

**No. 20**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**91st Legislature**  
**REGULAR SESSION OF 2001**

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House Chamber, Lansing, Wednesday, March 14, 2001.

2:00 p.m.

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

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

Adamini—present	Garza—present	Lockwood—present	Schauer—present
Allen—present	George—present	Mans—present	Schermesser—present
Anderson—present	Gielegthem—excused	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—present
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—present	Kooiman—present	Richner—present	Wojno—present
DeWeese—excused	Kowall—present	Rison—excused	Woodward—present
Ehardt—present	Kuipers—present	Rivet—present	Woronchak—present
Faunce—present	LaSata—present	Rocca—present	Zelenko—present
Frank—present	Lemmons—present	Sanborn—present	
Garcia—present	Lipsey—present		

e/d/s = entered during session

Rev. Clarence Guy, Pastor of Corinthians Baptist Church in Muskegon Heights, offered the following invocation:

“O gracious Father, we come now to say ‘thank You Lord’. We thank You for what You have done and we thank You for what You are going to do. We ask now, Lord, that You would open up our minds and allow us to do the things set before us in a pleasing way. Deliver us from ourselves so that we will be able to help the people that we are representing. In Jesus’ name we pray. Amen.”

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

Rep. Vander Roest moved that Rep. DeWeese be excused from today’s session.  
The motion prevailed.

### Second Reading of Bills

#### House Bill No. 4222, entitled

A bill to amend 1905 PA 282, entitled “An act to provide for the assessment of the property, by whomsoever owned, operated or conducted, of railroad companies, union station and depot companies, telegraph companies, telephone companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight companies, and all other companies owning, leasing, running or operating any freight, stock, refrigerator, or any other cars, not being exclusively the property of any railroad company paying taxes upon its rolling stock under the provisions of this act, over or upon the line or lines of any railroad or railroads in this state, and for the levy of taxes thereon by a state board of assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act,” by amending sections 12 and 13 (MCL 207.12 and 207.13), as amended by 1995 PA 257.

The bill was read a second time.

Rep. Mortimer moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed.

#### House Bill No. 4223, entitled

A bill to amend 1911 PA 44, entitled “An act to create a state board of equalization; to prescribe its powers and duties; to provide that said board shall be furnished with certain information by the several boards of supervisors and by the state tax commission; to provide for meeting the expense authorized by this act, and to repeal all acts or parts of acts contravening the provisions of this act,” by amending sections 4 and 5 (MCL 209.4 and 209.5), section 4 as amended by 1986 PA 143 and section 5 as amended by 1981 PA 52.

The bill was read a second time.

Rep. Mortimer moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed.

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

Rep. Callahan asked and obtained an excuse from tomorrow’s session.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Reps. DeRossett, Cassis, Kowall, Gosselin, Allen, Kuipers, Patterson, Shulman, Vear, Mortimer, Howell, DeVuyst, Basham and Plakas offered the following resolution:

#### House Resolution No. 50.

A resolution to salute the Construction Innovation Forum and the NOVA Award competition.

Whereas, The Construction Innovation Forum (CIF) is the founding organization of the international NOVA Award competition. The CIF is an international, nonprofit organization formed in 1987 to recognize and encourage innovation in the construction industry that improves quality and reduces cost of construction; and

Whereas, Each year the CIF presents the NOVA Award to honor innovations that have proven to improve construction quality and cost; and

Whereas, This award was instituted by the CIF in 1989. The NOVA Awards have been given to advances in all areas of the construction industry, including innovations in the construction process, and in materials, design, detailing, fabrication, equipment, procurement, contract administration, management, labor relations, training, and safety that improve the construction process. The NOVA Award has also recognized projects for their innovative concepts and methods; and

Whereas, The NOVA Awards are presented by the CIF at its Innovation Celebration Banquet each March. The CIF has presented 40 NOVA Awards to innovations involving 9 countries: Canada, Egypt, Finland, Great Britain, Holland, Japan, Norway, Switzerland, and the United States; and

Whereas, Innovations from all parts of the construction industry and all over the world are equally eligible for the NOVA Award, and they are judged by a broad-based national jury of ten leading experts. The NOVA Award is presented to innovations, not people or organizations. All who are involved in its invention and implementation are a part of the award; now, therefore, be it

Resolved by the House of Representatives, That we join with members, colleagues, family, and friends in saluting the international NOVA Award competition and its mission to illuminate the innovations and innovators that have made important contributions to the construction industry; and be it further

Resolved, That a copy of this resolution be transmitted to the Construction Innovation Forum as evidence of our esteem and admiration.

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.

Reps. Hale, Garza, Spade, Lemmons, Switalski, Bernero, Waters, Rich Brown, Woodward, Wojno, Schermesser, Jacobs, Bovin, Hansen, Murphy, Scranton, Lipsey, Dennis, Neumann, Rivet, Zelenko, Jamnick, Whitmer, Bogardus, Clarke and Hardman offered the following resolution:

**House Resolution No. 51.**

A resolution to memorialize the Congress of the United States to amend the federal tax laws to provide that interest from consumer loans is tax deductible.

Whereas, Our federal and state tax codes encourage certain expenditures by individuals and businesses through deductions and tax credits. These types of provisions, which include the deductions for interest paid on home mortgages, donations to charity, and business expenses, promote activities that are considered to be worthwhile for the good of society; and

Whereas, For many years, the interest paid by an individual for consumer loans, including car loans and credit card purchases, was deductible. The Tax Reform Act of 1986 put in place a five-year phaseout of the deductibility for consumer loans. By 1991, the deductions for car loans and other consumer credit interest were completely eliminated. However, interest paid on mortgages and on home equity loans remains fully deductible; and

Whereas, Allowing consumer loan interest to be deductible would provide stimulation to the economy by encouraging the purchase of major consumer items. Enacting legislation to reestablish this deduction would also bring fairness to the tax laws because it would allow all people to write off their consumer loan interest, not only those utilizing home equity loans to buy cars and other major items. Consumer confidence would also benefit from a more tax-friendly approach to interest on consumer loans; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to amend the federal tax laws to provide that interest from consumer loans is tax deductible; 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 Tax Policy.

Reps. Dennis, Scranton, Kolb, Clark, Van Woerkom, Bogardus, Rich Brown, Woodward, Schermesser, Callahan, Whitmer, Adamini, Lipsey, Williams, Wojno, Neumann, Rivet, Richardville, Gielegem, Jelinek, O'Neil, Murphy, Jacobs, Hansen, Minore, Vander Veen, Quarles, Jamnick, Julian, Waters, Mans, Spade, Zelenko, Bovin, Thomas, Frank, Garza, Hardman, Basham, Clarke, Plakas, Woronchak, Bob Brown, McConico, Switalski, Schauer, Lemmons, Bernero, Rocca and Hale offered the following concurrent resolution:

**House Concurrent Resolution No. 15.**

A concurrent resolution to urge the Department of Natural Resources and the Department of Environmental Quality to issue no new oil and gas leases or drilling permits that would allow directional drilling under the Great Lakes.

Whereas, With the sensitive ecology of shorelands along the Great Lakes and the need to preserve the quality of these freshwater treasures, steps have been taken to put safeguards in place in the requirements for oil and gas leases and drilling permits. As new technologies emerge and because of the pressures from a marketplace that demands ever more energy, there continues to be interest in oil and gas deposits that may be under the lakes in sufficient quantities. With the ongoing interest in these resources, state officials have been reexamining this entire issue; and

Whereas, Recently, the Department of Natural Resources has completed a two-year review of the procedures to be followed to secure a lease for possible drilling under the Great Lakes. During this time, new leases have not been issued. Now, DNR-established work groups will be receiving and considering comments on the proposed revised procedures; and

Whereas, While there are a few directionally drilled Great Lakes oil and gas wells in Michigan, there are many groups and individuals who worry that, without the strongest possible safeguards, the benefits of these operations do not justify the potential risks involved. The complexities of the entire process and the damage that could result make it prudent for the state to enter into no new lease agreements or to issue no new permits for directional drilling under the Great Lakes without the most secure procedures and requirements possible; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Department of Natural Resources and the Department of Environmental Quality to issue no new oil and gas leases or drilling permits that would allow directional drilling under the Great Lakes; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Natural Resources and the Department of Environmental Quality.

The concurrent resolution was referred to the Committee on Conservation and Outdoor Recreation.

### Reports of Standing Committees

The Committee on Family and Children Services, by Rep. Hart, Chair, reported

**House Bill No. 4099, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 115q. 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 4099** To Report Out:

Yeas: Reps. Hart, Vander Veen, DeWeese, Hager, Tabor, Murphy, Bernero, Garza,

Nays: None.

### 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, March 13, 2001, at 3:15 p.m.,

Present: Reps. Hart, Vander Veen, DeWeese, Hager, Tabor, Murphy, Bernero, Garza,

Absent: Rep. Rison,

Excused: Rep. Rison.

The Committee on Senior Health, Security and Retirement, by Rep. Voorhees, Chair, reported

**House Bill No. 4075, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21799a (MCL 333.21799a).

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 4075** To Report Out:

Yeas: Reps. Voorhees, Woronchak, Cassis, Kuipers, Vear, Williams, Bovin, Spade, Zelenko,

Nays: None.

The Committee on Senior Health, Security and Retirement, by Rep. Voorhees, Chair, reported  
**House Bill No. 4217, entitled**

A bill to provide for standards for contracts involving certain residential and care services; and to provide for remedies.

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 4217** To Report Out:

Yeas: Reps. Voorhees, Woronchak, Cassis, Kuipers, Vear, Williams, Bovin, Spade, Zelenko,

Nays: None.

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Voorhees, Chair of the Committee on Senior Health, Security and Retirement, was received and read:

Meeting held on: Tuesday, March 13, 2001, at 10:30 a.m.,

Present: Reps. Voorhees, Woronchak, Cassis, Kuipers, Vear, Williams, Bovin, Spade, Zelenko.

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

**House Resolution No. 40.**

A resolution to memorialize the Congress of the United States to repeal the federal excise tax on telephone and other communications services.

(For text of resolution, see House Journal No. 15, p. 175.)

With the recommendation that the resolution be adopted.

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

#### Favorable Roll Call

**HR 40** To Report Out:

Yeas: Reps. Cassis, Vear, Birkholz, Faunce, Gosselin, Kowall, Meyer, Newell, Richardville, Woronchak, Quarles, Basham, Bob Brown, Hale, O'Neil, Wojno,

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: Wednesday, March 14, 2001, at 10:30 a.m.,

Present: Reps. Cassis, Vear, Birkholz, Faunce, Gosselin, Kowall, Meyer, Newell, Richardville, Woronchak, Quarles, Basham, Bob Brown, Hale, Minore, O'Neil, Wojno.

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

**House Bill No. 4193, 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.

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

1. Amend page 3, line 15, after "subsection (1)" by inserting "OR (4)".

The bill and amendment were referred to the order of Second Reading of Bills.

#### Favorable Roll Call

**HB 4193** To Report Out:

Yeas: Reps. Gilbert, George, DeRossett, DeVuyst, Garcia, Gosselin, Hart, Ruth Johnson, Julian, Anderson, Bovin, Jannick, Murphy, Neumann,

Nays: None.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gilbert, Chair of the Committee on Transportation, was received and read:  
Meeting held on: Wednesday, March 14, 2001, at 9:00 a.m.,

Present: Reps. Gilbert, George, DeRossett, DeVuyst, Garcia, Gosselin, Hart, Ruth Johnson, Julian, Anderson, Bovin, Jamnick, Murphy, Neumann,

Absent: Reps. Scranton, Daniels, Schermesser,

Excused: Reps. Scranton, Daniels, Schermesser.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

**House Bill No. 4016, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 50 (MCL 169.250), as added by 1994 PA 385.

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

1. Amend page 1, line 4, after the second "than" by striking out "90" and inserting "93".

The bill and amendment were referred to the order of Second Reading of Bills.

## Favorable Roll Call

**HB 4016** To Report Out:

Yeas: Reps. Patterson, Howell, Kuipers, Jacobs, Lipsey,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

**Senate Joint Resolution D, 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 and for the amendment of those determinations.

With the recommendation that the substitute (H-2) be adopted and that the joint resolution then be adopted.

The joint resolution and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

**SJR D** To Report Out:

Yeas: Reps. Patterson, Howell, Kuipers, Jacobs, Lipsey,

Nays: None.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 14, 2001, at 10:30 a.m.,

Present: Reps. Patterson, Howell, Kuipers, Jacobs, Lipsey.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 13, 2001, at 3:08 p.m.,

Present: Reps. Howell, Richner, Bisbee, Faunce, Koetje, Sanborn, Voorhees, Adamini, Lipsey, Minore, Waters.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bradstreet, Chair of the Committee on Energy and Technology, was received and read:

Meeting held on: Wednesday, March 14, 2001, at 9:00 a.m.,

Present: Reps. Bradstreet, Middaugh, Birkholz, Bisbee, Cassis, Howell, Kowall, Richardville, Vander Veen, Rivet, Bovin, Bob Brown, Schauer, Thomas, Woodward,

Absent: Reps. Bishop, Daniels,

Excused: Reps. Bishop, Daniels.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Koetje, Chair of the Committee on Gaming and Casino Oversight, was received and read:

Meeting held on: Wednesday, March 14, 2001, at 9:00 a.m.,

Present: Reps. Koetje, Rocca, Patterson, Lemmons, Callahan.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 14, 2001, at 9:00 a.m.,

Present: Reps. Cassis, Vear, Birkholz, Faunce, Kowall, Meyer, Richardville, Woronchak, Quarles, Basham, Bob Brown, Minore, O’Neil, Wojno,

Absent: Reps. Gosselin, Newell, Hale,

Excused: Reps. Gosselin, Newell, Hale.

**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, March 8:

<b>Senate Bill Nos.</b>	<b>279</b>	<b>280</b>	<b>281</b>	<b>282</b>	<b>283</b>	<b>284</b>	<b>285</b>	<b>286</b>	<b>287</b>	<b>288</b>	<b>289</b>	<b>290</b>	<b>291</b>	<b>292</b>
	<b>293</b>	<b>294</b>	<b>295</b>	<b>296</b>	<b>297</b>	<b>298</b>								

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

<b>Senate Bill Nos.</b>	<b>299</b>	<b>300</b>	<b>301</b>	<b>302</b>	<b>303</b>	<b>304</b>	<b>305</b>	<b>306</b>	<b>307</b>	<b>308</b>	<b>309</b>	<b>310</b>	<b>311</b>	<b>312</b>
	<b>313</b>	<b>314</b>												

**Introduction of Bills**

Reps. Waters, Anderson, Bernero, Williams, Kolb, Kilpatrick, Thomas, Jacobs, Clarke, Hale, Woodward, Murphy, Reeves, Hardman, Phillips and Lemmons introduced

**House Bill No. 4464, entitled**

A bill to amend 2000 PA 92, entitled “Food law of 2000,” (MCL 289.1101 to 289.8111) by adding section 3128.

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

Reps. Waters, Bernero, Williams, Kolb, Kilpatrick, Jacobs, Thomas, Clarke, Hale, Woodward, Murphy, Hardman, Phillips and Lemmons introduced

**House Bill No. 4465, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding sections 21333 and 21716a.

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

Reps. Waters, Bernero, Williams, Kolb, Kilpatrick, Jacobs, Thomas, Hale, Woodward, Murphy, Reeves, Hardman, Phillips and Lemmons introduced

**House Bill No. 4466, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 21751 and 21786 (MCL 333.21751 and 333.21786).

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

Reps. Dennis, Scranton, Kolb, Van Woerkom, Clark, Bogardus, Rich Brown, Woodward, Schermesser, Callahan, Whitmer, Adamini, Lipsey, Williams, Wojno, Neumann, Rivet, Gielegem, O'Neil, Murphy, Minore, Bovin, Hansen, Quarles, Jannick, Phillips, Waters, Mans, Zelenko, Thomas, Frank, Garza, Hardman, Basham, Clarke, Plakas, Woronchak, Bob Brown, McConico, Jacobs, Schauer, Kilpatrick and Lemmons introduced

**House Bill No. 4467, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 502, 32503, and 33938 (MCL 324.502, 324.32503, and 324.33938), section 502 as amended by 1998 PA 114 and sections 32503 and 33938 as added by 1995 PA 59, and by adding section 61505a.

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

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Rep. Spade moved that the House adjourn.  
The motion prevailed, the time being 3:15 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Thursday, March 15, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives.