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House Chamber, Lansing, Thursday, February 8, 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—excused	George—present	Mans—present	Schermesser—present
Anderson—present	Gielegghem—present	McConico—present	Scranton—present
Basham—present	Gilbert—present	Mead—present	Shackleton—present
Bernero—present	Godchaux—present	Meyer—present	Sheltrown—present
Birkholz—present	Gosselin—present	Middaugh—present	Shulman—present
Bisbee—present	Hager—present	Minore—present	Spade—present
Bishop—present	Hale—present	Mortimer—present	Stallworth—present
Bogardus—present	Hansen—present	Murphy—present	Stamas—present
Bovin—present	Hardman—present	Neumann—present	Stewart—present
Bradstreet—present	Hart—present	Newell—present	Switalski—present
Brown, Bob—present	Howell—present	O’Neil—present	Tabor—present
Brown, Cameron—present	Jacobs—present	Pappageorge—present	Thomas—present
Brown, Rich—present	Jamnick—present	Patterson—present	Toy—present
Callahan—present	Jansen—present	Pestka—present	Vander Roest—present
Cassis—present	Jelinek—present	Phillips—present	Vander Veen—present
Caul—present	Johnson, Rick—present	Plakas—present	Van Woerkom—present
Clark—present	Johnson, Ruth—present	Pumford—present	Vear—present
Clarke—present	Julian—present	Quarles—present	Voorhees—present
Daniels—excused	Kilpatrick—excused	Raczkowski—present	Waters—present
Dennis—present	Koetje—present	Reeves—present	Whitmer—present
DeRossett—present	Kolb—present	Richardville—present	Williams—present
DeVuyst—present	Kooiman—present	Richner—present	Wojno—present
DeWeese—present	Kowall—present	Rison—present	Woodward—present
Ehardt—present	Kuipers—present	Rivet—present	Woronchak—present
Faunce—present	LaSata—present	Rocca—present	Zelenko—excused
Frank—present	Lemmons—present	Sanborn—present	
Garcia—present	Lipsey—present		

Rev. Ira Combs, Pastor of The Greater Bible Way Temple in Jackson, offered the following invocation:

“Kind Father, eternal God, our heavenly Father, You have extended Your blessings onto us and made us the beneficiaries of this day. We come with bowed heads and humbled hearts to give thanks unto You for having an opportunity to offer an invocation and prayer over these distinguished public servants and political leaders who are making decisions daily to affect our lives and to transform our communities. We ask You now to give them strength and wisdom in governing the decisions that they make. We pray that they will be mindful of this awesome responsibility of passing legislation that will affect the lives of those that make up our communities. We thank You right now for the civility of our enduring democracy, the prosperity we have enjoyed in this long standing successful economy, and, finally, the tranquility we have witnessed in the peaceful transition of power both on the national and local level. Now, we ask that You bless this body, strengthen them in their families, look on us in our decisions and bless us in our daily discourse. We praise You in Your name. All the people said, Amen.”

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

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

Associate Speaker Pro Tempore Ehardt assumed the Chair.

Motions and Resolutions

Reps. Kilpatrick, Hansen, Jacobs, Schermesser, Spade, Bovin, Wojno, Jamnick, Lipsey, Bernero, Minore, Waters, Koetje, Faunce, Bishop, Switalski, Gielegghem, Adamini, Williams, Garza, Ehardt, Whitmer, Anderson, Neumann, Kolb, Woodward, Toy, Richner, LaSata, Birkholz, Rison, McConico, Reeves, Hardman, DeRossett, Vear, Rich Brown, Thomas, Rivet, Lemmons, Pappageorge and Murphy offered the following resolution:

House Resolution No. 21.

A resolution offered as a memorial to Darrell Fitzpatrick, “Big Daddy Fitz”.

Whereas, It is with the utmost sorrow that the members of this legislative body mourn the passing of Darrell Fitzpatrick, known as “Big Daddy Fitz”. He was a pillar of strength for the City of Detroit and a role model to us all; and

Whereas, Big Daddy Fitz was raised in Detroit. He graduated from Martin Luther King High School and remained in Detroit; and

Whereas, Big Daddy Fitz recognized his civic duty to honorably serve his nation for eight years in the United States Marine Corps. His civic duty and community activism continued beyond the days he served as a Marine; and

Whereas, He entertained, enlightened, and touched devoted listeners as the co-host of the “Frankie and Friends” Kiss 102.7 morning show. Although we will no longer hear Big Daddy Fitz as the co-host of “Frankie and Friends”, those of us who knew Big Daddy Fitz will forever hear his voice; and

Whereas, Big Daddy Fitz’s sense of civic duty was surpassed only by his sense of humor and his innovative approach to resolving quality of life issues through his proposition “Five Dash Nine”. “Five Dash Nine” stated that people cannot get a traffic ticket en route to work between the hours of 5 a.m. to 9 a.m. In the interest of traffic safety and for the betterment and bemusement of our community, we hereby declare that Darrell “Big Daddy Fitz” Fitzpatrick will be known as the father of “Five Dash Nine—Big Daddy Fitz’s Rule”; now, therefore, be it

Resolved by the House of Representatives, That a unanimous accolade of tribute be extended to the memory of Darrell Fitzpatrick; and be it further

Resolved, That a copy of this document be presented to the family of Darrell Fitzpatrick as evidence of our heartfelt sorrow and loss.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. DeWeese, Hansen, Jacobs, Richardville, Schermesser, Spade, Bovin, Wojno, Jamnick, Lipsey, Bernero, Waters, Koetje, Faunce, Julian, Voorhees, Bishop, DeVuyt, Switalski, Gielegghem, Adamini, Stewart, Jansen, Ehardt, Anderson, Neumann, Kolb, Woodward, Mead, Kooiman, Vander Roest, Toy, Richner, LaSata, Birkholz, Shulman, McConico, Hardman, Stallworth, Caul, DeRossett, Vear, Thomas, Rivet, Lemmons, Pappageorge and Murphy offered the following resolution:

House Resolution No. 22.

A resolution honoring Dr. Wayne Anthony Barr for his dedicated service as Minister of Music and church organist at Hartford Memorial Baptist Church in Detroit, Michigan.

Whereas, Dr. Barr has been with the Hartford Memorial Baptist music department since 1994 and has led the congregation in musical worship for the past four years. His talents and musical gifts will be sorely missed. Under the leadership of Pastor Charles Gilchrist Adams, Dr. Barr has not only coordinated the music ministry for the church, but has directed the Cathedral Choir, Jubilee Chorus, and Male Chorus. He also played and maintained the church's four-manual, fifty-eight rank Petty-Madden pipe organ for each service; and

Whereas, Wayne Anthony Barr is a man of character, competence, and deep compassion. A native of Guyana, South Africa, Dr. Barr is described as even-tempered and is respected not only as a professional, but also as a friend. He is very peaceful and considerate of the feelings of others; and

Whereas, Wayne Anthony Barr has been inspired by music of all kinds since childhood. As a boy in South Africa, he was fascinated by drums, guitars, or any musical instrument available in his country. He attended many ceremonies and parades and was inspired by the bandleaders. In 1979, Dr. Barr came to the United States to pursue a career in music; and

Whereas, Wayne Anthony Barr has led a distinguished musical career. He received his Bachelor of Music Degree from Westminster Choir College in Princeton, New Jersey. He later received a Master of Sacred Music Degree from Perkins School of Theology and a Master of Music in Choral Conducting from Meadows School of the Arts. In 1999, Dr. Barr completed his Doctor of Musical Arts degree at the University of Michigan. His doctoral dissertation was a study of the history of the pipe organ in black churches in the United States of America; and

Whereas, The congregation of Hartford Memorial Baptist Church wishes Wayne Anthony Barr the best of success in his future endeavors. The students and faculty at Tuskegee University will surely benefit from Dr. Barr's musical expertise and talents as a teacher and mentor; now, therefore, be it,

Resolved by the House of Representatives, That the members of this legislative body commend Wayne Anthony Barr for his ministry to the people of Hartford Memorial Baptist Church and wish him well as he accepts a position at Tuskegee University as Assistant Professor of Music and Director of the world renown Jubilee Choir; and be it further

Resolved, That a copy of this resolution be transmitted to Wayne Anthony Barr as evidence of our most sincere congratulations.

Pending the reference of the resolution to a committee,

Rep. Richardville 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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 8, 2001, at 9:00 a.m.,

Present: Reps. Kuipers, Meyer, Allen, Bradstreet, Hager, Ruth Johnson, Van Woerkom, Voorhees, Hansen, Gielegem, Spade,

Absent: Reps. DeWeese, Hart, Bogardus, Clark, McConico, Zelenko,

Excused: Reps. DeWeese, Hart, Bogardus, Clark, McConico, Zelenko.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following Senate joint resolution had been received on Thursday, February 8:

Senate Joint Resolution D

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Joint Resolution D, entitled

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

The Senate has adopted the joint resolution by a 2/3 vote.

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

Introduction of Bills

Reps. Patterson, Julian, Lipsey, Richardville, Phillips, Bovin, Garcia, Faunce, Tabor, Plakas and Raczkowski introduced

House Bill No. 4158, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 320a and 907 (MCL 257.320a and 257.907), section 320a as amended by 2000 PA 460 and section 907 as amended by 1998 PA 103.

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

Reps. Patterson, Bishop, Gilbert, Kuipers, Sanborn and Vear introduced

House Bill No. 4159, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 12 (MCL 247.662), as amended by 1997 PA 79, and by adding section 20b.

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

Rep. Minore introduced

House Bill No. 4160, entitled

A bill to provide for the creation of housing freedom zones; to provide for the adoption of an alternative building code; and to provide for the sale of affordable housing to lower and middle income families.

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

Reps. Sheltroun, Spade, Lipsey, Bovin, Dennis, Kolb, Bogardus, LaSata and O'Neil introduced

House Bill No. 4161, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509t (MCL 168.509t), as amended by 1998 PA 21.

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

Reps. Spade, Bovin, Sheltroun, Rich Brown, Wojno, Bernero, Woodward, Anderson, Minore, Garcia, Murphy, Pappageorge, Neumann and Vear introduced

House Bill No. 4162, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 659.

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

Reps. Spade, Bovin, Sheltroun, Rich Brown, Wojno, Lipsey, Woodward, Dennis, Kolb, Anderson, Basham, Garcia, Pappageorge, Gielegghem, Schermesser, Rocca, Neumann, Vear and Lemmons introduced

House Bill No. 4163, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 2000 PA 390.

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

Reps. Spade, Bovin, Sheltroun, Rich Brown, Wojno, Bernero, Woodward, Dennis, Kolb, Anderson, Minore, Basham, Garcia, Murphy, Pappageorge, Gielegghem, Schermesser, Whitmer, Schauer, Rocca, Neumann, Vear and Lemmons introduced

House Bill No. 4164, entitled

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

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

Reps. Stamas, Gilbert, Bishop, Allen, Shackleton, Van Woerkom, Kooiman, Hager, Caul, Schermesser, Vear, Spade, Koetje, Ruth Johnson, Gosselin, Julian, Rivet, Vander Veen and Birkholz introduced

House Bill No. 4165, entitled

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

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

Reps. Van Woerkom and Meyer introduced

House Bill No. 4166, entitled

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," by amending section 2 (MCL 52.202).

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

Reps. Bernero, Hager, DeWeese, Bob Brown, Plakas, McConico, Rocca, Lipsey, Pestka, Kolb, Murphy, Zelenko, Jacobs, O'Neil, Mans, Gielegghem, Rivet, Spade, Bogardus, Basham, Waters, Garza, Hale, Kowall, Mortimer, Vander Veen, Faunce and Schauer introduced

House Bill No. 4167, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 100a (MCL 330.1100a), as amended by 1998 PA 497, and by adding section 208a.

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

Reps. Garcia, Patterson, Faunce, Vear, Julian, Meyer, Middaugh, Mortimer, Bovin, Spade, Shackleton, Lipsey and Raczkowski introduced

House Bill No. 4168, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 506 (MCL 206.506), 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. Garcia, Meyer, Vear, Faunce, Richardville, Middaugh, Julian, Mortimer, Bovin and Shackleton introduced

House Bill No. 4169, 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 first time by its title and referred to the Committee on Tax Policy.

Reps. Garcia, Patterson, Stewart, Faunce, Vear, Kooiman, Richardville, Meyer, Julian, Mortimer, Shackleton and Raczkowski introduced

House Bill No. 4170, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by adding sections 11m and 11n.

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

Reps. Garcia, Raczkowski, Julian, Mortimer and Shackleton introduced

House Bill No. 4171, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 961 (MCL 380.961), as amended by 1983 PA 118.

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

Reps. Patterson, Raczkowski, Julian, O'Neil, Gosselin, Bishop, Gilbert, Garcia, Kuipers, Ehardt, Faunce, Sanborn, Schermesser, Plakas and Jelinek introduced

House Joint Resolution H, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 26 of article IV, to provide for concurrence of 2/3 of the members of each house to raise or impose certain taxes.

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

Rep. Whitmer moved that the House adjourn.

The motion prevailed, the time being 1:00 p.m.

Associate Speaker Pro Tempore Ehardt declared the House adjourned until Tuesday, February 13, at 2:00 p.m.

GARY L. RANDALL

Clerk of the House of Representatives.