

**No. 4**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**90th Legislature**  
**REGULAR SESSION OF 2000**

---

---

House Chamber, Lansing, Wednesday, January 26, 2000.

2:00 p.m.

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

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

Allen—present	Frank—present	Kuipers—present	Rison—present
Baird—present	Garcia—present	Kukuk—present	Rivet—present
Basham—present	Garza—present	LaForge—present	Rocca—present
Birkholz—present	Geiger—present	LaSata—present	Sanborn—present
Bisbee—present	Gielegem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—present
Bogardus—present	Godchaux—present	Lockwood—present	Scott—present
Bovin—present	Gosselin—present	Mans—excused	Scranton—excused
Bradstreet—present	Green—present	Martinez—present	Shackleton—present
Brater—present	Hager—present	Mead—present	Sheltrown—present
Brewer—present	Hale—present	Middaugh—present	Shulman—present
Brown, Bob—present	Hanley—present	Minore—present	Spade—present
Brown, Cameron—present	Hansen—present	Mortimer—present	Stallworth—present
Byl—present	Hardman—present	Neumann—present	Stamas—present
Callahan—present	Hart—present	O’Neil—present	Switalski—present
Cassis—present	Howell—present	Pappageorge—present	Tabor—present
Caul—present	Jacobs—present	Patterson—present	Tesanovich—present
Cherry—present	Jamnick—present	Perricone—present	Thomas—present
Clark—present	Jansen—present	Pestka—present	Toy—present
Clarke—present	Jelinek—present	Price—present	Vander Roest—present
Daniels—present	Jellema—present	Prusi—present	Van Woerkom—present
DeHart—present	Johnson, Rick—present	Pumford—present	Vaughn—excused
Dennis—present	Johnson, Ruth—present	Quarles—present	Vear—present
DeRossett—present	Julian—present	Raczkowski—present	Voorhees—present
DeVuyst—present	Kelly—present	Reeves—present	Wojno—present
DeWeese—present	Kilpatrick—present	Richardville—present	Woodward—present
Ehardt—present	Koetje—present	Richner—present	Woronchak—present
Faunce—present	Kowall—present		

e/d/s = entered during session

Rep. Michael Switalski, from the 27th District, offered the following invocation:

“Last night, nearly 250 years ago, Scottish National Poet, Robert Burns, was born. All over the world, people celebrate his life and works with Burns Nite Suppers—eating haggis, giving speeches and reading his poems. Please be upstanding, as I offer one up now:

A MAN’S A MAN FOR A’ THAT

Is there for honest poverty  
That hings his dead, an a’ that?  
The coward slave, we pass him by—  
We dare be poor for a’ that!  
For a’ that, an a’ that,  
Our toils obscure, an a’ that,  
The rank is but the guinea’s stamp,  
The man’s the gowd for a’ that.

What though on hamely fare we dine,  
Wear hoddin grey, an a’ that?  
Gie fools their skills, and knave their wine—  
A man’s a man for a’ that.  
For a’ that, an a’ that.  
Their tinsel show, an a’ that.  
The honest man, tho e’er sae poor,  
Is king o men for a’ that.

Ye see yon birkie ca’d ‘a lord,’  
Wha struts, an stares, an a’ that?  
Tho hundreds worship at his word,  
He’s but a cuif for a’ that.  
For a’ that, an a’ That.  
His ribband, star, an a’ that.  
The man o independent mind,  
He looks an laughs at a’ that.

A prince can mak a belted knight,  
A marquis, duke, an a’ that!  
But an honest man’s aboon his might—  
Guid faith, he mauna fa’ that!  
For a’ that, an a’ that,  
Their dignities, an a’ that,  
The pith o sense an pride o worth,  
Are higher rank than a’ that.

Then let us pray that come it may  
(As come it will for a’ that),  
That sense and Worth o’er a’ the earth,  
Shall bear the gree an a’ that.  
For a’ that, an a’ that,  
It’s comin yet for a’ that,  
That man to man, the world, o’er  
Shall brithers be for a’ that.

—A MAN’S A MAN FOR A’ THAT  
Robert Burns

So, my brothers and sisters of the House, let’s pray to God that we heed Burns’ words. Lets pray we judge bills and laws on their own merit, and not on the basis of what party offered them, or who introduced them, or whether the member is from a marginal district, and all of that. Amen.”

Rep. Scott moved that Reps. Mans and Vaughn be excused from today's session.  
The motion prevailed.

Rep. DeWeese moved that Rep. Scranton be excused from today's session.  
The motion prevailed.

### Motions and Resolutions

By unanimous consent the House considered **House Resolution No. 258** out of numerical order.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 258.**

A resolution offered as a memorial for Howard R. Carroll, former member of the House of Representatives.

Whereas, With the recent passing of Howard R. Carroll, the people of Macomb County and all of Michigan have lost a gentleman of great public spirit and commitment. As a teacher, local official, state legislator, judge, and civic leader, he gave gifts to others that will not soon be forgotten; and

Whereas, A native of Clinton County and a graduate of St. Johns High School, Howard Carroll studied at Kalamazoo College and graduated from Michigan State College. After several years teaching high school in St. Clair Shores, he pursued legal studies at the Detroit College of Law. His highly distinguished career in law included private practice and four years as an assistant prosecutor in Macomb County; and

Whereas, In 1943, he brought his talents and energies to the House of Representatives. He served one term during the difficult war years and four consecutive terms beginning in 1947 during Michigan's transition to the peacetime economy. Highlights of his legislative tenure included eight years as the chair of the Judiciary Committee and effective leadership on many issues; and

Whereas, Howard Carroll's experience as an attorney and lawmaker was especially valuable to the people of this state throughout his twenty-two-year tenure on the bench of the Macomb County Circuit Court. His integrity and insights garnered respect far beyond southeastern Michigan. In the early 1970s, he was considered for a spot on the Michigan Supreme Court. Indeed, with his unselfishness on behalf of numerous civic organizations as well, it is clear that Judge Carroll provided a wonderful example of the highest standards of citizenship; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our respect and admiration in memory of Judge Howard R. Carroll, former member of the House of Representatives; and be it further

Resolved, That copies of this resolution be transmitted to Judge Carroll's family as evidence of our condolences.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

### Reports of Standing Committees

The Speaker laid before the House

**House Resolution No. 168.**

A resolution honoring Judge James P. Sheehy.

(For text of resolution, see House Journal No. 58 of 1999, p. 1768.)

(The resolution was reported by the Committee on House Oversight and Operations on January 25, consideration of which was postponed until today under the rules.)

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Allen, Birkholz, Clarke, DeHart, DeWeese, Gosselin, Howell, Rick Johnson, Kuipers, Mead, Patterson, Perricone, Sanborn, Schermesser and Toy were named co-sponsors of the resolution.

### Second Reading of Bills

**Senate Bill No. 46, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 1993 PA 22.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Transportation,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Rick Johnson moved to amend the bill as follows:

1. Amend page 3, line 12, after "PERIOD" by inserting "REQUESTED BY THE PERSON WHO PICKS UP OR DELIVERS THE AGRICULTURAL COMMODITIES".

2. Amend page 7, line 15, after "USE" by inserting "THE TERM "AGRICULTURAL COMMODITIES" SHALL NOT INCLUDE TREES AND LUMBER.".

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

Rep. Tesanovich moved to amend the bill as follows:

1. Amend page 3, line 3, after "COMMODITIES" by inserting "OR A PERSON HAULING PROPANE GAS".

2. Amend page 3, line 5, after the second "FARM" by inserting "OR THE PERSON WHO DELIVERS THE PROPANE GAS".

3. Amend page 4, line 7, after "COMMODITIES" by inserting "OR PROPANE GAS".

4. Amend page 7, line 4, after "COMMODITIES" by inserting "OR PROPANE GAS".

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

Rep. Tesanovich demanded the yeas and nays.

The demand was supported.

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

The amendments were adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 4

#### Yeas—97

Allen	Garza	Koetje	Reeves
Baird	Geiger	Kowall	Richardville
Basham	Gielegem	Kuipers	Richner
Birkholz	Gilbert	Kukuk	Rison
Bisbee	Godchaux	LaForge	Rivet
Bishop	Gosselin	LaSata	Rocca
Bogardus	Green	Law	Sanborn
Bradstreet	Hager	Lemmons	Shackleton
Brewer	Hale	Lockwood	Sheltrown
Brown, C.	Hanley	Mead	Shulman
Byl	Hansen	Middaugh	Spade
Callahan	Hardman	Minore	Stallworth
Cassis	Hart	Mortimer	Stamas
Caul	Howell	Neumann	Switalski
Cherry	Jacobs	O'Neil	Tabor
Clark, I.	Jamnick	Pappageorge	Tesanovich
Clarke, H.	Jansen	Patterson	Thomas
Daniels	Jelinek	Perricone	Toy
Dennis	Jellema	Pestka	Van Woerkom
DeRossett	Johnson, Rick	Price	Vander Roest
DeVuyst	Johnson, Ruth	Prusi	Vear
DeWeese	Julian	Pumford	Voorhees
Ehardt	Kelly	Quarles	Woodward
Frank	Kilpatrick	Rackowski	Woronchak
Garcia			

#### Nays—10

Bovin	DeHart	Schauer	Scott
Brater	Fauce	Schermesser	Wojno
Brown, B.	Martinez		

In The Chair: Patterson

Rep. Raczkowski moved that the bill be placed on the order of Third Reading of Bills.  
 The motion prevailed, a majority of the members voting therefor.  
 Rep. Raczkowski moved that the bill be placed on its immediate passage.  
 The motion prevailed, a majority of the members serving voting therefor.

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

**Senate Bill No. 46, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 1993 PA 22.

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

**Roll Call No. 5**

**Yeas—94**

Allen	Geiger	Kowall	Rison
Baird	Gielegem	Kuipers	Rivet
Basham	Gilbert	Kukuk	Rocca
Birkholz	Godchaux	LaForge	Sanborn
Bisbee	Gosselin	LaSata	Schauer
Bishop	Green	Law	Schermesser
Bogardus	Hager	Lemmons	Shackleton
Bovin	Hale	Lockwood	Sheltrown
Bradstreet	Hanley	Mead	Shulman
Brewer	Hansen	Middaugh	Spade
Brown, C.	Hardman	Mortimer	Stallworth
Byl	Hart	Neumann	Stamas
Cassis	Howell	O'Neil	Switalski
Caul	Jacobs	Pappageorge	Tabor
Cherry	Jamnick	Patterson	Tesanovich
Clarke, H.	Jansen	Perricone	Thomas
Daniels	Jelinek	Pestka	Toy
Dennis	Jellema	Price	Van Woerkom
DeRossett	Johnson, Rick	Prusi	Vander Roest
DeVuyst	Johnson, Ruth	Pumford	Vear
DeWeese	Julian	Reeves	Voorhees
Ehardt	Kelly	Richardville	Woodward
Frank	Kilpatrick	Richner	Woronchak
Garcia	Koetje		

**Nays—13**

Brater	DeHart	Martinez	Raczkowski
Brown, B.	Faunce	Minore	Scott
Callahan	Garza	Quarles	Wojno
Clark, I.			

In The Chair: Patterson

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

"An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles

and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”

The House agreed to the full title.

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

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

### Second Reading of Bills

#### Senate Bill No. 385, entitled

A bill to prohibit certain state agencies and certain local governmental units from placing certain information on certain documents; to impose certain duties on certain state officials; and to prescribe remedies and penalties.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Local Government and Urban Policy,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed, a majority of the members voting therefor.

Rep. Raczkowski moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 385, entitled

A bill to prohibit certain state agencies and certain local governmental units from placing certain information on certain documents; to impose certain duties on certain state officials; and to prescribe remedies and penalties.

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

#### Roll Call No. 6

#### Yeas—106

Allen	Faunce	Koetje	Richardville
Baird	Frank	Kowall	Richner
Basham	Garcia	Kuipers	Rison
Birkholz	Garza	Kukuk	Rivet
Bisbee	Geiger	LaForge	Rocca
Bishop	Gielegem	LaSata	Sanborn
Bogardus	Gilbert	Law	Schauer
Bovin	Godchaux	Lemmons	Schermesser
Bradstreet	Gosselin	Lockwood	Scott
Brater	Green	Martinez	Shackleton
Brewer	Hager	Mead	Sheltrown
Brown, B.	Hale	Middaugh	Shulman
Brown, C.	Hanley	Minore	Spade
Byl	Hansen	Mortimer	Stallworth
Callahan	Hardman	Neumann	Stamas
Cassis	Hart	O'Neil	Switalski
Caul	Howell	Pappageorge	Tabor
Cherry	Jacobs	Patterson	Tesanovich

Clark, I.	Jamnick	Perricone	Thomas
Clarke, H.	Jansen	Pestka	Toy
Daniels	Jelinek	Price	Van Woerkom
DeHart	Jellema	Prusi	Vander Roest
Dennis	Johnson, Rick	Pumford	Vear
DeRossett	Johnson, Ruth	Quarles	Voorhees
DeVuyst	Julian	Rackowski	Wojno
DeWeese	Kelly	Reeves	Woronchak
Ehardt	Kilpatrick		

**Nays—0**

In The Chair: Patterson

The question being on agreeing to the title of the bill,

Rep. Rackowski moved to amend the title to read as follows:

A bill to prohibit state agencies and local governmental units from disclosing personal information and placing personal information on certain documents.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

The Speaker laid before the House

**House Resolution No. 253.**

A resolution memorializing the National Institutes of Health to withdraw proposed guidelines for federally funded research using stem cells destructively harvested from human embryos.

(For text of resolution, see House Journal No. 2, p. 21.)

(The resolution was reported by the Committee on House Oversight and Operations on January 25, consideration of which was postponed until today under the rules.)

The question being on the adoption of the resolution,

Rep. Baird demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

After debate,

Rep. Frank demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

The question being on the adoption of the resolution,

The resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

**Roll Call No. 7****Yeas—68**

Allen	Faunce	Koetje	Reeves
Basham	Frank	Kowall	Richardville
Birkholz	Garcia	Kuipers	Richner
Bisbee	Geiger	Kukuk	Rivet
Bishop	Gilbert	LaSata	Rocca
Bovin	Gosselin	Law	Sanborn

Bradstreet	Green	Mead	Shackleton
Brown, B.	Hager	Middaugh	Sheltrown
Brown, C.	Hart	Mortimer	Spade
Byl	Howell	Neumann	Stamas
Callahan	Jansen	O'Neil	Tabor
Cassis	Jelinek	Pappageorge	Van Woerkom
Caul	Jellema	Patterson	Vander Roest
DeRossett	Johnson, Rick	Perricone	Vear
DeVuyst	Johnson, Ruth	Pestka	Voorhees
DeWeese	Julian	Pumford	Wojno
Ehardt	Kelly	Raczkowski	Woronchak

### Nays—38

Baird	Garza	LaForge	Schauer
Bogardus	Gielegem	Lemmons	Schermesser
Brater	Godchaux	Lockwood	Scott
Brewer	Hale	Martinez	Stallworth
Cherry	Hanley	Minore	Switalski
Clark, I.	Hansen	Price	Tesanovich
Clarke, H.	Hardman	Prusi	Thomas
Daniels	Jacobs	Quarles	Toy
DeHart	Jamnick	Rison	Woodward
Dennis	Kilpatrick		

In The Chair: Patterson

Reps. Allen, Birkholz, Bisbee, Callahan, Cassis, DeRossett, DeWeese, Gosselin, Green, Jansen, Jelinek, Jellema, Julian, Koetje, LaSata, Law, O'Neil, Pappageorge, Perricone, Richardville, Sanborn, Sheltrown, Tabor, Vear and Wojno were named co-sponsors of the resolution.

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

Rep. Raczkowski moved that when the House adjourns today it stand adjourned until Tuesday, February 1, at 2:00 p.m. The motion prevailed.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Reps. Callahan, Gielegem, Switalski, Wojno, Jellema, Hansen, Vear, Basham, Kowall, Faunce, Neumann, Woodward, Sheltrown, Hanley, Bovin, Minore, Dennis, Rivet, Birkholz, Middaugh, Baird, Richner, Jacobs, Clark, Garza, Jamnick, Schauer, Bogardus, Shackleton, Kelly, Brater, Prusi, Cherry, Schermesser, LaForge, Martinez, Scott, Tesanovich, Lockwood, Clarke, DeHart, Kilpatrick, Hale, Van Woerkom and Lemmons offered the following resolution:

#### House Resolution No. 255.

A resolution to memorialize the Congress of the United States to provide adequate funding for Michigan's Remedial Action Plans for Areas of Concern under the Great Lakes Water Quality Agreement.

Whereas, The United States-Canada Great Lakes Water Quality Agreement of 1972, as amended, provided for the designation of Areas of Concern in need of remedial actions to address documented pollution problems; and



Whereas, Fourteen Areas of Concern have been designated in Michigan, each with a Remedial Action Plan process that coordinates and focuses the efforts of multiple levels of government and other stakeholders; and

Whereas, Many of Michigan's Remedial Action Plans are entering the implementation phase, when funding for technical guidance and coordination by state agency staff is critically important; and

Whereas, The United States Environmental Protection Agency (EPA) has traditionally supported state Area of Concern efforts. This is consistent with the EPA's responsibilities under the Great Lakes Water Quality Agreement; and

Whereas, Funding through the EPA is vital to leveraging funding through the Clean Michigan Initiative environmental bond program to implement measurable environmental improvements in Michigan's fourteen Areas of Concern; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to reaffirm its support for and federal role in the Areas of Concern program by allocating a minimum of \$7.5 million for the Great Lakes Areas of Concern in Fiscal Year 2001; and be it further

Resolved, That we urge that no less than \$1.0 million of this total be allocated by the EPA for efforts within the state of Michigan to develop and implement Remedial Action Plans and associated activities under the Great Lakes Water Quality Agreement; and be it further

Resolved, That we urge that these funds be allocated to provide no less than \$700,000 for Michigan Department of Environmental Quality staff; \$125,000 for Statewide Public Advisory Council activities; and \$175,000 for support to individual Public Advisory Councils within the Areas of Concern; and be it further

Resolved, That we urge that funding support for the EPA be used to leverage substantial resources from the Clean Michigan Initiative environmental bond program for contaminated sediment remediation, nonpoint source pollution control, brownfields redevelopment, and other critical efforts; and be it further

Resolved, That copies of this resolution be transmitted to the Administrator of the EPA, the EPA's Region 5 office, the EPA's Great Lakes National Program Office, the International Joint Commission, 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 Conservation and Outdoor Recreation.

Reps. Thomas, Bogardus, Hale, Schauer, Schermesser, Scott, DeHart, Jacobs, Brater, Spade, Dennis, Daniels, Hansen, Basham, Neumann, Woodward, Sheltroun, Hanley, Gielegem, Bovin, Minore, Wojno, Rivet, Baird, Hardman, Clark, Garza, Jammick, Kelly, Prusi, Cherry, LaForge, Martinez, Tesanovich, Clarke, Kilpatrick, Switalski and Lemmons offered the following resolution:

**House Resolution No. 256.**

A resolution to call for the appointment of an independent auditor to conduct a study of the structure and funding of Michigan's Medical Assistance Program and to call for an appropriation for the study.

Whereas, Michigan's Medical Assistance Program is a focal point of our state's efforts to help people who need health care they otherwise could not obtain. Michigan directs its Medicaid services through the Medical Assistance Program to help participants in the Family Independence Program (FIP), recipients of Supplemental Security Income, and others. The disabled, the blind, and poor children and seniors receive medical care through this component of government. This care includes mental health services; and

Whereas, Eligibility for Medicaid is determined by the Family Independence Agency and administered by the Department of Community Health. The Medical Assistance Program addresses a vast need in our state, with an average of well over one million eligible people each month. This represents not only a substantial percentage of Michigan's population, but also a major portion of public spending; and

Whereas, With the impact that the Medical Assistance Program has on health, including mental health, in our state, it is essential that the public, service recipients, health care organizations, health care providers, and state officials have full confidence in the efficiency and responsiveness of the program. Objective and complete information is the foundation of sound public policy and public trust in how the government handles its responsibilities. A thorough study by an independent auditor—an entity without connections to government—could be very beneficial; now, therefore, be it

Resolved by the House of Representatives, That we call for the appointment of an independent auditor to conduct a study of the structure and funding of Michigan's Medical Assistance Program and call for an appropriation for the study. We urge that this study assess the adequacy of total funding for Medical Assistance; the soundness and adequacy of per capita rates paid to health care facilities and providers, including those for behavioral health services; the eligibility standards used; and the financial and procedural policies in place. We ask that the study be completed and recommendations presented by April 1, 2001; and be it further

Resolved, That copies of this resolution be transmitted to the Family Independence Agency and the Department of Community Health.

The resolution was referred to the Committee on Health Policy.

Reps. Law, Jellema, Hansen, Ehardt, Vear, Jansen, LaSata, Tabor, Julian, Mead, Basham, Spade, Bishop, Kowall, Faunce, Vander Roest, Cassis, Koetje, Toy, Neumann, Sheltroun, Gielegem, Bovin, Dennis, Wojno, Rivet, Birkholz, Middaugh, Baird, Shulman, Pappageorge, Richner, Jacobs, Jamnick, Schauer, Bogardus, Raczkowski, Kelly, Brater, Prusi, Cherry, Schermesser, LaForge, Martinez, Scott, Tesanovich, Clarke, DeHart, Howell, Kilpatrick, Hale, Switalski, Van Woerkom, Caul and Lemmons offered the following resolution:

**House Resolution No. 257.**

A resolution designating February 1, 2000, as American Heartsaver Day.

Whereas, Nearly 700 Americans die each day of sudden cardiac arrest and 250,000 die each year; and

Whereas, Ninety-five percent of those who suffer cardiac arrest die before they reach the hospital; and

Whereas, Progress in improving the survival rate for sudden cardiac arrest is lagging behind the survival rate for nearly all other types of cardiovascular disease; and

Whereas, The American Heart Association believes the survival rate for sudden cardiac arrest can be improved to 20 percent or higher and as many as 50,000 lives can be saved each year if the chain of survival is strengthened; and

Whereas, The four links in the cardiac arrest chain of survival are early access to an Emergency Medical Services system, early cardiopulmonary resuscitation (CPR), early defibrillation and early advanced medical care; and

Whereas, The American Heart Association emphasizes that every link in the chain of survival is critically important and can increase the prospects for survival; and

Whereas, The American Heart Association will hold American Heartsaver Day on February 1, 2000, and on every February 1 thereafter to create public awareness of the need to strengthen every link in the chain of survival and honor those individuals who have worked to strengthen the chain or have saved a life using cardiopulmonary resuscitation (CPR) or an automated external defibrillator (AED); and

Whereas, In 1963, Congress officially recognized the need to focus national attention on heart health when it mandated that the President of the United States issue a proclamation annually designating February as American Heart Month and since then the American Heart Association has worked with successive administrations in preparing the annual proclamation; and

Whereas, The American Heart Association's efforts place special emphasis on the need for early defibrillation because it is the only treatment to correct ventricular fibrillation—the most common cause of death from sudden cardiac arrest; and

Whereas, Survival from sudden cardiac arrest is critically dependent on the early defibrillation link in the chain of survival and the sooner a heart can be restarted with a lifesaving electric shock—called defibrillation—the better the chances of recovery; and

Whereas, The American Heart Association is continually working to remove legal barriers to citizens operating automated external defibrillators (AEDs); now, therefore, be it

Resolved by the House of Representatives, That February 1, 2000, be designated as American Heartsaver Day—a day to recognize those individuals who have saved a life using cardiopulmonary resuscitation (CPR) or an automated external defibrillator (AED) and also recognize those communities that have worked to strengthen the chain of survival; and be it further

Resolved, That a copy of this resolution be transmitted to the American Heart Association as evidence of our esteem.

Pending the reference of the resolution to a committee,

Rep. Raczkowski 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 Transportation, by Rep. Gilbert, Vice-Chair, reported

**House Bill No. 4969, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 226 (MCL 257.226), as amended by 1992 PA 297, and by adding section 801i.

With the recommendation that the bill pass.

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

### Favorable Roll Call

**HB 4969** To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Hart, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor, Bovin, Brewer, Jamnick,

Nays: None.

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

**House Bill No. 4995, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 252d and 674 (MCL 257.252d and 257.674), as amended by 1998 PA 68.

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 4995** To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor, Bovin, Brewer, Jamnick, Lemmons, Reeves, Schermesser,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, January 25, 2000, at 3:20 p.m.,

Present: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor, Kilpatrick, Bovin, Brewer, Jamnick, Lemmons, Reeves, Schermesser.

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

**House Bill No. 4987, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2401, 2402, 2404, 2407, 2411, and 2412 (MCL 339.2401, 339.2402, 339.2404, 339.2407, 339.2411, and 339.2412), sections 2401 and 2411 as amended by 1991 PA 166, sections 2404 and 2407 as amended by 1988 PA 463, and section 2412 as amended by 1980 PA 496.

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 4987** To Report Out:

Yeas: Reps. Rocca, Faunce, Woronchak, Scott, Wojno, Hale,

Nays: Reps. Vear, Kuipers.

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

**House Bill No. 4988, entitled**

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 39 (MCL 338.2239), as amended by 1988 PA 461.

With the recommendation that the bill pass.

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

Favorable Roll Call

**HB 4988** To Report Out:

Yeas: Reps. Rocca, Faunce, Woronchak, Scott, Wojno, Hale,

Nays: Reps. Vear, Kuipers.

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

**Senate Bill No. 657, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16348 and part 185; and to repeal acts and parts of acts.

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

1. Amend page 9, line 10, after "MCL" by striking out "339.1946" and inserting "330.1946".
2. Amend page 10, line 10, after "Section" by striking out "2245" and inserting "45".

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

#### Favorable Roll Call

#### **SB 657** To Report Out:

Yeas: Reps. Rocca, Vear, Faunce, Kuipers, Woronchak, Scott, Wojno, Hale,  
Nays: None.

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rocca, Chair of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, January 25, 2000, at 3:27 p.m.,  
Present: Reps. Rocca, Vear, Faunce, Kuipers, Woronchak, Scott, Wojno, Hale,  
Absent: Rep. Vaughn,  
Excused: Rep. Vaughn.

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 26, 2000, at 10:30 a.m.,  
Present: Reps. Middaugh, Bradstreet, Birkholz, Bisbee, Cassis, Garcia, Gosselin, Howell, Kowall, Kuipers, Shulman, Thomas, Bob Brown, Daniels, Hansen, Lemmons, Neumann, Schauer, Woodward,  
Absent: Reps. Richardville, Quarles,  
Excused: Reps. Richardville, Quarles.

#### Messages from the Senate

##### **House Bill No. 4187, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5805 (MCL 600.5805), as amended by 1988 PA 115.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

##### **House Bill No. 4524, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5805 (MCL 600.5805), as amended by 1988 PA 115.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

#### Notices

The Speaker appointed as conferees, on the part of the House of Representatives, for **Senate Bill No. 813**, Reps. Richner, Koetje and Baird.

**Introduction of Bills**

Reps. Mead, Allen, Rick Johnson, Bradstreet and Shackleton introduced

**House Bill No. 5237, entitled**

A bill to amend 1985 PA 148, entitled "Self-service storage facility act," by amending the title and sections 3, 4, and 5 (MCL 570.523, 570.524, and 570.525).

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

Rep. Woronchak introduced

**House Bill No. 5238, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51b (MCL 206.51b), as added by 1999 PA 2.

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

Reps. Shackleton, Scranton, Van Woerkom, Jelinek, LaSata, Bishop, Kowall, Mead, Pumford, Bradstreet, Hart, Tesanovich, Vear, Allen, Shulman and Jansen introduced

**House Bill No. 5239, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 503 (MCL 324.503), as amended by 1998 PA 419.

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

---

Rep. Birkholz moved that the House adjourn.

The motion prevailed, the time being 3:35 p.m.

Associate Speaker Pro Tempore Patterson declared the House adjourned until Tuesday, February 1, at 2:00 p.m.

GARY L. RANDALL

Clerk of the House of Representatives.

