 156.

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

Reps. Vander Roest, Cameron Brown, Van Woerkom, Bishop, Richardville, Birkholz, Pappageorge, Rocca, Spade, Kooiman and Ruth Johnson introduced

House Joint Resolution J, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 12 of article IV, to provide that the state officers compensation commission's determination of certain salaries and expense allowances become effective only upon approval by the legislature for the following legislative session.

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

Rep. Vander Roest moved that the House adjourn.
The motion prevailed, the time being 1:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, February 27, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.