

No. 25
STATE OF MICHIGAN
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OF THE
House of Representatives
91st Legislature
REGULAR SESSION OF 2001

House Chamber, Lansing, Tuesday, March 27, 2001.

10:00 a.m.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Rep. A.T. Frank, from the 96th District, offered the following invocation:

“Lord may You give us the time to reflect on all that is good in our lives and in our state. And Lord, may You please help this state and this government. Thank You. Amen.”

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

Rep. Jacobs moved that Reps. Bogardus and Mans be excused from today’s session.
The motion prevailed.

Announcements by the Clerk

The Clerk announced that a vacancy was created in the 33rd District of the Michigan House of Representatives due to the death of Representative Janet Kukuk, on November 19, 2000.

By unanimous consent the House returned to the order of

Communications from State Officers

The following communications from the Secretary of State were received and read:

March 26, 2001

Mr. Gary Randall, Clerk
Michigan House of Representatives
P.O. Box 30014
Lansing, Michigan 48909-7514
Dear Mr. Randall:

Please find enclosed the certificate of election for Leon Drolet, elected at the March 20, 2001 special election to fill the vacancy in the 33rd State Representative District.

A copy of the Official County Canvassers’ Statement, certified by the Macomb County Board of Canvassers, is also provided.

Sincerely,
Christopher M. Thomas
Director of Elections

March 26, 2001

I, Candice S. Miller, Secretary of State and Custodian of the Great Seal of the State of Michigan, certify that Leon Drolet was elected to fill the vacancy in the 33rd State Representative District for a partial term expiring 1-1-2003, as shown by the March 20, 2001 special election returns certified by the Macomb County Board of Canvassers on March 21, 2001 and placed on file in this office.

[SEAL]

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State at the Capitol, in the City of Lansing this Twenty-Sixth day of March A.D. 2001
Candice S. Miller
Secretary of State

The communications were referred to the Clerk.

Representative-elect Drolet took and subscribed the constitutional oath of office which was administered by the Honorable Gary L. Randall, Clerk of the House of Representatives. Said oath was filed in the office of the Clerk of the House of Representatives.

Rep. Drolet was assigned seat No. 15.

The Speaker called Associate Speaker Pro Tempore Julian to the Chair.

Quorum Call

Rep. Patterson questioned the presence of a quorum and moved that the roll be called and printed in the Journal. The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

Roll Call No. 50

Yeas—83

Allen	Frank	Lemmons	Scranton
Anderson	George	Lipsey	Shackleton
Basham	Gielegem	Lockwood	Sheltrown
Bernero	Gilbert	Mead	Shulman
Birkholz	Godchaux	Meyer	Spade
Bisbee	Hager	Middaugh	Stallworth
Bishop	Hale	Murphy	Stamas
Bovin	Hart	Newell	Stewart
Bradstreet	Howell	Pappageorge	Switalski
Brown, B.	Jacobs	Patterson	Toy
Brown, C.	Jelinek	Pestka	Van Woerkom
Brown, R.	Johnson, Rick	Phillips	Vander Roest
Callahan	Johnson, Ruth	Pumford	Vander Veen
Cassis	Julian	Quarles	Vear
Caul	Kilpatrick	Raczkowski	Waters
Clark, I.	Koetje	Richardville	Whitmer
Dennis	Kolb	Richner	Williams
DeVuyst	Kooiman	Rison	Wojno
DeWeese	Kowall	Rocca	Woodward
Drolet	Kuipers	Sanborn	Zelenko
Faunce	LaSata	Schermesser	

In The Chair: Julian

By unanimous consent the House returned to the order of
Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 41.

A resolution to urge the United States Department of Energy to explore the development of new natural gas resources that do not negatively impact the environment and lead to the long-term stability of affordable natural gas prices.

(For text of resolution, see House Journal No. 16, p. 186.)

(The resolution was reported by the Committee on Energy and Technology on March 21, consideration of which, under the rules, was postponed until March 22.)

The question being on the adoption of the resolution,
 The resolution was adopted.

The Speaker laid before the House

House Resolution No. 56.

A resolution to urge Michigan power providers to offer to their customers a program of charitable donations by rounding bills up to the nearest dollar and accepting contributions.

(For text of resolution, see House Journal No. 21, p. 242.)

(The resolution was reported by the Committee on Energy and Technology on March 21, consideration of which, under the rules, was postponed until March 22.)

The question being on the adoption of the resolution,
 The resolution was adopted.

The Speaker laid before the House

House Concurrent Resolution No. 12.

A concurrent resolution to urge the United States Department of Energy to explore the development of new natural gas resources that do not negatively impact the environment and lead to the long-term stability of affordable natural gas prices.

(For text of resolution, see House Journal No. 16, p. 187.)

(The concurrent resolution was reported by the Committee on Energy and Technology on March 21, consideration of which, under the rules, was postponed until March 22.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Speaker laid before the House

House Concurrent Resolution No. 19.

A concurrent resolution to urge the Department of Consumer and Industry Services to increase public awareness of its energy programs.

(For text of resolution, see House Journal No. 22, p. 261.)

(The concurrent resolution was reported by the Committee on Energy and Technology on March 21, consideration of which, under the rules, was postponed until March 22.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Second Reading of Bills

House Bill No. 4476, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4aa.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Tax Policy,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 4477, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4w.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Tax Policy,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 4478, entitled

A bill to levy a replacement energy tax on the price of natural gas; to provide for the administration and collection of the replacement energy tax revenues; and to provide for the disposition of revenues.

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

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

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

The motion prevailed.

House Bill No. 4481, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), as amended by 1996 PA 484.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Tax Policy (for amendments, see House Journal No. 23, p. 285),

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

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

The motion prevailed.

House Bill No. 4480, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), as amended by 1996 PA 484.

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

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

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

The motion prevailed.

House Bill No. 4411, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), as amended by 1996 PA 484.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Tax Policy,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 4482, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 438.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Tax Policy,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 4483, entitled

A bill to establish the state home heating credit fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the home heating credit fund.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Tax Policy,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 4485, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding section 9.

The bill was read a second time.

Rep. Richardville moved to amend the bill as follows:

1. Amend page 3, following line 8, by inserting:

"(E) THAT THE CUSTOMER HAS THE RIGHT TO FILE A COMPLAINT DISPUTING THE CLAIM OF THE DISTRIBUTOR OR SUPPLIER BEFORE THE DATE OF THE PROPOSED SHUTOFF OF SERVICE.

(F) THAT THE CUSTOMER HAS THE RIGHT TO REQUEST A HEARING BEFORE A HEARING OFFICER IF THE COMPLAINT CANNOT BE OTHERWISE RESOLVED AND THAT THE CUSTOMER SHALL PAY TO THE DISTRIBUTOR OR SUPPLIER THAT PORTION OF THE BILL THAT IS NOT IN DISPUTE WITHIN 3 DAYS OF THE DATE THAT THE CUSTOMER REQUESTS A HEARING.

(G) THAT THE CUSTOMER HAS THE RIGHT TO REPRESENT HIMSELF OR HERSELF, TO BE REPRESENTED BY AN ATTORNEY, OR TO BE ASSISTED BY ANY OTHER PERSON OF HIS OR HER CHOICE IN THE COMPLAINT PROCESS.

(H) THAT THE DISTRIBUTOR OR SUPPLIER WILL NOT SHUT OFF SERVICE PENDING THE RESOLUTION OF A COMPLAINT THAT IS FILED WITH THE UTILITY IN ACCORDANCE WITH THIS SECTION.” and relettering the remaining subdivisions.

2. Amend page 3, following line 19, by inserting:

“(4) A NATURAL GAS DISTRIBUTOR IS NOT REQUIRED TO SHUT OFF SERVICE UNDER THIS SECTION TO AN ELIGIBLE CUSTOMER FOR NONPAYMENT TO AN ALTERNATIVE NATURAL GAS SUPPLIER.

(5) THE COMMISSION SHALL ESTABLISH AN EDUCATIONAL PROGRAM TO ENSURE THAT ELIGIBLE CUSTOMERS ARE INFORMED OF THE REQUIREMENTS AND BENEFITS OF THIS SECTION.” and renumbering the remaining subsection.

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

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

The motion prevailed.

House Bill No. 4484, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending section 10t (MCL 460.10t), as added by 2000 PA 141.

The bill was read a second time.

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

The motion prevailed.

Quorum Call

Rep. Richardville questioned the presence of a quorum and moved that the roll be called and printed in the Journal. The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

Roll Call No. 51

Yeas—96

Adamini	George	Lemmons	Rison
Allen	Gielegem	Lipsey	Rocca
Anderson	Gilbert	Lockwood	Sanborn
Basham	Godchaux	McConico	Schermesser
Bernero	Gosselin	Mead	Shackleton
Birkholz	Hager	Meyer	Sheltrown
Bisbee	Hale	Middaugh	Shulman
Bovin	Hansen	Minore	Spade
Bradstreet	Hardman	Mortimer	Stallworth
Brown, B.	Hart	Murphy	Stamas
Brown, C.	Howell	Neumann	Stewart
Brown, R.	Jacobs	Newell	Switalski
Callahan	Jamnack	O’Neil	Toy
Cassis	Jansen	Pappageorge	Van Woerkom
Caul	Jelinek	Patterson	Vander Roest

Clark, I.	Johnson, Rick	Pestka	Vear
Daniels	Johnson, Ruth	Phillips	Voorhees
Dennis	Julian	Plakas	Waters
DeRossett	Koetje	Pumford	Whitmer
DeVuyst	Kolb	Quarles	Williams
Drolet	Kooiman	Rackowski	Wojno
Faunce	Kowall	Reeves	Woodward
Frank	Kuipers	Richardville	Woronchak
Garza	LaSata	Richner	Zelenko

In The Chair: Julian

By unanimous consent the House returned to the order of
Motions and Resolutions

Reps. Switalski, Rivet, Pestka, Neumann, Sheltroun, Anderson, Plakas, Bob Brown, Phillips, McConico, Kolb, Williams, Wojno, Bovin, Waters, Bernero, Spade, Whitmer, O'Neil, Callahan, Murphy, Zelenko, Jamnick, Hansen, Woodward, Thomas, Gielegem, Adamini, Ehardt, Clark, Lipsey, Dennis, Jacobs, Basham, Hale, Rocca, Daniels, Rich Brown, Rison, Hardman, Kilpatrick and Scranton offered the following resolution:

House Resolution No. 64.

A resolution to memorialize the Congress of the United States to increase the eligibility cap for the Low Income Home Energy Assistance Program to 200 percent of the poverty level.

Whereas, Since its establishment in 1981, the Low Income Home Energy Assistance Program (LIHEAP) has become a vitally important component in the lives of millions of American families. This block grant initiative helps ease the energy cost burden for low-income individuals through a range of state programs. Providing this assistance in meeting a basic need helps people in our state sustain themselves, especially through the critical winter months; and

Whereas, Congress is presently debating the funding levels for LIHEAP and the framework of eligibility requirements that are used by the states through their programs. An amendment to a bankruptcy bill in the United States Senate, S. 420, proposed a significant increase in LIHEAP funding, including increases for weatherization assistance and state energy conservation grants. This amendment—with bipartisan co-sponsorship—also would provide states with flexibility to raise the upper limit on eligibility to include those with incomes up to 200 percent of the federal poverty level; and

Whereas, With the recent developments in energy pricing and availability, costs of heating homes are expected to skyrocket throughout Michigan just as they have in other parts of the country. The rise of natural gas prices and similar price hikes for other fuels represent a major burden to low-income households. Without a significant expansion of home heating and energy programs, many families will face great hardship, especially next winter; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to increase the eligibility cap for the Low Income Home Energy Assistance Program to 200 percent of the poverty level; 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 Energy and Technology.

Reps. Schermesser, Dennis, Hale, Basham, Lipsey, Schauer, Wojno, Lockwood, Bovin, Woodward, Jacobs, Clark, Gielegem, Minore, Pappageorge, Bogardus, Spade, Frank, Thomas, Jamnick, Hansen, Zelenko, Adamini, Callahan, Bernero, Ehardt, Richardville, Sheltroun, Faunce, Neumann, Plakas, Rocca, Kolb, Garza, Daniels, Anderson, Switalski, Rich Brown, Rison, Hardman, Birkholz, Kilpatrick and Scranton offered the following resolution:

House Resolution No. 65.

A resolution to memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained.

Whereas, With prospects for a tighter federal budget, many people are concerned over the impact of increasingly limited funds for vitally important services. An area of special concern is the health care provided to our veterans, especially through the facilities and programs of the Department of Veterans Affairs; and

Whereas, For those who served our country with sacrifice and valor in the Armed Forces, the VA health programs represent a fulfillment of a promise. The programs and facilities are literally a lifeline for many. This promise on the part of our nation—to care for our veterans in their times of need—cannot be forgotten or abandoned. The move to bring austerity and fiscal responsibility to government spending cannot override the needs of the veterans who now rely on us as we relied on them in our nation's times of need; and

Whereas, Funding to care for veterans who have suffered grave injuries must not be jeopardized. Veterans bedridden by injuries and dependent on VA health services have every right to the same level of dedication they gave to America in battles to preserve our way of life. To decrease our financial and emotional commitment to these patriots through inadequate care is wrong. Continuing cutbacks in funding and reductions in service and personal care represent a flawed approach to caring for men and women who have earned our lasting gratitude; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained; 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 Veterans Affairs.

Reps. Schermesser, Dennis, Hale, Basham, Schauer, Wojno, Bovin, Woodward, Jacobs, Clark, Gielegem, Pappageorge, Bogardus, Thomas, Jamnick, Hansen, Zelenko, Adamini, Callahan, Bernero, Ehardt, Richardville, Lipsey, Sheltroun, Faunce, Neumann, Plakas, Rocca, Kolb, Garza, Daniels, Anderson, Switalski, Rich Brown, Rison, Hardman, Birkholz, Kilpatrick and Scranton offered the following resolution:

House Resolution No. 66.

A resolution to memorialize the Congress of the United States to enact legislation to allow a state to halt the importation of solid waste from another country.

Whereas, The problem of dealing safely with solid waste material is a challenge that Michigan and all other localities share. Limited landfill capacities and environmental concerns over the potential damage to soil, water, and air make this issue especially significant in our state, with its exceptional and vulnerable fresh water resources; and

Whereas, Michigan has tried repeatedly to take steps to regulate the importation of garbage into our state from both Canada and other states. This effort has been thwarted by a 1992 United States Supreme Court decision, Fort Gratiot Sanitary Landfill v. Michigan Department of Natural Resources, that ruled that the transportation of solid waste is an endeavor of interstate commerce; and

Whereas, There have been several bills in Congress since 1992 that have attempted to permit states to regulate the importation of solid waste. These efforts have complemented several steps Michigan has taken to safeguard our land, water, and air from garbage from other states and from Canada. These measures include communications to Congress and federal officials and a gubernatorial task force created by Executive Order 1999-3; and

Whereas, Michigan should not become a dumping ground for trash from outside the state. The potential for long-term problems with water, land, and air resources from the disposal and handling of solid waste materials makes this an issue of safety and public health for the people of Michigan; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to allow a state to halt the importation of solid waste from another country; 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 Land Use and Environment.

Reps. Schermesser, Dennis, Hale, Basham, Lipsey, Schauer, Wojno, Lockwood, Bovin, Woodward, Jacobs, Clark, Gielegem, Minore, Pappageorge, Bogardus, Spade, Frank, Thomas, Jamnick, Hansen, Zelenko, Adamini, Callahan, Ehardt, Richardville, Sheltroun, Faunce, Neumann, Plakas, Rocca, Kolb, Daniels, Anderson, Switalski, Rich Brown, Rison, Hardman, Birkholz, Kilpatrick and Scranton offered the following concurrent resolution:

House Concurrent Resolution No. 22.

A concurrent resolution to memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained.

Whereas, With prospects for a tighter federal budget, many people are concerned over the impact of increasingly limited funds for vitally important services. An area of special concern is the health care provided to our veterans, especially through the facilities and programs of the Department of Veterans Affairs; and

Whereas, For those who served our country with sacrifice and valor in the Armed Forces, the VA health programs represent a fulfillment of a promise. The programs and facilities are literally a lifeline for many. This promise on the part of our nation—to care for our veterans in their times of need—cannot be forgotten or abandoned. The move to bring austerity and fiscal responsibility to government spending cannot override the needs of the veterans who now rely on us as we relied on them in our nation's times of need; and

Whereas, Funding to care for veterans who have suffered grave injuries must not be jeopardized. Veterans bedridden by injuries and dependent on VA health services have every right to the same level of dedication they gave to America in battles to preserve our way of life. To decrease our financial and emotional commitment to these patriots through inadequate care is wrong. Continuing cutbacks in funding and reductions in service and personal care represent a flawed approach to caring for men and women who have earned our lasting gratitude; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained; and be it further

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

The concurrent resolution was referred to the Committee on Veterans Affairs.

Reps. Schermesser, Dennis, Hale, Basham, Wojno, Lockwood, Woodward, Jacobs, Clark, Gielegem, Minore, Bogardus, Spade, Frank, Thomas, Jamnick, Hansen, Zelenko, Callahan, Lipsey, Neumann, Plakas, Kolb, Garza, Daniels, Anderson, Switalski, Rison, Hardman and Kilpatrick offered the following concurrent resolution:

House Concurrent Resolution No. 23.

A concurrent resolution to memorialize the Governor of the State of Michigan to reopen mental health care facilities.

Whereas, Since the Michigan Constitution of 1850, the enlightened citizens of this state have shouldered the responsibility for caring for individuals with mental illness and other mental disabilities. Previously, such care had been the sole responsibility of the family, sometimes with ruinous results; and

Whereas, Over the years, the state mental health care system has met the needs of two client populations: the developmentally disabled—people with mental retardation, autism, cerebral palsy, or epilepsy; and the mentally ill—adults and children afflicted by schizophrenia, manic-depressive disorder, and serious depression; and

Whereas, In the mid-1960s, there were more than 17,000 individuals in state facilities for the mentally ill and over 12,000 in state facilities for the developmentally disabled. Although the number of people afflicted or diagnosed has not lessened, since 1990, 17 mental health care institutions have been closed. As a result, by 1997, the state's institutionalized populations had dropped roughly 95 percent, to nearly 1,100 and 300, respectively; and

Whereas, The Michigan Association of Children with Emotional Disturbances, the Alliance for the Mentally Ill in Michigan, the Michigan Psychiatric Society, and the Mental Health Association of Michigan vehemently opposed state mental health care facility closures. These groups contend that children and adults with severe, long-term psychiatric problems are being deprived of crucial mental health care services and, as a result, quite often become inmates in the state correctional system; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Governor of the State of Michigan to reopen state mental health care facilities; and be it further

Resolved, That a copy of this resolution be transmitted to the Governor of the State of Michigan.

The concurrent resolution was referred to the Committee on Health Policy.

Reps. Schermesser, Dennis, Hale, Basham, Lipsey, Schauer, Wojno, Lockwood, Bovin, Woodward, Jacobs, Clark, Gielegem, Minore, Bogardus, Frank, Thomas, Jamnick, Hansen, Zelenko, Adamini, Sheltrown, Neumann, Plakas, Kolb, Garza, Daniels, Anderson, Switalski, Rich Brown, Rison, Hardman, Kilpatrick and Scranton offered the following concurrent resolution:

House Concurrent Resolution No. 24.

A concurrent resolution to memorialize the United States Senate to ratify the United Nations Convention to Eliminate All Forms of Discrimination Against Women.

Whereas, In spite of progress in many parts of the globe in recent decades, there remains widespread discrimination against women throughout the world. Millions of women face degrees of oppression beyond imagination to most people in the United States. Many women live with little hope for justice or for obtaining the most basic rights to health, education, self-expression, or opportunity; and

Whereas, In response to this situation, scores of countries have ratified the United Nations Convention to Eliminate All Forms of Discrimination Against Women. This treaty, which was adopted in 1979 and which soon thereafter became an international treaty for the community of nations to ratify, seeks to bring about fundamental changes in the health and safety and rights of generations of women; and

Whereas, In spite of the leadership that the United States has displayed in many aspects of human rights, particularly the rights of women, our country has yet to ratify this treaty. Even though the United States strongly supported the development of the convention by the United Nations, we have yet to embrace this symbol of commitment to ideals of equality and human rights for women. Ours is the largest of the industrialized nations not to have ratified the treaty; and

Whereas, The actions of the United States with regard to this major effort to better the treatment and rights of women send an important message throughout the world. We should not shirk this responsibility to millions of women around the world; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the United States Senate to ratify the United Nations Convention to Eliminate All Forms of Discrimination Against Women; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate and Michigan's Senators.

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

Reps. Schermesser, Dennis, Hale, Basham, Schauer, Wojno, Lockwood, Woodward, Jacobs, Clark, Gielegem, Minore, Bogardus, Spade, Thomas, Jamnick, Hansen, Zelenko, Adamini, Ehardt, Lipsey, Sheltroun, Neumann, Plakas, Kolb, Garza, Bovin, Daniels, Anderson, Switalski, Rich Brown, Rison, Hardman, Birkholz, Kilpatrick and Scranton offered the following concurrent resolution:

House Concurrent Resolution No. 25.

A concurrent resolution to urge the Department of Community Health to promote programs to identify and address inequities in the prevention, treatment, and research of diseases threatening the health of women.

Whereas, There is substantial research indicating that women do not receive the same level of health care as men. Women are less often referred for diagnostic tests, are less represented in health studies, and are less often treated for diseases compared to men with the same condition. There is considerable evidence that women receive less aggressive treatment for certain illnesses, including cardiovascular problems, than men with similar symptoms; and

Whereas, Physiological differences between men and women contribute to significant distinctions in how certain diseases are diagnosed and treated and the levels of attention from the medical research community. Women smokers are far more likely to develop lung cancer, far more vulnerable to HIV in contacts with men, and far more likely to live in a long-term facility. Women also face difficulties with insurance beyond those faced by men; and

Whereas, In spite of efforts by women's groups to achieve parity in treatment and research, there are many aspects of health care that need to be examined before true equity is realized; and

Whereas, Government agencies and policies play an important role in promoting public health. Public funding for programs, initiatives to increase public awareness of health problems, and encouragement of research can make an enormous difference in how a specific problem is addressed; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Department of Community Health to promote programs to identify and address inequities in the prevention, treatment, and research of diseases threatening the health of women; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Community Health.

The concurrent resolution was referred to the Committee on Health Policy.

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, March 21:

Senate Bill Nos. 338 339 340 341 342 343 344 345 346 347 348 349

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Friday, March 23:

House Bill Nos. 4506 4507 4508 4509 4510 4511 4512 4513 4514 4515 4516 4517 4518 4519
House Joint Resolution N

The Clerk announced the enrollment printing and presentation to the Governor on Monday, March 26, for his approval of the following bill:

Enrolled House Bill No. 4322 at 10:30 a.m.

The Clerk announced that the following Senate bill had been received on Tuesday, March 27:

Senate Bill No. 195

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 195, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 6 (MCL 29.6).

The Senate has passed the bill.

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

Communications from State Officers

The following communication from the Department of Community Health was received and read:

March 22, 2001

At its March 20, 2001 meeting, the Certificate of Need Commission took **final** action to approve revisions to Certificate of Need Review Standards for Nursing Home and Hospital Long-Term-Care Unit Beds—Addendum for

Special Population Groups. A copy of the standards is being submitted for your review in accordance with the provisions of Section 22215(4) of the Public Health Code.

Please contact Carol Isaacs, Deputy Director, Health Legislation and Policy Development at (517) 373-2559 if you have any questions.

Sincerely,
James Maitland, Chairperson

The communication was referred to the Clerk.

The Speaker Pro Tempore assumed the Chair.

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

House Bill No. 4345, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21773 (MCL 333.21773).

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Senior Health, Security and Retirement,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 4451, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21769.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Senior Health, Security and Retirement,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. Voorhees moved that Rep. Vander Veen be excused temporarily from today's session.

The motion prevailed.

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

House Bill No. 4256, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2002; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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

Roll Call No. 52

Yeas—103

Adamini
Allen

Gielegem
Gilbert

Lockwood
McConico

Schauer
Schermesser

Anderson	Godchaux	Mead	Scranton
Basham	Gosselin	Meyer	Shackleton
Bernero	Hager	Middaugh	Sheltrown
Birkholz	Hale	Minore	Shulman
Bisbee	Hansen	Mortimer	Spade
Bishop	Hardman	Murphy	Stallworth
Bradstreet	Hart	Neumann	Stamas
Brown, B.	Howell	Newell	Stewart
Brown, C.	Jacobs	O'Neil	Switalski
Brown, R.	Jamnick	Pappageorge	Tabor
Callahan	Jansen	Patterson	Thomas
Cassis	Jelinek	Pestka	Toy
Caul	Johnson, Rick	Phillips	Van Woerkom
Clark, I.	Johnson, Ruth	Plakas	Vander Roest
Daniels	Julian	Pumford	Vear
Dennis	Kilpatrick	Quarles	Voorhees
DeRossett	Koetje	Rackowski	Waters
DeVuyst	Kolb	Reeves	Whitmer
DeWeese	Kooiman	Richardville	Williams
Ehardt	Kowall	Richner	Wojno
Faunce	Kuipers	Rison	Woodward
Frank	LaSata	Rivet	Woronchak
Garza	Lemmons	Rocca	Zelenko
George	Lipsey	Sanborn	

Nays—1

Drolet

In The Chair: Birkholz

The House agreed to the title of the bill.

Rep. Drolet, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I vote ‘no’ on this budget because the Department of Education continues to promulgate a model curriculum framework which is fuzzy, imprecise, and does not challenge teachers and students. For example, the department’s math curriculum has been rated ‘F’ by prestigious Fordham Foundation. Achieve, Inc., a non-partisan national clearinghouse on standards, assessment and accountability, said ‘Overall, the Michigan (math) standards are missing significant content and skills.’”

House Bill No. 4259, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2002; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

Roll Call No. 53**Yeas—101**

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

Nays—4

Dennis	Drolet	Gosselin	Johnson, Ruth
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In The Chair: Birkholz

The House agreed to the title of the bill.

Rep. Dennis, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on this budget bill because of the Shackleton amendment passed on March 22, 2001 which without legislative oversight allows the DNR and the Natural Resources Commission to begin the process of permitting drilling into the bottomlands of the Great Lakes. Overwhelmingly, the people of this Great State do not want to put this natural resource at risk. The benefits from the drilling do not out weigh the risks. The Great Lakes are 20% of the world’s fresh water, and 35 million people depend upon them for their drinking water, business, and recreational value. It is a sad day here today that this legislature would allow them to be put at risk. Our legacy of not protecting our greatest natural resource will be duly noted by the people of Michigan. Therefore, I proudly cast my no vote!”

Associate Speaker Pro Tempore Julian resumed the Chair.

Second Reading of Bills

House Bill No. 4479, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 269. The bill was read a second time.

Rep. Birkholz moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Rivet moved to amend the bill as follows:

1. Amend page 2, line 1, after "(B)" by striking out "FIFTY" and inserting "SEVENTY-FIVE".

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

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

The motion prevailed.

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

Rep. Patterson moved that when the House adjourns today it stand adjourned until Wednesday, March 28, at 10:00 a.m.

The motion prevailed.

Introduction of Bills

Reps. Spade, Bernero, Adamini, Wojno, Lipsey, Dennis, Bovin, Woodward, Basham, Sheltroun, Zelenko, Gielegem, Whitmer, Plakas, Rich Brown, Lockwood and Garza introduced

House Bill No. 4520, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 3 (MCL 205.93), as amended by 1999 PA 117. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Switalski, Jamnick, Neumann, Lipsey, Schauer, Dennis, Plakas, Anderson and Lemmons introduced

House Bill No. 4521, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1561 (MCL 380.1561), as amended by 1996 PA 339, and by adding section 1295.

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

Reps. Schauer, Kooiman, Garza, Neumann, Bradstreet, Gosselin, Bovin and Lemmons introduced

House Bill No. 4522, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7o (MCL 211.7o), as amended by 2000 PA 309.

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

Reps. Hale, Garza, Stallworth, Schermesser, Thomas, Reeves, Hardman, Phillips and Lemmons introduced

House Bill No. 4523, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 59 (MCL 257.1859), as amended by 1996 PA 170.

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

Reps. Pumford, Birkholz, Scranton, Pappageorge and Richardville introduced

House Bill No. 4524, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82118 (MCL 324.82118), as amended by 1996 PA 183.

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

Reps. Pumford, Birkholz, Scranton, Pappageorge and Richardville introduced

House Bill No. 4525, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82108 (MCL 324.82108), 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.

Reps. Kooiman, Newell, Meyer, Van Woerkom, Bovin, Ruth Johnson, Birkholz, Rocca, Kuipers, Howell, Gosselin, Voorhees, Middaugh, George, Hart and Lipsey introduced

House Bill No. 4526, entitled

A bill to amend 1968 PA 357, entitled "An act to prescribe the powers, duties and functions of the state officers' compensation commission; and to prescribe the powers and duties of the legislature in relation to the commission," by amending sections 3, 6, and 7 (MCL 15.213, 15.216, and 15.217).

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

Reps. Kooiman, Vander Veen, Newell, Meyer, Van Woerkom, Birkholz, Rocca, Kuipers, Pappageorge, Sheltroun, Hart, Rich Brown and Jansen introduced

House Bill No. 4527, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82131 (MCL 324.82131), 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.

Reps. Sheltroun, Neumann, Kuipers, Kooiman, Pappageorge, Rivet and Minore introduced

House Bill No. 4528, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 82123a.

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

Reps. Shackleton, Kooiman, Meyer, Birkholz, Kuipers, Pappageorge, Rivet and Gilbert introduced

House Bill No. 4529, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 82105a.

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

Reps. Gielegheem, Lipsey, Woodward, McConico, Kolb, Bovin, Pappageorge, Basham, Jacobs, Minore, Switalski, Rivet, Pestka, Schermesser, Callahan, Neumann, Patterson and Lemmons introduced

House Bill No. 4530, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11502 and 11514 (MCL 324.11502 and 324.11514), section 11502 as amended by 1996 PA 359.

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

Reps. Schermesser, Lipsey, Woodward, Minore, Schauer, O'Neil, Dennis, Jacobs, Hale, Plakas, Basham, Wojno, Clark and Bogardus introduced

House Bill No. 4531, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1139.

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

Reps. Schermesser, Dennis, Hale, Plakas, Basham, Lipsey, Schauer, Wojno, Lockwood, Woodward, Jacobs, Clark, Gielegem, Minore, Pappageorge, Bogardus and Frank introduced

House Bill No. 4532, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 803r. The bill was read a first time by its title and referred to the Committee on Transportation.

Reps. Schermesser, Dennis, Hale, Plakas, Basham, Schauer, Wojno, Lockwood, Bovin, Woodward, Jacobs, Clark, Gielegem, Pappageorge, Spade and Frank introduced

House Bill No. 4533, entitled

A bill to provide for payments to persons who served in the armed forces of the United States from August 2, 1990 to July 31, 1991, or to beneficiaries of those persons; to prescribe the duties of certain state officers; to create the Persian Gulf veterans' military pay fund in the state treasury; to make certain appropriations; and to prescribe penalties.

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

Reps. LaSata, Scranton, Richardville and DeRossett introduced

House Bill No. 4534, entitled

A bill to amend 1959 PA 243, entitled "An act to define, license and regulate trailer coach parks; to prescribe the powers and duties of the state health commissioner and other state and local officers; to provide for the levy and collection of specific taxes on occupied trailers in trailer coach parks and the disposition of the revenues therefrom; to provide remedies and penalties for the violation of this act; and to repeal certain acts and parts of acts," by amending sections 41 and 42 (MCL 125.1041 and 125.1042), section 42 as amended by 1994 PA 365.

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

Reps. LaSata, Scranton, Richardville and DeRossett introduced

House Bill No. 4535, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 1993 PA 325.

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

Reps. LaSata, Scranton, Richardville and DeRossett introduced

House Bill No. 4536, entitled

A bill to repeal 1987 PA 96, entitled "The mobile home commission act," (MCL 125.2301 to 125.2349).

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

Reps. DeWeese, Raczkowski, Ruth Johnson, DeRossett, Sanborn, Schauer, Lipsey, Vander Veen, Voorhees, Kooiman, Kuipers, Meyer, Bernero and Middaugh introduced

House Bill No. 4537, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20188.

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

Rep. Schermesser moved that the House adjourn.

The motion prevailed, the time being 2:15 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Wednesday, March 28, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives.