

No. 29
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
91st Legislature
REGULAR SESSION OF 2001

House Chamber, Lansing, Wednesday, April 18, 2001.

2:00 p.m.

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

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—excused
Anderson—present	Gielegghem—present	McConico—present	Scranton—present
Basham—present	Gilbert—present	Mead—e/d/s	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—excused	Hardman—excused	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—excused	Julian—present	Quarles—present	Voorhees—present
Daniels—present	Kilpatrick—e/d/s	Raczkowski—present	Waters—present
Dennis—present	Koetje—present	Reeves—present	Whitmer—excused
DeRossett—present	Kolb—present	Richardville—present	Williams—present
DeVuyst—e/d/s	Kooiman—present	Richner—present	Wojno—present
DeWeese—present	Kowall—present	Rison—present	Woodward—present
Drolet—present	Kuipers—present	Rivet—present	Woronchak—present
Ehardt—present	LaSata—present	Rocca—present	Zelenko—present
Faunce—present	Lemmons—present	Sanborn—present	
Frank—present	Lipsey—present		

e/d/s = entered during session

Rabbi Aaron Bergman, from the Jewish Academy of Metropolitan Detroit in West Bloomfield, offered the following invocation:

“Our Parent in heaven, we are grateful for the dedication of Your servants to Your people. Give them joy and meaning in their generous service to all. Give them strength to work through their challenges, and pleasure in their accomplishments. I ask that the words of the priestly blessing that I now recite sustain them and nourish them. ‘May the Lord bless you and guard you. May the Lord show you favor and be gracious to you. May the Lord show you kindness and grant you peace.’ Amen.”

Rep. Jacobs moved that Reps. Clarke, Hardman, Schermesser and Whitmer be excused from today’s session. The motion prevailed.

Reports of Standing Committees

The Committee on Transportation, by Rep. George, Vice-Chair, reported

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.

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

1. Amend page 5, line 24, after “(7)” by striking out “An” and inserting “EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (24), AN”.

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

Favorable Roll Call

HB 4550 To Report Out:

Yeas: Reps. Gilbert, George, DeRossett, DeVuyst, Drolet, Gosselin, Hart, Ruth Johnson, Julian, Anderson, Jamnick, Murphy, Neumann,

Nays: None.

The Committee on Transportation, by Rep. George, Vice-Chair, reported

House Bill No. 4578, entitled

A bill to amend 1984 PA 44, entitled “Motor fuels quality act,” by amending section 3 (MCL 290.643), as amended by 2000 PA 206.

The committee recommended that the bill be referred to the Committee on Agriculture and Resource Management.

Favorable Roll Call

HB 4578 To Report Out:

Yeas: Reps. Gilbert, George, DeVuyst, Drolet, Gosselin, Hart, Ruth Johnson, Julian, Anderson, Jamnick, Murphy, Neumann,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Agriculture and Resource Management.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. George, Vice-Chair of the Committee on Transportation, was received and read:

Meeting held on: Wednesday, April 18, 2001, at 9:00 a.m.,

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

Absent: Reps. Scranton, Bovin, Daniels, Schermesser,

Excused: Reps. Scranton, Bovin, Daniels, Schermesser.

Second Reading of Bills

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.

The bill was read a second time.

Rep. McConico moved to amend the bill as follows:

1. Amend page 2, line 2, after “PRISONER” by striking out “MAY” and inserting “SHALL”.

The question being on the adoption of the amendment offered by Rep. McConico,

Rep. McConico demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. McConico,

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 79

Yeas—44

Adamini	Gielegthem	Murphy	Schauer
Anderson	Hale	Neumann	Sheltrown
Basham	Hansen	O’Neil	Spade
Bogardus	Jacobs	Pestka	Stallworth
Brown, R.	Jamnack	Phillips	Switalski
Callahan	Kolb	Plakas	Thomas
Clark, I.	Lipsev	Quarles	Waters
Daniels	Lockwood	Reeves	Williams
Dennis	Mans	Richardville	Wojno
Frank	McConico	Rison	Woodward
Garza	Minore	Rivet	Zelenko

Nays—56

Allen	George	Kowall	Sanborn
Birkholz	Gilbert	Kuipers	Scranton
Bisbee	Godchaux	LaSata	Shackleton
Bishop	Gosselin	Lemmons	Shulman
Bradstreet	Hager	Meyer	Stamas
Brown, B.	Hart	Middaugh	Stewart
Brown, C.	Howell	Mortimer	Tabor
Cassis	Jansen	Newell	Toy
Caul	Jelinek	Pappageorge	Van Woerkom
DeRossett	Johnson, Rick	Patterson	Vander Roest
DeWeese	Johnson, Ruth	Pumford	Vander Veen

Drolet
Ehardt
Faunce

Julian
Koetje
Kooiman

Raczkowski
Richner
Rocca

Vear
Voorhees
Woronchak

In The Chair: Ehardt

Rep. Kilpatrick entered the House Chambers.

Rep. O'Neil moved to amend the bill as follows:

1. Amend page 2, line 3, after the second "BROTHER," by striking out "OR".
2. Amend page 2, line 4, after "SISTER" by inserting a comma and "NIECE, OR NEPHEW".

The question being on the adoption of the amendments offered by Rep. O'Neil,

Rep. O'Neil demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. O'Neil,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 80

Yeas—48

Adamini
Anderson
Basham
Bernero
Bogardus
Brown, B.
Brown, R.
Callahan
Clark, I.
Daniels
Dennis
Drolet

Frank
Garza
Gielegthem
Hale
Hansen
Jacobs
Jamnick
Kilpatrick
Kolb
Lemmons
Lipse
Lockwood

Mans
McConico
Minore
Murphy
Neumann
O'Neil
Pestka
Phillips
Plakas
Quarles
Reeves
Rison

Rivet
Schauer
Sheltrown
Spade
Stallworth
Switalski
Thomas
Waters
Williams
Wojno
Woodward
Zelenko

Nays—54

Allen
Birkholz
Bisbee
Bishop
Bradstreet
Brown, C.
Cassis
Caul
DeRossett
DeWeese
Ehardt
Faunce
George
Gilbert

Godchaux
Gosselin
Hager
Hart
Howell
Jansen
Jelinek
Johnson, Rick
Johnson, Ruth
Julian
Koetje
Kooiman
Kowall
Kuipers

LaSata
Meyer
Middaugh
Mortimer
Newell
Pappageorge
Patterson
Pumford
Raczkowski
Richardville
Richner
Rocca
Sanborn

Scranton
Shackleton
Shulman
Stamas
Stewart
Tabor
Toy
Van Woerkom
Vander Roest
Vander Veen
Vear
Voorhees
Woronchak

In The Chair: Ehardt

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

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 second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Commerce,

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

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

The motion prevailed.

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.

The bill was read a second time.

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

The motion prevailed.

Rep. Mead entered the House Chambers.

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 second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Conservation and Outdoor Recreation,

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

Rep. Patterson moved to amend the bill as follows:

1. Amend page 2, line 25, after “hybrids” by striking out the balance of the line through “DUCKS,” on line 26.

The motion prevailed and the amendment 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.

Rep. DeVuyst 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 second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Transportation (for amendment, see today’s Journal, p. 398),

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

Rep. Spade moved to amend the bill as follows:

1. Amend page 5, line 26, after “state” by inserting a comma and “or any adjacent state,”.

2. Amend page 12, line 15, by striking out all of subsection (24).

The question being on the adoption of the amendments offered by Rep. Spade,

Rep. Spade demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Spade,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 81

Yeas—48

Adamini	Garza	Minore	Schauer
Anderson	Gielegghem	Murphy	Sheltrown
Basham	Hale	Neumann	Spade
Bernero	Hansen	O’Neil	Stallworth
Bogardus	Jacobs	Pestka	Switalski
Brown, B.	Jamnick	Phillips	Thomas
Brown, R.	Kolb	Plakas	Waters
Callahan	Lemmons	Quarles	Williams
Clark, I.	Lipsey	Reeves	Wojno
Daniels	Lockwood	Richardville	Woodward
Dennis	Mans	Rison	Woronchak
Frank	McConico	Rivet	Zelenko

Nays—55

Allen	George	Kowall	Sanborn
Birkholz	Gilbert	Kuipers	Scranton
Bisbee	Godchaux	LaSata	Shackleton
Bishop	Gosselin	Mead	Shulman
Bradstreet	Hager	Meyer	Stamas
Brown, C.	Hart	Middaugh	Stewart
Cassis	Howell	Mortimer	Tabor
Caul	Jansen	Newell	Toy
DeRossett	Jelinek	Pappageorge	Van Woerkom
DeVuyst	Johnson, Rick	Patterson	Vander Roest
DeWeese	Johnson, Ruth	Pumford	Vander Veen
Drolet	Julian	Rackowski	Vear
Ehardt	Koetje	Richner	Voorhees
Faunce	Kooiman	Rocca	

In The Chair: Ehardt

Rep. Spade moved to amend the bill as follows:

1. Amend page 12, line 20, after “STATE” by inserting “OR A LETTER SIGNED BY THAT PHYSICIAN ON THE PHYSICIAN’S OFFICIAL LETTERHEAD ATTESTING TO THE APPLICANT’S DISABLING CONDITION”.

The question being on the adoption of the amendment offered by Rep. Spade,

Rep. Spade demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Spade,

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 82**Yeas—47**

Adamini	Garza	McConico	Schauer
Anderson	Gielegem	Murphy	Sheltrown
Basham	Hale	Neumann	Spade
Bernero	Hansen	O'Neil	Stallworth
Bogardus	Jacobs	Pestka	Switalski
Brown, B.	Jamnack	Phillips	Thomas
Brown, R.	Jelinek	Plakas	Waters
Callahan	Kolb	Quarles	Williams
Clark, I.	Lemmons	Reeves	Wojno
Daniels	Lipse	Richardville	Woodward
Dennis	Lockwood	Rison	Zelenko
Frank	Mans	Rivet	

Nays—54

Allen	George	LaSata	Scranton
Birkholz	Gilbert	Mead	Shackleton
Bisbee	Gosselin	Meyer	Shulman
Bishop	Hager	Middaugh	Stamas
Bradstreet	Hart	Mortimer	Stewart
Brown, C.	Howell	Newell	Tabor
Cassis	Jansen	Pappageorge	Toy
Caul	Johnson, Rick	Patterson	Van Woerkom
DeRossett	Johnson, Ruth	Pumford	Vander Roest
DeVuyst	Julian	Rackowski	Vander Veen
DeWeese	Koetje	Richner	Vear
Drolet	Kooiman	Rocca	Voorhees
Ehardt	Kowall	Sanborn	Woronchak
Faunce	Kuipers		

In The Chair: Ehardt

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

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 second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Criminal Justice,

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

Rep. Rackowski moved to amend the bill as follows:

1. Amend page 1, line 2, after "murder" by inserting a comma and "OR CRIMINAL SEXUAL CONDUCT IN THE FIRST DEGREE, OR A VIOLATION OF CHAPTER XXXIII OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.200 TO 750.212A, THAT IS PUNISHABLE BY LIFE IMPRISONMENT".

2. Amend page 1, line 3, after "TIME" by striking out the balance of the subsection and inserting a period.

3. Amend page 1, line 6, after "145C," by striking out "520B,".

4. Amend page 1, line 7, after "750.145C," by striking out "750.520B,".

5. Amend page 2, line 18, after "MURDER," by inserting "MANSLAUGHTER,".

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 2, line 18, after "MANSLAUGHTER," by striking out "OR".

2. Amend page 2, line 19, after "murder" by inserting a comma and "OR FIRST-DEGREE HOME INVASION".

The motion prevailed and the amendments were 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.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Gielegheem, Pappageorge, Hart, Wojno, Middaugh, Woodward, Neumann, Lipsey, Bogardus, Woronchak, Kolb, Patterson, Hale, Jamnick, Schauer, Spade, Callahan, Jacobs, Tabor, Raczkowski, Sheltroun, Birkholz, Zelenko, Hansen, Dennis, Daniels, Anderson, Rivet, Faunce, Van Woerkom, Voorhees, Hager, Basham, Newell, Lemmons, Thomas, Plakas, Toy, Rich Brown, Rison, Switalski, Kilpatrick, Bernero, Scranton, Kuipers, Shulman, Richner, Meyer, Kooiman, Frank, Caul, Bishop, Murphy, Waters, Adamini and Stallworth offered the following resolution:

House Resolution No. 77.

A resolution to commemorate May 12, 2001, as Michigan Fibromyalgia Day.

Whereas, An estimated six million people in the United States and many more millions of people worldwide have been diagnosed with fibromyalgia (FM), a disease for which there is no cure and no known cause; and

Whereas, Fibromyalgia is a chronic illness, increasing at dramatic rates, which causes fatigue and debilitating pain in the muscles, ligaments, and tendons in the body of women, men, and children of all races and ages; and

Whereas, Patients suffering from this illness have to learn to live with the widespread pain in muscles, joints, and ligaments, and extreme fatigue, weakness, stiffness, numbness, tingling, insomnia, migraine headaches, impairment of memory, and concentration; and

Whereas, Fibromyalgia is an illness that can take healthy, active people and within a two- to three-year period affect their lives to the point where lifting a child, opening a jar, or doing anything on a physical level becomes difficult; and

Whereas, Fibromyalgia is difficult to diagnose because many of the symptoms mimic those of other disorders and often the average person takes five years and spends thousands of dollars in medical bills just to receive a diagnosis because most members of the medical profession don't have the education to diagnose and treat FM; and

Whereas, People with fibromyalgia face discrimination in the workplace and from family and friends because so few people are aware or understand what fibromyalgia is and the symptoms it manifests; and

Whereas, Public education is important in order for patients to be able to receive proper diagnosis and treatment. Public awareness will help eliminate the myths, improve patient support, and encourage research; now, therefore, be it

Resolved by the House of Representatives, That May 12, 2001, be declared Fibromyalgia Day in the state of Michigan. All citizens are urged to support those seeking a cure and to assist those individuals and families who deal with this devastating disease on a daily basis; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Chapter of the Arthritis Foundation to be delivered to the 22 Fibromyalgia Support Groups throughout Michigan.

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. Phillips, Kilpatrick, Sheltroun, Quarles, Gielegheem, Dennis, Waters, Hardman, Daniels, Garza, Clark, Bogardus, Jamnick, Murphy, Woodward, Williams, Adamini, Plakas, Jacobs, Switalski, Callahan, Lockwood, Hale, Rich Brown, Ruth Johnson, Vear, Bishop, Rivet, Meyer, Reeves, Jansen, Lemmons, Minore, Lipsey, Raczkowski, Birkholz, Zelenko, Hansen, Schauer, Neumann, Anderson, Richardville, Faunce, Van Woerkom, Bradstreet, Gosselin, Voorhees, Julian, Hager, Spade, Kolb, Basham, Newell, Thomas, Toy, Wojno, McConico, Rison, Bernero, Scranton, Kuipers, Shulman, Richner, Kooiman, Frank, Caul, Cassis and Stallworth offered the following resolution:

House Resolution No. 78.

A resolution honoring the Pontiac Northern High School Boys Basketball team as the 2001 Class A Basketball Champions.

Whereas, It is a pleasure to join with their families, entire school, and all of the city of Pontiac in celebrating the achievements of the Pontiac Northern Huskies on its wonderful success over the season; and

Whereas, On Saturday, March 24, 2001, in East Lansing at the Breslin Center, the Pontiac Northern Huskies won for the first time in the history of Pontiac Public Schools, the Boys Class A Basketball Championship by defeating Kalamazoo Central with a convincing 87-71 victory. Pontiac schools have had the distinction of being the 'bridesmaid' meaning the runners up for five times. The fine record this squad attained, has culminated into this Class A State Championship and this group of disciplined student-athletes has generated great pride throughout this part of our state; and

Whereas, The credit for developing the excellent game plan and formulating the championship strategies for the Huskies belong to head coach Robert Rogers and assistant coaches Craig Covington, John Moody, and Roy Webb; and

Whereas, We admire the efforts, team spirit, and preparation of the following talented coaches, managers, trainer, and team members:

THE HUSKIES ROSTER

Head Coach

Robert Rogers

Managers

Ayana Richardson
Charonda Matthews

Assistant Coaches

Craig Covington
John Moody
Roy Webb
Trainer
Julie Nutter

Team

10	Sean Moore (Jr.)	22	Romel Murray (Sr.)
11	Ricky Morgan (Sr.)	24	Derrick Ponder (Jr.)
12	Dominique Hardiman (Jr.)	25	David Stephens (Jr.)
14	Edward Osborne III (Sr.)	30	Antonio Bonds (So.)
15	Bates Gay (So.)	31	Michael Morris (So.)
20	Anthony Terry (Sr.)	32	Lester Abram (Jr.)
21	George Walton (Sr.)	34	Debon Johnson (Jr.)
		35	Bryan Curington (Sr.)

; and

Whereas, This victory is celebrated not only by the team, but also by Pontiac Northern High School, its fans, family, and the entire city of Pontiac who are reveling in this first-time victory. This championship has highlighted the potential and talents of a Class A basketball program in Pontiac high school athletics; now, therefore, be it

Resolved by the House of Representatives, That we congratulate the members and coaches of the Pontiac Northern Huskies boys basketball team upon the occasion of its first Class A Basketball Championship and an outstanding winning season; and be it further

Resolved, That a copy of this resolution be transmitted to the school, coaches, and players as a token of our esteem.

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. Woodward, Callahan, Gielegheem, Minore, Jamnick, Lipsey, Jacobs, Raczkowski, Sheltroun, Birkholz, Zelenko, Hansen, Dennis, Schauer, Neumann, Daniels, Anderson, Rivet, Richardville, Faunce, Van Woerkom, Voorhees, Hager, Spade, Kolb, Lemmons, Thomas, Quarles, Hale, Bogardus, Plakas, Toy, Wojno, McConico, Rich Brown, Rison, Switalski, Kilpatrick, Bernero, Scranton, Shulman, Richner, Meyer, Vear, Kooiman, Frank, Caul, Murphy, Waters, Adamini, Cassis and Stallworth offered the following resolution:

House Resolution No. 79.

A resolution recognizing National Heart Failure Awareness Week and encouraging the state of Michigan to take action to encourage heart failure education awareness.

Whereas, Congestive heart failure is a major U.S. public health problem that impacts approximately five million Americans or 1.5% of the U.S. population. It is the leading cause of hospitalization in patients over the age of 65; and

Whereas, Each year there are approximately 550,000 new cases of congestive heart failure diagnosed, with 200,000 deaths and one million people hospitalized per year due to the disease. The vast majority of patients are not diagnosed until late in the disease; and

Whereas, Congestive heart failure patients with the most severe symptoms have approximately a 50%, one year survival rate. Half of the patients with even with mild symptoms of the disease die within five years; and

Whereas, A conservative estimate of annual U.S. health expenditures for congestive heart failure is in excess of ten billion dollars. Of this ten billion dollars, eight billion is for hospitalization alone; and

Whereas, Current treatment guidelines recommend that approximately 80% of heart failure patients receive ACE inhibitors in combination with beta blockers to extend life and reduce the costly hospitalizations. However, only 45% are treated with ACE inhibitors and 20% are treated with beta blockers; and

Whereas, The primary goals of "National Heart Failure Awareness Week" are to promote research related to all aspects of heart failure, provide a forum for presentation and research, educate heart failure caregivers and patients through programs, publications, and other media allowing for more effective treatment and diagnosis of heart failure, and to enhance the quality and duration of life for those with heart failure; now, therefore, be it

Resolved by the House of Representatives, That this legislative body recognize the national proclamation of National Heart Failure Awareness Week.

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.

By unanimous consent the House considered **House Concurrent Resolution No. 29** out of numerical order.

Reps. Kooiman, Pestka, Gosselin, Middaugh, George, Birkholz, Newell, Bradstreet, Lockwood, Vander Veen, Voorhees, Hart, Allen, Stewart, Cameron Brown, Gielegem, Jansen, Minore, Lipsey, Jacobs, Raczkowski, Woodward, Hansen, Schauer, Anderson, Faunce, Van Woerkom, Julian, Hager, Spade, Vander Roest, Kolb, Lemmons, Bogardus, Switalski, Scranton, Shulman, Ruth Johnson, Richner, Meyer, Vear, Caul, Waters, Cassis, Stallworth and Pappageorge offered the following concurrent resolution:

House Concurrent Resolution No. 29.

A concurrent 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 (the Senate concurring), 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 concurrent resolution was referred to the Committee on Energy and Technology.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, March 29:

Senate Bill Nos. 362 363 364 365

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Friday, March 30:

Senate Bill Nos. 366 367 368 369 370 371 372 373 374 375

Senate Joint Resolution R

The Clerk announced that the following Senate bills had been received on Wednesday, April 18:
Senate Bill Nos. 206 216

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

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

House Bill No. 4308, entitled

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

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 4308 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 18, 2001, at 10:30 a.m.,

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

Absent: Rep. Newell,

Excused: Rep. Newell.

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

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.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

HR 58 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 18, 2001, at 10:30 a.m.,

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

Absent: Rep. Lipsey,

Excused: Rep. Lipsey.

The Committee on Appropriations, by Rep. Shulman, Chair, reported

House Bill No. 4254, entitled

A bill to make appropriations for the department of community health and certain state purposes related to aging, mental health, public health, and medical services for the fiscal year ending September 30, 2002; to provide for the

expenditure of such appropriations; to create funds; to provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 4254 To Report Out:

Yeas: Reps. Shulman, LaSata, Cameron Brown, Caul, Godchaux, Jansen, Jelinek, Kooiman, Mead, Mortimer, Newell, Pappageorge, Pumford, Shackleton, Stamas, Stewart, Toy, Vander Roest, Frank, Rich Brown, Lockwood, Pestka, Phillips, Plakas, Reeves, Stallworth, Switalski,

Nays: None.

The Committee on Appropriations, by Rep. Shulman, Chair, reported

Senate Concurrent Resolution No. 7.

A concurrent resolution to change the scope of the School of Natural Resources S.T. Dana Building project at the University of Michigan.

(For text of resolution, see House Journal No. 26, p. 362.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call

SCR 7 To Report Out:

Yeas: Reps. Shulman, LaSata, Cameron Brown, Caul, Godchaux, Jansen, Jelinek, Kooiman, Mead, Mortimer, Newell, Pappageorge, Pumford, Shackleton, Stamas, Stewart, Toy, Vander Roest, Frank, Rich Brown, Lockwood, Pestka, Phillips, Plakas, Reeves, Stallworth, Switalski,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 18, 2001, at 9:00 a.m.,

Present: Reps. Shulman, LaSata, Cameron Brown, Caul, Godchaux, Jansen, Jelinek, Kooiman, Mead, Mortimer, Newell, Pappageorge, Pumford, Shackleton, Stamas, Stewart, Toy, Vander Roest, Frank, Rich Brown, Lockwood, Pestka, Phillips, Plakas, Reeves, Stallworth, Switalski,

Absent: Reps. Clarke, Whitmer,

Excused: Reps. Clarke, Whitmer.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 17, 2001, at 3:26 p.m.,

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

Messages from the Senate

Senate Bill No. 206, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending sections 105, 106, 122, 123, 131, 133, 141, 143, 151, 338, 342a, 344, 404, 405, 407, 413, 488, 489, 521, 525, 563, 564b, 703a, 753, 754, 901, and 1060 (MCL 450.1105, 450.1106, 450.1122, 450.1123, 450.1131, 450.1133, 450.1141, 450.1143, 450.1151, 450.1338,

450.1342a, 450.1344, 450.1404, 450.1405, 450.1407, 450.1413, 450.1488, 450.1489, 450.1521, 450.1525, 450.1563, 450.1564b, 450.1703a, 450.1753, 450.1754, 450.1901, and 450.2060), sections 106, 122, 133, 141, 405, 521, 525, and 563 as amended and sections 342a and 754 as added by 1989 PA 121, section 123 as amended by 1993 PA 357, sections 131, 338, 407, and 1060 as amended by 1993 PA 91, and sections 151, 344, 404, 489, 564b, 703a, and 753 as amended and section 488 as added by 1997 PA 118, and by adding section 406a.

The Senate has passed the bill.

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

Senate Bill No. 216, entitled

A bill to amend 1962 PA 192, entitled “Professional service corporation act,” by amending section 13 (MCL 450.233), as amended by 1990 PA 166.

The Senate has passed the bill.

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

Communications from State Officers

The following communication from the Secretary of State was received and read:

Notice of Filing
Administrative Rules

April 4, 2001

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:30 A.M. this date, administrative rule (01-04-01) for the Department of Consumer and Industry Services, Director’s Office, entitled “*Child Day Care Licensing—Child Care Centers*”, effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Elena L. Beasley, Manager
Office of the Great Seal

The communication was referred to the Clerk.

The following communication from the Department of State Police was received and read:

April 16, 2001

Enclosed is a copy of the FY98 Annual Report and Evaluation for the Secondary Road Patrol and Traffic Accident Prevention Program. This report satisfies the reporting requirements contained in Public Act 416 of 1978, as amended. Should you have any questions about this report, please contact Kim Kelly at 517/333-5305.

Sincerely,
Betty J. Mercer
Division Director
Office of Highway Safety Planning

The communication was referred to the Clerk.

Introduction of Bills

Reps. Raczkowski, Pappageorge, Ehardt, Van Woerkom, Koetje and Vander Veen introduced

House Bill No. 4607, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 2213c.

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

Reps. Jansen, Julian and Gosselin introduced

House Bill No. 4608, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 303 (MCL 257.303), as amended by 2000 PA 460.

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

Reps. Bernero, Julian, Stewart, George, Kowall, Richardville, Schauer, Newell, Neumann, Howell, Pestka, Patterson, Bob Brown and Spade introduced

House Bill No. 4609, entitled

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending sections 2, 3, and 6 (MCL 28.172, 28.173, and 28.176), section 2 as amended by 1996 PA 508, section 3 as amended by 1998 PA 522, and section 6 as amended by 2000 PA 30.

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

Reps. Faunce, Kowall, Woronchak, Gilbert, Hager, George, Julian and Van Woerkom introduced

House Bill No. 4610, entitled

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending section 6 (MCL 28.176), as amended by 2000 PA 30.

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

Reps. Julian and Faunce introduced

House Bill No. 4611, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18k of chapter XIIA (MCL 712A.18k), as amended by 1998 PA 478.

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

Reps. Kowall, Faunce and George introduced

House Bill No. 4612, 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," by amending section 33d (MCL 791.233d), as amended by 1996 PA 509.

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

Reps. George, Faunce and Kowall introduced

House Bill No. 4613, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 520m (MCL 750.520m), as amended by 1996 PA 510.

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

Rep. Kooiman introduced

House Bill No. 4614, entitled

A bill to amend 1988 PA 73, entitled "The juvenile facilities act," by amending section 5a (MCL 803.225a), as amended by 1998 PA 521.

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

Reps. Kuipers and DeRossett introduced

House Bill No. 4615, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21720c. The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Rep. Bisbee introduced

House Bill No. 4616, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 12a (MCL 125.2162a), as added by 2000 PA 248.

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

Reps. Bradstreet, Kuipers, Voorhees, Vander Veen and Gosselin introduced

House Bill No. 4617, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1285a (MCL 380.1285a), as added by 1996 PA 285.

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

Reps. Van Woerkom, Kuipers, Bradstreet, Shackleton, Vander Veen and Voorhees introduced

House Bill No. 4618, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 32g (MCL 388.1632g), as added by 2000 PA 297.

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

Reps. Voorhees, Kuipers, Bradstreet, Vander Veen, Koetje and Van Woerkom introduced

House Bill No. 4619, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 1 (MCL 722.111), as amended by 1994 PA 205.

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

Reps. Shackleton, Vander Veen, Voorhees, Kuipers, Faunce and Van Woerkom introduced

House Bill No. 4620, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1230 and 1230a (MCL 380.1230 and 380.1230a), section 1230 as amended by 1993 PA 284 and section 1230a as added by 1995 PA 83.

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

Reps. Richardville, Thomas, LaSata, Richner, Cassis, Koetje, Howell, Newell, Frank, Basham, Patterson, Toy, Julian, Kooiman, Vear, Sanborn, Bishop, Mead, DeVuyst, Rivet, Allen, Gilbert, Van Woerkom, Mortimer, Zelenko, Waters, Kolb, Lipsey, Middaugh and Lemmons introduced

House Bill No. 4621, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 2 and 9 (MCL 207.772 and 207.779), section 9 as amended by 1996 PA 449; and to repeal acts and parts of acts.

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

Rep. Rivet moved that the House adjourn.
The motion prevailed, the time being 4:10 p.m.

Associate Speaker Pro Tempore Ehardt declared the House adjourned until Thursday, April 19, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.

