

No. 30
STATE OF MICHIGAN
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House of Representatives
91st Legislature
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House Chamber, Lansing, Thursday, April 19, 2001.

12:00 Noon.

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—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—e/d/s	Mortimer—present	Stallworth—present
Bogardus—excused	Hansen—present	Murphy—present	Stamas—present
Bovin—excused	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—e/d/s	Julian—present	Quarles—present	Voorhees—present
Daniels—present	Kilpatrick—present	Raczkowski—present	Waters—present
Dennis—present	Koetje—present	Reeves—excused	Whitmer—excused
DeRossett—present	Kolb—present	Richardville—present	Williams—e/d/s
DeVuyst—present	Kooiman—present	Richner—present	Wojno—present
DeWeese—e/d/s	Kowall—present	Rison—present	Woodward—present
Drolet—present	Kuipers—present	Rivet—present	Woronchak—present
Ehardt—present	LaSata—present	Rocca—present	Zelenko—present
Fauce—present	Lemmons—present	Sanborn—present	
Frank—present	Lipsey—present		

e/d/s = entered during session

Rev. LaVerne M. Gill, M.Div., Th.M., Pastor of Webster United Church of Christ in Dexter, offered the following invocation:

“O God, Creator, called by many names—Allah, El Shaddai, Elohim, Yahweh, Jehovah, Triune God—we thank You for Your grace and the abundance of Your many blessings. Yet we also come to You with a petition. We ask for the bestowal of wisdom upon this legislative body. Take them beyond their individual limitations, predilections and prejudices and give them deeper insights and a renewed understanding.

Turn the human inclination toward expedient decision making into an incessant yearning for Solomonic discernment. Create seekers out of each member of this body so much so that they will each in their own way go beyond the secular knowledge and seek out divine guidance as they attempt to legislate for the welfare and well-being of this small part of Your creation.

Imbue them with compassion so that they might pursue avenues for the uplift of the poor and the disinherited. Give them a mind to legislate so that the orphan, the aged and the defenseless are protected, the hungry fed, the homeless housed, the naked clothed and the prisoner rehabilitated, the sick in mind and body provided with the resources for healing, the child educated, the jobless employed and the disabled assured access.

Create in them a mind to be seekers of peace and architects of reconciliation in a state that far too often draws artificial divisions based on race, age, creed, color, religion, physical abilities sexual orientation, class and gender. Create in them a burning heart to write laws that dispense justice impartially, while giving them an aversion to promulgate laws that seek revenge. Calm their fears and increase their capacity for forgiveness so that the laws that emanate from the Michigan State House might reflect upon them as a body dedicated to restoration and renewal.

O God, You have placed within their stewardship both natural and financial resources. Give them a profound respect for this stewardship that they might protect and preserve them where possible. Strengthen their ethical core that they may not fall prey to the vagaries of the time.

O Creator God, we also petition You to take into Your grace and mercy each individual for whom personal pain, doubt and fear might be a hindrance to a life of abundance and or a clarity of mind. Bless these Your servants as they undertake with humility this awesome task of legislative governance. Amen.”

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

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 58.

A resolution designating April 24 of each year as “Michigan Day of Remembrance of the Armenian Genocide of 1915-1923”.

(For text of resolution, see House Journal No. 22, p. 259.)

(The resolution was reported by the Committee on House Oversight and Operations on April 18, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

The resolution was adopted.

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

Third Reading of Bills

Senate Bill No. 1, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 24 of chapter VII (MCL 767.24), as amended by 1987 PA 255.

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

Roll Call No. 83**Yeas—97**

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

Nays—0

In The Chair: Julian

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The House agreed to the full title.

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

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

Rep. Vander Roest moved that Rep. Van Woerkom be excused temporarily from today's session.

The motion prevailed.

House Bill No. 4187, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," (MCL 791.201 to 791.283) by adding section 68a.

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

Roll Call No. 84**Yeas—90**

Adamini	Frank	Lockwood	Sanborn
Allen	Garza	Mans	Schauer
Anderson	George	McConico	Schermesser
Basham	Gielegem	Mead	Scranton
Bernero	Gilbert	Meyer	Shackleton
Birkholz	Gosselin	Middaugh	Sheltrown
Bisbee	Hager	Minore	Spade
Bishop	Hansen	Mortimer	Stamas
Bradstreet	Hardman	Murphy	Stewart
Brown, B.	Hart	Neumann	Switalski
Brown, C.	Jacobs	Newell	Tabor
Brown, R.	Jamnack	O'Neil	Thomas
Callahan	Jansen	Pappageorge	Toy
Cassis	Jelinek	Patterson	Vander Roest
Caul	Johnson, Ruth	Pestka	Vander Veen
Clark, I.	Julian	Phillips	Vear
Daniels	Koetje	Pumford	Voorhees
Dennis	Kolb	Quarles	Waters
DeRossett	Kooiman	Richardville	Wojno
DeVuyst	Kowall	Richner	Woodward
Drolet	Kuipers	Rivet	Woronchak
Ehardt	LaSata	Rocca	Zelenko
Faunce	Lipse		

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Rep. DeWeese entered the House Chambers.

House Bill No. 4156, entitled

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending the title and section 11 (MCL 207.561), section 11 as amended by 1996 PA 446.

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

Roll Call No. 85

Yeas—93

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

Nays—3

Bradstreet	Drolet	Sheltrown
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In The Chair: Julian

The House agreed to the title of the bill.
 Rep. Richardville moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

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 voted ‘No’ on this Bill because it extends a bad idea to a misguided government policy. It is wrong for government to force taxpayers, whether an individual or a business, for the ‘privilege’ of being taxed. This bill extends the practice of allowing local governments to impose a ‘tax tax.’ People actually pay an additional tax to cover the local government’s cost of collecting taxes from them.

The misguided government policy to which I refer is the policy of governments choosing certain taxpayers to ‘win’ by granting them tax abatements while their business competitors ‘lose’ by being forced to shoulder the full government tax burden. While I support taxpayers keeping as much of their earned money as possible, I cannot support doing so selectively.

I am voting against this bill because, while I oppose selective tax abatements, I cannot support any extension of the ‘tax tax.’ The proper policy is to eliminate this tax for all taxpayers, not extend it further. If it is too costly for governments to collect taxes, perhaps they shouldn’t.”

Rep. Hale entered the House Chambers.

House Bill No. 4235, entitled

A bill to designate highway M-109 located in Leelanau county as the “D.H. Day Highway”; and to prescribe the duties of the state transportation department.

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

Roll Call No. 86

Yeas—95

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Rep. Lipsey moved that Rep. McConico be excused temporarily from today’s session.
The motion prevailed.

House Bill No. 4412, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending the part heading to part 417 and sections 41701, 41702, 41703, 41704, 41706, 41707, 41708, 41710, 41712, and 43530 (MCL 324.41701, 324.41702, 324.41703, 324.41704, 324.41706, 324.41707, 324.41708, 324.41710, 324.41712, and 324.43530), sections 41701, 41702, 41703, 41704, 41706, 41707, 41708, 41710, and 41712 as added by 1995 PA 57 and section 43530 as amended by 1996 PA 585.

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

Roll Call No. 87

Yeas—98

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

Nays—0

In The Chair: Julian

The question being on agreeing to the title of the bill,
Rep. Patterson moved to amend the title to read as follows:

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending the part heading to part 417 and sections 41701, 41702, 41703, 41704, 41706, 41707, 41708, 41710, 41712, 42714, and 43530 (MCL 324.41701, 324.41702, 324.41703, 324.41704, 324.41706, 324.41707, 324.41708, 324.41710, 324.41712, 324.42714, and 324.43530), sections 41701, 41702, 41703, 41704, 41706, 41707, 41708, 41710, 41712, and 42714 as added by 1995 PA 57 and section 43530 as amended by 1996 PA 585.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Williams entered the House Chambers.

House Bill No. 4550, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 675 (MCL 257.675), as amended by 1999 PA 34.

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

Roll Call No. 88

Yeas—95

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Allen, Anderson, Basham, Birkholz, Bisbee, Cameron Brown, Rich Brown, Cassis, Caul, Dennis, DeVuyst, Faunce, Hager, Hardman, Jacobs, Jansen, Jelinek, Julian, Kolb, Kooiman, Kowall, Kuipers, Lipsey, Mans, Meyer, Middaugh, Mortimer, Murphy, Neumann, Newell, Pappageorge, Patterson, Plakas, Rackowski, Richardville, Richner, Rocca, Sanborn, Schauer, Schermesser, Shackleton, Spade, Stallworth, Toy, Vander Roest, Vear, Williams and Wojno were named co-sponsors of the bill.

Rep. Clarke entered the House Chambers.

Second Reading of Bills

House Bill No. 4409, 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.

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

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

Rep. Mead moved to amend the bill as follows:

1. Amend page 4, following line 13, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4538 of the 91st Legislature is enacted into law."

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

Rep. Rich Brown moved to amend the bill as follows:

1. Amend page 4, following line 13, by inserting:

"(12) THE DEPARTMENT OF NATURAL RESOURCES SHALL, BY JUNE 1 OF EACH YEAR, REPORT TO THE MEMBERS OF THE APPROPRIATE STANDING COMMITTEE AND APPROPRIATIONS SUBCOMMITTEES OF THE HOUSE AND SENATE, A DETAILED EXPENDITURE PLAN PERTAINING TO THE ADDITIONAL FUNDS GENERATED BY THIS ACT. THE PLAN SHALL INCLUDE INFORMATION AS TO HOW FUNDS WERE EXPENDED IN THE PRIOR YEAR."

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

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

The motion prevailed.

House Bill No. 4538, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82110 (MCL 324.82110), as added by 1995 PA 58.

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Caul, Rick Johnson, Howell, Julian, Raczkowski, Vander Roest, Spade, Schermesser, Richardville, Adamini, DeRossett, Lockwood, Gosselin, Schauer, Patterson, Jelinek, Minore, Rison, Newell, Jacobs, Woodward, LaSata, Hager, Stamas, Shulman, DeVuyst, Cassis, Hansen, Sheltroun, Vander Veen, Lemmons, Faunce, Van Woerkom, Mead, Stewart, Ehardt, Bisbee, Middaugh, Pappageorge, Meyer, Kooiman, Voorhees, Toy, Jamnick, Koetje, Tabor, Vear, Birkholz, Kilpatrick, Jansen, Bishop and Anderson offered the following resolution:

House Resolution No. 80.

A resolution honoring Mr. W. Sidney Smith upon the occasion of the conclusion of his service on the Central Michigan University Board of Trustees.

Whereas, With the conclusion of his ten years as a member of the Central Michigan University Board of Trustees, Mr. Smith brings to a close a decade of outstanding service to the university, his community, and the entire state of Michigan; and

Whereas, Mr. Smith has been a tireless advocate for the Central Michigan University and has played a leading role in one of the most significant periods in the school's history. During his tenure, the university has experienced historic growth and academic successes that have greatly increased the stature of the school. As chair of the board for two years and a member of every major board committee, Mr. Smith has helped lead the university through this incredibly successful time; and

Whereas, Mr. Smith's efforts on behalf of Central Michigan University have gone well beyond his duties as a trustee. With his wife, Judy, and their entire family, he has unselfishly donated his valuable time and efforts to better the school and its community. Mr. Smith's boundless dedication to his alma mater truly knows no limits. The students and staff of Central Michigan University, the Mt. Pleasant community, and the entire state of Michigan have directly benefited from his tireless efforts; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Mr. W. Sidney Smith upon the end of his service on the Central Michigan University Board of Trustees. May this resolution serve as a testimony of recognition of the high esteem in which he is held by the people of the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Mr. W. Sidney Smith as evidence of our appreciation and gratitude.

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. Raczkowski, Kooiman, Koetje, Ruth Johnson, Kowall, George, Woronchak, Newell, Julian, Gielegem, Bogardus, Lipsey, Vander Veen, Voorhees, Birkholz, Howell, Vander Roest, Spade, Richardville, DeRossett, Lockwood, Gosselin, Schauer, Jelinek, Minore, Jacobs, Woodward, LaSata, Hager, Shulman, DeVuyst, Cassis, Hansen, Sheltrown, Kolb, Lemmons, Faunce, Van Woerkom, Mead, Stewart, Ehardt, Scranton, Middaugh, Pappageorge, Caul, Meyer, Vear and Bishop offered the following resolution:

House Resolution No. 81.

A resolution to urge the Federal Communications Commission to approve the Michigan Public Service Commission's request for telecommunications number conservation techniques.

Whereas, Many of Michigan's area codes are quickly exhausting available phone numbers due to the lack of efficient number distribution and the lack of FCC approval for the Public Service Commission to institute 1,000 block number distribution and number pooling; and

Whereas, Currently numbers are distributed in blocks of 10,000 numbers, with some carriers utilizing a very small portion of allocated numbers. As a result, there are currently some 70 million phone numbers allocated for Michigan's 9 million residents, with many numbers remaining unused; and

Whereas, Unused numbers become "stranded" and unavailable for public distribution and contribute greatly to the fact that Michigan has seen the addition of more than five new area codes since 1994; and

Whereas, The creation of additional area codes and overlays is costly and confusing to state and local governments, businesses, and citizens; and

Whereas, The Public Service Commission was granted authority by the Legislature to exercise authority and implement area code relief on August 1, 2000; and

Whereas, The Michigan Public Service Commission has sought approval from the FCC to institute number conservation techniques, such as 1,000 block number distribution and number pooling. These changes would greatly alleviate the need for new area codes; now, therefore, be it

Resolved by the House of Representatives, That we urge the Federal Communications Commission to grant the Michigan Public Service Commission's request to institute number conservation techniques that can extend the life of current area codes and minimize the further addition of new area codes and overlays; and be it further

Resolved, That copies of this resolution be transmitted to the Federal Communications Commission, the Michigan Public Service Commission, and the Michigan congressional delegation.

The resolution was referred to the Committee on Energy and Technology.

Reps. Frank, Rivet, Minore, Bogardus, Zelenko, Lockwood, Williams, Rison, Raczkowski, Spade, Ruth Johnson, Lipsey, Schermesser, Adamini, DeRossett, Garza, Schauer, Waters, Jacobs, Woodward, Callahan, LaSata, Hansen, Neumann, McConico, Wojno, Kolb, Gielegem, Daniels, Lemmons, Faunce, Mead, Stewart, Ehardt, Dennis, Caul, Meyer, Voorhees, Jamnick, Hardman, Murphy, Bernero, Vear, Rocca, Kilpatrick, Hale, Clarke and Phillips offered the following resolution:

House Resolution No. 82.

A resolution to memorialize the Congress of the United States to provide full funding for the sewer overflow control program.

Whereas, One of the most challenging environmental issues facing Michigan and the nation is the problem of separating storm sewers from wastewater systems. The contamination of surface waters from sewage overflows is a major threat to water quality. Remedying this situation will require the expenditure of billions of dollars as our communities upgrade their infrastructure; and

Whereas, Many wastewater facilities are out of compliance with federal mandates. In 1996, the EPA estimated that \$140 billion would be needed over a 20-year period. By 1999, this estimate had increased to \$200 billion, and other groups' projections are far higher. Clearly, delays in addressing this problem will be costly; and

Whereas, The 106th Congress enacted legislation authorizing a new sewer overflow control grant program to help local communities upgrade and improve their wastewater collection and treatment systems. This two-year grant program is to be administered by the Environmental Protection Agency. Under this legislation (P.L. 106-554), grants are to be awarded to help with both combined sewer overflow and sanitary sewer overflow programs. Priority consideration is extended to communities that have already invested locally in this effort and to financially distressed communities; and

Whereas, The benefits of solving these problems and meeting these serious infrastructure needs are considerable. This initiative is vital to the quality of our communities and our nation's future. It is essential that Congress realize this potential by fully funding this program; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to provide full funding for the sewer overflow control program; 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. Hale, Vander Roest, Spade, Lipsey, Schermesser, Frank, Adamini, DeRossett, Garza, Lockwood, Schauer, Waters, Zelenko, Minore, Rison, Newell, Jacobs, Woodward, LaSata, Hansen, Sheltroun, Neumann, McConico, Kolb, Gielegem, Daniels, Lemmons, Van Woerkom, Mead, Ehardt, Scranton, Dennis, Meyer, Voorhees, Jamnick, Hardman, Murphy, Bernero, Kilpatrick, Clarke, Rivet and Phillips offered the following resolution:

House Resolution No. 83.

A resolution establishing the month of April as Michigan Minority Health Month.

Whereas, In 2000, the U.S. Surgeon General of the Public Health Service announced as a goal, the elimination by 2010 of health disparities experienced by racial and ethnic minorities in health access and outcome in six areas including infant mortality, cancer screening, cardiovascular disease, diabetes, acquired immunodeficiency syndrome, and human immunodeficiency virus infection, and immunizations; and

Whereas, Despite notable progress in the overall health of the nation, there is a crisis of minority health, consisting of continuing disparities in the burden of illness and death experienced by African-Americans, Hispanics, Native Americans, Alaska Natives, Asians, and Pacific Islanders, compared to the United States population as a whole; and

Whereas, Minorities suffer more than 60,000 excess deaths annually compared to nonminorities. They are more likely than nonminorities to die from cancer, cardiovascular disease, stroke, chemical dependency, diabetes, infant mortality, violence, acquired immunodeficiency syndrome, and more likely to suffer from oral health diseases; and

Whereas, Minority populations are not benefiting equitably from advances in medical research and technology. The minority population face substantial cultural, social, and economic barriers to obtaining access to and delivery of health care; and

Whereas, Minorities have made significant contributions to the state of Michigan, yet are under represented in the health care professions. The crisis in minority health results in losses of billions of dollars by the state of Michigan because of reduced productivity and increased health care expenditures; and

Whereas, The establishment of a Michigan Minority Health Month for the month of April would encourage all health organizations in the state of Michigan to host activities to promote healthfulness in minority communities; now, therefore, be it

Resolved by the House of Representatives, That it is the sense of the Michigan Legislature that there should be established a Michigan Minority Health Month. That the Governor should issue a proclamation encouraging all health organizations in the state of Michigan to host activities to promote healthfulness in minority communities and calling upon the people of the state of Michigan to observe such a month with appropriate programs and activities; and be it further

Resolved, That in conjunction with such a month, the Director of Community Health should make information available to the public on the health problems currently facing minority populations and on the careers and contributions of minority health professionals and present public service announcements on health promotion and disease prevention among minorities in the state of Michigan; and be it further

Resolved, That this legislative body believes that there is a crisis in minority health, consisting of continuing disparities in the burden of illness and death experienced by minorities compared to the population of the state of Michigan as a whole and the population of nonminorities. Public awareness of the effects of the crisis in minority health should be increased. The minority representation in the health care professions should be increased, greater state appropriations should be made for activities directed toward improving the health of minorities in this state, particularly health research and education, and targeted health promotion and disease prevention in initiatives should be presented in a manner that is culturally sensitive to minority populations.

The resolution was referred to the Committee on Health Policy.

Reps. DeRossett, DeVuyst, Allen, Plakas and Basham offered the following resolution:

House Resolution No. 84.

A resolution to salute Founders Week and Orange Risdon.

Whereas, During the week of April 22-28, 2001, the residents of the city of Saline will join with visitors and friends to celebrate Founders Week in honor of Orange Risdon (1786-1876), surveyor of the Chicago Road and founder of Saline. Orange Risdon married Sally Newland on March 16, 1816, and they became parents seven times; and

Whereas, It is known that Mr. Risdon founded the village of Saline. He received an approved land patent on April 5, 1825, signed by President John Quincy Adams, for 160 acres that includes Saline proper today. He built the first house in Saline proper in 1829. The house was built with twelve fireplaces in twelve rooms and served as an inn. It was the site of the first township election and first village meeting. It was also used as a hiding place for runaway slaves as a station on the "Underground Railroad"; and

Whereas, Saline got off to a great start through the efforts and leadership of Mr. Risdon. He donated land for schools and churches. He named Saline from the river of that name; and

Whereas, He was the first justice of the peace in Saline and served for twelve years. He was the first postmaster and served for ten years. He performed the first wedding in Saline. He was invited to the corner stone laying of the first state capitol building in Detroit in 1823 and the corner stone laying of the present capitol building in Lansing in 1838; and

Whereas, Orange Risdon was elected, as a democrat, to the Michigan House of Representatives in 1838 and was held in high esteem. The United States government employed him as a surveyor until 1856. He surveyed or resurveyed 75 townships throughout Michigan, drew the first map of the Michigan territory in 1825, and was asked to survey the Sauk Trail or Chicago Road; and

Whereas, Mr. Risdon, as a member of the Masonry, demonstrated knowledge of the moral lessons to earn the Master Mason's degree. The Masons bestowed the degree of the Royal Arch, one of 33, on Mr. Risdon in 1813. At ceremonies held in New York City in 1815, he received the order of the High Priesthood and Knight Templar Degree, the highest in the York Rite; and

Whereas, Orange Risdon possessed an unrelenting work ethic, an honest devotion to his profession of surveying, and a dedication to his family. He carried on throughout his life in a quiet unassuming manner; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body salute Founders Week and Orange Risdon; and be it further

Resolved, That a copy of this resolution be transmitted to the Saline Historical Society 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.

Reports of Standing Committees

The Committee on Redistricting and Elections, Rep. Patterson, Chair, reported

House Bill No. 4402, entitled

A bill to amend 1978 PA 472, entitled "An act to regulate political activity; to regulate lobbyists, lobbyist agents, and lobbying activities; to require registration of lobbyists and lobbyist agents; to require the filing of reports; to prescribe the powers and duties of the department of state; to prescribe penalties; and to repeal certain acts and parts of acts," (MCL 4.411 to 4.431) by adding section 6b.

The committee recommended that the bill be referred to the Committee on House Oversight and Operations.

Favorable Roll Call

HB 4402 To Report Out:

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

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on House Oversight and Operations.

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, April 19, 2001, at 10:30 a.m.,

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 19, 2001, at 9:00 a.m.,

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

Absent: Reps. Allen, DeWeese, Bogardus, Spade,

Excused: Reps. Allen, DeWeese, Bogardus, Spade.

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, April 19:

House Bill Nos. 4617 4618 4619

The Clerk announced that the following Senate bill had been received on Thursday, April 19:

Senate Bill No. 350

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 350, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act," by amending section 26a (MCL 287.726a), as added by 2000 PA 323; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Notices

Public Hearing

Subcommittee on Townships, County Roads, & Michigan Department of Transportation

Date: Monday, April 23, 2001

Time: 3:00 p.m.

Place: Traverse City Area Library Meeting Room, 610 Woodmere Avenue, Traverse City, Michigan

Rep. Hart,
Chair

Agenda: Testimony on Public Act No. 51 of 1951

and any/or all business properly before this subcommittee.

Introduction of Bills

Reps. Switalski, Gosselin, Pestka, Callahan, Lipsey, Minore, Kolb, Toy, Bogardus, Spade, Rivet and Murphy introduced

House Bill No. 4622, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 23f and 24 of chapter X (MCL 710.23f and 710.24), section 23f of chapter X as amended by 1994 PA 373 and section 24 of chapter X as amended by 1996 PA 409.

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

Reps. Switalski, Gosselin, Pestka, Lockwood, Shackleton, Lipsey, Drolet, Minore, Gielegem, Schauer, Spade, Rivet, Murphy and Kolb introduced

House Bill No. 4623, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 260 (MCL 206.260), as amended by 1996 PA 484.

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

Reps. Switalski, Gosselin, Shackleton, Lipsey, Minore, Rivet and Murphy introduced

House Bill No. 4624, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1165.

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

Reps. Patterson, Faunce, Kowall, Birkholz, Allen, Vander Roest, Gilbert, Kooiman, Julian, Toy, Kuipers, Voorhees, Bishop, Middaugh, Richardville, DeVuyst, Stamas, Quarles, Ehardt, Woronchak, Richner, Jelinek, Bogardus, Rocca, Howell, Godchaux, Bob Brown, Mortimer, Newell, Jacobs, Kilpatrick, Callahan, Lipsey, Wojno, George, DeRossett, Scranton, Switalski, Sanborn, Raczkowski, Hager, Vear, Cassis, Bisbee, Pumford, Kolb and Meyer introduced

House Bill No. 4625, entitled

A bill to authorize the issuance of general obligation bonds of the state and to pledge the full faith and credit of the state for the payment of principal and interest on the bonds to finance water pollution control projects that prevent discharges of untreated or improperly treated sewage into the waters of the state; to pay for issuing the bonds; to provide for other measures relating to the bonds; and to provide for the submission of the question of the issuance of the bonds to the electors of the state.

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

Reps. DeVuyst, Patterson, Howell, Richner, Raczkowski, Lipsey, Richardville, Koetje and Kowall introduced

House Bill No. 4626, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11104, 11108, 11130, 11135, 12101, 12102, 12103, 12109, and 12112 (MCL 324.11104, 324.11108, 324.11130, 324.11135, 324.12101, 324.12102, 324.12103, 324.12109, and 324.12112), sections 11104 and 11130 as amended by 1998 PA 139 and sections 12101, 12102, 12103, and 12109 as amended by 1998 PA 140, and by adding section 11153.

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

Reps. Allen, Julian, Birkholz, Drolet, Lockwood, Neumann and Shackleton introduced

House Bill No. 4627, entitled

A bill to define certain rights and responsibilities of hotels and bed and breakfasts with respect to renting or leasing hotel or bed and breakfast rooms to minors; and for related purposes.

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

Reps. Raczkowski, Koetje, Kuipers, Tabor, DeVuyst, Gosselin, Julian, Ruth Johnson and Pappageorge introduced

House Bill No. 4628, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 3, 5, 6, 11a, 613, 616, 617, 661, 701, 702, 703, 705, 856, 857, 858, 859, 860, 861, 932, 945, and 1361 (MCL 380.3, 380.5, 380.6, 380.11a, 380.613, 380.616, 380.617, 380.661, 380.701, 380.702, 380.703, 380.705, 380.856, 380.857, 380.858, 380.859, 380.860, 380.861, 380.932, 380.945, and 380.1361), sections 3 and 6 as amended and section 11a as added by 1995 PA 289, section 5 as amended by 1999 PA 23, section 617 as amended by 1989 PA 268, section 703 as amended by 1981 PA 87, section 705 as amended by 1994 PA 258, sections 857 and 858 as amended by 1992 PA 263, and section 945 as added by 1984 PA 154, and by adding section 1206; and to repeal acts and parts of acts.

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

Reps. Raczkowski, Koetje, Tabor, Kuipers, DeVuyst, Gosselin, Julian, Ruth Johnson and Pappageorge introduced

House Bill No. 4629, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 30a, 500f, 500g, 501a, 505, 509n, 509r, 509gg, 544c, 644k, 690, 862, 863, 954, and 972 (MCL 168.30a, 168.500f, 168.500g, 168.501a, 168.505, 168.509n, 168.509r, 168.509gg, 168.544c, 168.644k, 168.690, 168.862, 168.863, 168.954, and 168.972), section 501a as amended by 1995 PA 87, section 509n as amended by 1999 PA 216, sections 509r and 509gg as added by 1994 PA 441, section 544c as amended by 1999 PA 219, and section 972 as amended by 1989 PA 26, and by adding section 17 and chapter XIV.

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

Rep. Kuipers introduced

House Bill No. 4630, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1294. The bill was read a first time by its title and referred to the Committee on Education.

Reps. Rivet, Bradstreet, Switalski, Sheltroun, Pestka, Neumann, Howell, Richardville, Frank, Faunce, Adamini, Rich Brown, Ruth Johnson, Bisbee and Lemmons introduced

House Bill No. 4631, entitled

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales," (MCL 445.111 to 445.117) by adding section 1d.

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

Reps. Clark, Rivet, Bradstreet, Tabor, Faunce, Dennis, Minore, Jamnick, Hale, Bogardus, Woodward, Basham, McConico, Garza, Kilpatrick, Thomas, Lipsey, Frank, Rison, DeRossett, Howell, Sheltroun, Callahan, Switalski, Gielegghem, Anderson, Plakas, Daniels, Phillips, Richardville, Ruth Johnson and Lemmons introduced

House Bill No. 4632, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2000 PA 14.

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

Reps. O'Neil, Mans, Kowall, George, Faunce, Julian and Kooiman introduced

House Bill No. 4633, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," by amending section 7a (MCL 803.307a), as amended by 1998 PA 517.

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

Rep. Richner introduced

House Bill No. 4634, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 39 of chapter X (MCL 710.39), as amended by 1998 PA 94.

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

Rep. Koetje introduced

House Bill No. 4635, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," (MCL 552.601 to 552.650) by adding section 5.

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

Rep. Hart introduced

House Bill No. 4636, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending section 3 (MCL 552.603), as amended by 1998 PA 334.

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

Rep. Tabor introduced

House Bill No. 4637, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," (MCL 552.501 to 552.535) by adding section 17f.

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

Rep. Raczkowski introduced

House Bill No. 4638, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 710.21 to 712A.32) by adding section 69a to chapter X.

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

Rep. Rison moved that the House adjourn.
The motion prevailed, the time being 1:45 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Tuesday, April 24, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.