

**No. 41**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**91st Legislature**  
**REGULAR SESSION OF 2001**

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House Chamber, Lansing, Wednesday, May 16, 2001.

2:00 p.m.

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

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

Adamini—present	Garza—present	Lockwood—present	Schauer—present
Allen—present	George—present	Mans—present	Schermesser—excused
Anderson—present	Gielegem—present	McConico—present	Scranton—present
Basham—present	Gilbert—present	Mead—present	Shackleton—present
Bernero—present	Godchaux—present	Meyer—present	Sheltrown—present
Birkholz—excused	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—present	Kilpatrick—present	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—excused
Drolet—present	Kuipers—excused	Rivet—present	Woronchak—present
Ehardt—present	LaSata—present	Rocca—present	Zelenko—present
Fauce—present	Lemmons—present	Sanborn—present	
Frank—present	Lipsey—present		

e/d/s = entered during session

Rev. Michael Newman, Pastor of Ross Bible Church in Port Huron, offered the following invocation:

“Father, thank You for the privilege we have of meeting together today and the honor that is ours. Father, thank You that with our different backgrounds and religious preferences and ideology, You allow us to come together to serve the citizens of this great state. Father, we pray that You would give us a tremendous amount of wisdom, clarity of thoughts, and that Your mind might be our mind. Father, thank You for each man and woman and Representative in this room. I pray that today will be another time to honor and glorify You. Thank You. We pray in Jesus’ name. Amen.”

Rep. Vander Roest moved that Reps. Birkholz and Kuipers be excused from today’s session.  
The motion prevailed.

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

### Third Reading of Bills

#### Senate Bill No. 341, entitled

A bill to amend 1993 PA 331, entitled “State education tax act,” (MCL 211.901 to 211.906) by adding section 5a.  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 160

#### Yeas—104

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

Nays—0

In The Chair: Julian

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

“An act to provide for the levy and collection of a state education tax; to create the education finance authority and board; to prescribe the powers and duties of the authority and the board; to provide for the levy of a tax by the authority and the distribution of the tax; and to prescribe the duties of certain state officers.”.

The House agreed to the full title.

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

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

**House Bill No. 4459, entitled**

A bill to amend 1992 PA 147, entitled “Neighborhood enterprise zone act,” by amending section 4 (MCL 207.774), as amended by 1996 PA 242.

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

**Roll Call No. 161**

**Yeas—105**

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

**Nays—0**

In The Chair: Julian

The House agreed to the title of the bill.

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

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

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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. Bishop, Ehardt, Ruth Johnson, Koetje, Toy, Kuipers, Quarles, Julian, Vander Veen, Gosselin, Bradstreet, Mead, DeRossett, Pappageorge, Vander Roest, Richardville, Middaugh, Jelinek, Jansen, Scranton, Van Woerkom, Voorhees, Lipsey, Garza, Richner, Cassis, DeVuyst, Spade, Minore, Sheltroun, Hansen, Stewart, Faunce, Meyer, Kilpatrick, Jacobs, Rivet, Caul, Dennis, Anderson, Vear, Waters, Wojno, Rich Brown, McConico, Kowall, Hager, Kolb, Thomas, Neumann, Jamnick, Gielegem, Raczkowski, Shulman, Kooiman, Bovin, Bogardus, Sanborn, Bernero, Hale, Murphy and Bisbee offered the following resolution:

**House Resolution No. 121.**

A resolution proclaiming June 2001 as Health and Fitness Month in Michigan.

Whereas, Medical studies and research have indicated that exercise and good nutrition are prerequisites to good health. Exercise is one of the most cost-effective means for citizens to maintain good physical and mental health; and

Whereas, A strong and healthy body can improve an individual's mental attitude, academic and social skills, and daily experiences both on and off the job. There is a strong relationship between physical well-being and mental acuity. Physical activity assists in the development of cardiovascular endurance and muscular strength and flexibility, as well as improving posture, bone development, and weight regulation; and

Whereas, Physical inactivity is a major health risk factor in our country today. The percentage of overweight young people has more than doubled in the last 30 years. A quality, daily physical education program is vital in helping people develop healthy habits; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body proclaim June 2001 as Health and Fitness Month in Michigan. We encourage all citizens to support the efforts by participating in activities that emphasize the importance of physical fitness in their communities and to consider instituting long-term fitness and recreation programs.

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. Shulman, Julian, Tabor, Vander Veen, Gosselin, Bradstreet, Mead, DeRossett, Pappageorge, Vander Roest, Richardville, Middaugh, Jelinek, Jansen, Toy, Van Woerkom, Voorhees, Lipsey, Richner, Cassis, DeVuyst, Spade, Schauer, Sheltroun, Hansen, Stewart, Faunce, Meyer, Kilpatrick, Koetje, Jacobs, Rivet, Caul, Dennis, Anderson, Vear, Waters, Wojno, Rich Brown, McConico, Kowall, Hager, Bishop, Kolb, Thomas, Neumann, Jamnick, Gielegem, Raczkowski, Ehardt, Kooiman, Bovin, Bogardus, Sanborn, Bernero, Hale, Murphy, Bisbee and Phillips offered the following resolution:

**House Resolution No. 122.**

A resolution commemorating May 2001 as Lyme Disease Awareness Month in Michigan.

Whereas, As the summer season calls people to Michigan's outdoors to camp, hike, and otherwise enjoy the beauty of our lush green forests, it is an appropriate time to remind citizens of proper precautions and the safety rules of the woodlands. In recent years, Lyme disease has been a concern among outdoor enthusiasts. We urge Michigan residents to become aware of the signs and symptoms, prevention tactics, and treatment of Lyme disease; and

Whereas, An illness caused by the painless bite of a tiny deer tick, Lyme disease causes serious problems involving the heart, joints, and nervous systems in humans and animals. Prompt medical attention will minimize complications of this illness which initially may cause headaches, stiff muscles and joints, fever, nausea, and fatigue. Usually within a few days of being bitten by an infected tick, a person will develop a circular rash. However, detection of the disease is difficult because early symptoms vary and will disappear only to lead to serious problems later; and

Whereas, First recognized in children in 1975 in Lyme, Connecticut, this disease has been reported with increasing frequency throughout the United States. It is crucial that information relating to Lyme disease be available to the public and that the possible severity of its complications be understood by the citizens of Michigan. We salute the people of the Michigan Lyme Disease Association and the Michigan Department of Public Health for their efforts to expand our awareness and knowledge of the prevention and treatment of Lyme disease; now, therefore be it

Resolved by the House of Representatives, That the members of this legislative body commemorate May 2001 as Lyme Disease Awareness Month in Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to organizers of this observance as evidence 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. Godchaux, Quarles, Julian, Vander Veen, Gosselin, Bradstreet, Mead, DeRossett, Pappageorge, Vander Roest, Richardville, Middaugh, Jelinek, Jansen, Scranton, Toy, Van Woerkom, Voorhees, Lipsey, Garza, Richner, Cassis, DeVuyst, Spade, Minore, Schauer, Sheltroun, Hansen, Stewart, Faunce, George, Kilpatrick, Koetje, Jacobs, Rivet, Caul, Zelenko, Dennis, Anderson, Vear, Waters, Wojno, Rich Brown, McConico, Drolet, Hart, Kowall, Hager, Bishop, Reeves, Kolb, Callahan, Thomas, Neumann, Clark, Jamnick, Gielegem, Raczkowski, Ehardt, Shulman, Kooiman, Bovin, Hardman, Plakas, Bogardus, Sanborn, Bernero, Hale, Murphy, Bisbee and Phillips offered the following resolution:

**House Resolution No. 123.**

A resolution honoring women, both retired and in the reserves, from the United States Air Force, Army, Coast Guard, Marine Corps, and Navy.

Whereas, It is with shared commitment to the noble ideals of our country that we join with the members of these exemplary branches of the United States Armed Forces in saluting all the women who have ever served in defense of our nation. These loyal and unselfish individuals are honored for their dedication to our veterans, their families, and our nation. As the members of the U.S. Navy W.A.V.E.S. Unit #101 have assembled an "All Service Women's quilt", representing each branch of the United States Armed Forces to commend these patriotic woman, we add our own thanks for the contributions they continue to make to keep our cherished liberties and memories alive; and

Whereas, Women of service with the United States Armed Forces never stop serving our country, promoting the highest ideals of freedom and democracy, and strengthening our nation for the generations to come. Deeply appreciative of both the opportunities and the responsibilities of citizenship in our system of self-government, these dedicated women demonstrate sacrifice, hardship, endurance, bravery, courage, and the highest level of patriotism; and

Whereas, These selfless women are outstanding examples of the kinds of people who are not content to sit idly by while others take action. Through their work, they have made it clear that we have opportunities, each and every day, to put our love of country to good use in helping out our fellow citizens. We all benefit from the patriotism of women like those being honored; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commend all women of the United States Armed Forces as they are recognized for excellence in service to our beloved country; and be it further

Resolved, That a copy of this resolution be transmitted to the U.S. Navy W.A.V.E.S. Unit #101 as a token of our esteem and appreciation for assembling the "All Service Women's quilt".

Pending the reference of the resolution to a committee,

Rep. Patterson moved that Rule 77 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

### Reports of Standing Committees

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported

**House Bill No. 4634, entitled**

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

With the recommendation that the substitute (H-4) 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 4634** To Report Out:

Yeas: Reps. Howell, Richner, Bisbee, Faunce, Koetje, Sanborn, Voorhees,

Nays: Reps. Adamini, Lipsey, Minore, Waters.

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported

**House Bill No. 4635, entitled**

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

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 4635** To Report Out:

Yeas: Reps. Howell, Richner, Bisbee, Koetje, Sanborn, Voorhees, Adamini, Lipsey, Minore, Waters,  
Nays: None.

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported

**House Bill No. 4636, entitled**

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

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 4636** To Report Out:

Yeas: Reps. Howell, Richner, Bisbee, Koetje, Sanborn, Voorhees, Adamini, Lipsey, Minore, Waters,  
Nays: None.

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported

**House Bill No. 4637, entitled**

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

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 4637** To Report Out:

Yeas: Reps. Howell, Richner, Bisbee, Koetje, Sanborn, Voorhees, Adamini, Lipsey, Minore, Waters,  
Nays: None.

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported

**House Bill No. 4638, entitled**

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

With the recommendation that the substitute (H-2) 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 4638** To Report Out:

Yeas: Reps. Howell, Richner, Bisbee, Koetje, Sanborn, Voorhees, Adamini, Lipsey, Waters,  
Nays: Rep. Minore.

## 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, May 15, 2001, at 3:15 p.m.,

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

The Committee on Agriculture and Resource Management, by Rep. DeRossett, Chair, reported

**Senate Bill No. 350, entitled**

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

With the recommendation that the substitute (H-2) 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

**SB 350** To Report Out:

Yeas: Reps. DeRossett, Ehardt, Gilbert, Meyer, Van Woerkom, Vear, Sheltroun, Hansen, Spade,  
Nays: None.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. DeRossett, Chair of the Committee on Agriculture and Resource Management, was received and read:

Meeting held on: Tuesday, May 15, 2001, at 3:06 p.m.,

Present: Reps. DeRossett, Julian, Ehardt, Gilbert, Meyer, Van Woerkom, Vear, Sheltroun, Bogardus, Hansen, Spade.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Birkholz, Chair of the Committee on Local Government and Urban Policy, was received and read:

Meeting held on: Tuesday, May 15, 2001, at 12:00 Noon,

Present: Reps. Birkholz, Hager, Drolet, Gilbert, Gosselin, Richardville, Sanborn, Jamnick, Dennis, Hardman,

Absent: Rep. McConico,

Excused: Rep. McConico.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 16, 2001, at 9:00 a.m.,

Present: Reps. Bradstreet, Middaugh, Bisbee, Bishop, Cassis, Howell, Kowall, Richardville, Rivet, Bovin, Bob Brown, Schauer,

Absent: Reps. Birkholz, Vander Veen, Daniels, Thomas, Woodward,

Excused: Reps. Birkholz, Vander Veen, Daniels, Thomas, Woodward.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 16, 2001, at 9:00 a.m.,

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

Absent: Reps. Murphy, Schermesser,

Excused: Reps. Murphy, Schermesser.

## 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, May 16, 2001, at 10:15 a.m.,

Present: Reps. Cassis, Vear, Faunce, Gosselin, Kowall, Meyer, Newell, Richardville, Quarles, Basham, Bob Brown, Minore, Wojno,

Absent: Reps. Drolet, Woronchak, Hale, O'Neil,

Excused: Reps. Drolet, Woronchak, Hale, O'Neil.

## 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, May 16, 2001, at 10:30 a.m.,

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

Absent: Rep. Kuipers,

Excused: Rep. Kuipers.

**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, May 10:

**Senate Bill Nos. 461 462 463 465 466 467**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, May 11:

**Senate Bill Nos. 464 468 469 470**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, May 16:

**House Bill Nos. 4762 4763 4764 4765 4766 4767 4768 4769 4770 4771 4772 4773 4774 4775  
4776 4777 4778**

The Clerk announced that the following Senate bill had been received on Wednesday, May 16:

**Senate Bill No. 29**

By unanimous consent the House returned to the order of

**Messages from the Senate**

**Senate Bill No. 29, entitled**

A bill relative to the borrowing of money and the issuance of certain debt and securities; to provide for tax levies and sinking funds; to prescribe powers and duties of certain departments, state agencies, officials, and employees; to impose certain duties, requirements, and filing fees upon political subdivisions of this state; to authorize the issuance of certain debt and securities; to prescribe penalties; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

**Introduction of Bills**

Rep. Scranton introduced

**House Bill No. 4779, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 1996 PA 476.

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

Reps. Whitmer, Lockwood, Pestka, Rich Brown, Plakas, Reeves and Phillips introduced

**House Bill No. 4780, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 522 (MCL 206.522), as amended by 2000 PA 41.

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

Rep. Pappageorge moved that the House adjourn.

The motion prevailed, the time being 3:05 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Thursday, May 17, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives.