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House Chamber, Lansing, Wednesday, April 30, 2003.

1:00 p.m.

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

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

Accavitti—present	Garfield—present	Meisner—present	Sheen—present
Acciavatti—present	Gieleghem—present	Meyer—present	Sheltrown—present
Adamini—present	Gillard—present	Middaugh—present	Shulman—present
Amos—present	Gleason—present	Milosch—present	Smith—present
Anderson—present	Hager—present	Minore—present	Spade—present
Bieda—present	Hardman— present	Moolenaar—present	Stahl—present
Bisbee—present	Hart—present	Murphy—present	Stakoe—present
Bradstreet—present	Hood—present	Newell—present	Stallworth— present
Brandenburg—present	Hoogendyk—present	Nitz—present	Steil—present
Brown—present	Hopgood—present	Nofs—present	Stewart—present
Byrum—present	Howell—present	O’Neil—present	Tabor—excused
Casperson—present	Huizenga—excused	Paletko—present	Taub—present
Caswell—present	Hummel—present	Palmer—present	Tobocman— present
Caul—present	Hune—present	Palsrok—present	Vagnozzi—present
Cheeks—present	Hunter—present	Pappageorge—present	Van Regenmorter—present
Clack—present	Jamnick—present	Pastor—present	Vander Veen—present
Condino—present	Johnson, Rick—present	Phillips—present	Voorhees—present
Daniels—present	Johnson, Ruth—present	Plakas—present	Walker—present
Dennis—present	Julian—present	Pumford—present	Ward—present
DeRoche—present	Koetje—present	Reeves— present	Waters—present
DeRossett—present	Kolb—present	Richardville—present	Wenke—present
Drolet—present	Kooiman—present	Rivet—present	Whitmer—present
Ehardt— present	LaJoy—present	Robertson—present	Williams—present
Elkins—present	LaSata—present	Rocca—present	Wojno—present
Emmons—present	Law—present	Sak—present	Woodward—present
Farhat—present	Lipsey—present	Shackleton—present	Woronchak—present
Farrah—present	McConico—present	Shaffer—present	Zelenko—present
Gaffney—present			

e/d/s = entered during session

Rep. Fulton Sheen, from the 88th District, offered the following invocation:

“Lord, we thank You for the privilege and the honor of serving the people of Michigan. I pray You would grant us wisdom and grace to make the best decisions on behalf of the citizens of our state. Lord, I ask that You would remember our troops and protect them as they defend and protect us in all the areas of the world that they are at right now. Lord, I ask that You would guide us today in this session and that we can be ever close and listening to Your word. We commit this time right now in this situation into Your hands, in the name of Jesus, Amen.”

Rep. Palmer moved that Reps. Huizenga and Tabor be excused from today’s session.
The motion prevailed.

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

Motions and Resolutions

Reps. Taub, Brandenburg, Farhat, Garfield, LaJoy, Drolet, Voorhees, Pappageorge, Amos, Steil, Hoogendyk, Kooiman, Hager, Acciavatti, Howell, Moolenaar, DeRoche, Shulman, Hune, Wenke, Sheen, Julian, Gaffney, Nofs, Caswell, Vander Veen, Pastor, Rocca, Robertson, Milosch, Stahl, Stakoe, Shackleton, Bradstreet, Caul, Walker, Hummel, Middaugh, Newell, Stewart, Palmer, Meyer, Bieda, DeRossett, Ruth Johnson, Koetje, Shaffer, Wojno and Ehardt offered the following resolution:

House Resolution No. 44.

A resolution to memorialize the Congress of the United States to enact legislation to eliminate the marriage tax penalty in the Internal Revenue Code.

Whereas, Our tax policies should reflect common values and fairness. One component of our federal tax system that reflects neither is the issue of how married couples are taxed in comparison to the taxation they would face if both parties were single. The inequities of this are generally referred to as the marriage penalty tax. The president has called for the swift and permanent elimination of this penalty as a key part of his tax relief proposals; and

Whereas, Under the current situation, a significant number of married couples face substantially higher taxes than they would if they were filing as single people. While it is questionable as to whether that was ever a fair approach, it is clearly very unfair in our society today. Some married couples pay thousands of dollars more each year. To rectify this inequity, standard deductions and tax brackets need to be adjusted accordingly; and

Whereas, Tax policies should never be an impediment to the values Americans want to foster throughout society. It is wrong for tax considerations to discourage marriage and for people to be effectively penalized in this manner. The present situation is clearly not in the nation’s best long-term interest. Legislation to address this swiftly and permanently needs to become law; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to eliminate the marriage tax penalty in the Internal Revenue Code; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Tax Policy.

Reps. Taub, Brandenburg, Farhat, Garfield, LaJoy, Drolet, Voorhees, Pappageorge, Amos, Hoogendyk, Hager, Acciavatti, Howell, Moolenaar, Hune, Wenke, Sheen, Nofs, Vander Veen, Pastor, Rocca, Milosch, Bradstreet, Caul, Middaugh, Newell, Meyer, Julian, DeRossett, Shaffer and Ehardt offered the following resolution:

House Resolution No. 45.

A resolution to express opposition to the expenditure of public money on any project or contract that sends funds to a country not supporting our country’s efforts in Iraq and the fight against terrorism.

Whereas, Since the nightmare of September 11th awakened our nation to the level of threats we face as a free people, the United States has channeled its energies in many different ways. In addition to the greater vigilance of homeland security efforts and increased public participation with local authorities to prevent attacks, our nation has joined with other countries to attempt to bring freedom and stability to the people of Iraq; and

Whereas, The monumental task of dealing with terrorism, whether in our home communities or in the mountains of Afghanistan, requires a unified effort. On the international front, the work of the coalition liberating Iraq has attained remarkable success in a very short time in spite of considerable opposition from a small number of nations previously thought of as key partners in the war on terrorism; and

Whereas, Opposition to the work being carried out by the United States and its allies makes the task before us that much more difficult. The work of rebuilding Iraq and bringing stability to the Middle East and other parts of the world would benefit enormously from the broadest possible support and shared commitment from all free nations. Doing business with nations that oppose our efforts sends an inaccurate message. The people of the United States clearly do not want to see their tax dollars used to benefit countries that oppose the work we are doing; now, therefore, be it

Resolved by the House of Representatives, That we express opposition to the expenditure of public money on any project or contract that sends funds to a country not supporting our country's efforts in Iraq and the fight against terrorism. We urge all public entities in Michigan to examine their policies in this area.

The resolution was referred to the Committee on Government Operations.

Reps. Vagnozzi, Hopgood, Condino, Accavitti, Tobocman, Garfield, Meisner, Zelenko, Anderson, Adamini, Gillard, Bieda, McConico, Kolb, Gleason, Gielegem, Whitmer, Jamnick, Rivet, Lipsey, Williams, Minore, Stewart, Plakas and Dennis offered the following resolution:

House Resolution No. 46.

A resolution to urge the United States Secretary of State to increase efforts to urge the People's Republic of China to halt its violation of the human rights of its citizens, specifically the persecution against practitioners of Falun Gong.

Whereas, Falun Gong, which is also known as Falun Dafa, is a discipline of personal beliefs that incorporates exercise, meditation, and principles based on truthfulness, compassion, and forbearance. Its millions of practitioners work to attain inner peace, good health, and better skills to deal with stress and conflict in life; and

Whereas, Over the past several years, authorities in the People's Republic of China have taken strong and brutal actions against practitioners of Falun Gong. Reports indicate that tens of thousands of people have been tortured and sent to labor camps, and property owned by those who follow this discipline has been destroyed or confiscated. The aggressive actions taken by the state reflect a systematic commitment to eliminate Falun Gong and those who pursue it; and

Whereas, The persecution of practitioners of Falun Gong is in apparent violation of the People's Republic of China's own constitution and a flagrant violation of standards of human rights recognized by the United Nations and most governments of the world; and

Whereas, Citizens of Michigan who practice Falun Gong and those who understand this discipline cannot fathom the reaction of the Chinese authorities. Indeed, those who value human rights seek an increase of efforts to urge the People's Republic of China to halt this persecution; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Secretary of State to increase efforts to urge the People's Republic of China to recognize and protect the human rights of its citizens and halt the persecution against practitioners of Falun Gong; and be it further

Resolved, That copies of this resolution be transmitted to the United States Secretary of State, 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 Government Operations.

Reps. Palmer, Acciavatti, Brandenburg, Accavitti, Bieda, Bradstreet, Caswell, DeRossett, Garfield, Gielegem, Hager, Howell, Hummel, Julian, Koetje, Kooiman, Meyer, Milosch, Pappageorge, Pastor, Rocca, Sheen, Shulman, Vagnozzi, Vander Veen, Voorhees, Wojno and Ehardt offered the following resolution:

House Resolution No. 47.

A resolution to urge the United States Department of Homeland Security to locate its Midwestern headquarters at the Selfridge Air National Guard Base in Macomb County.

Whereas, As our country continues to put in place stronger defenses against terrorism through homeland security measures, a key component will be the establishment of regional headquarters for the United States Department of Homeland Security. The President has called for regional centers in his 2004 budget proposal; and

Whereas, In the Midwest, an excellent site for a regional headquarters is the Selfridge Air National Guard Base in Macomb County. The advantages this location offers range from low costs, unsurpassed strategic significance, and facilities that can provide for a swift and smooth transition to the responsibilities of homeland security work; and

Whereas, Located at the heart of the nation's freshwater network and near several of the busiest international points of entry along our northern border, Selfridge is well positioned to handle quickly any type of task to protect America's people, resources, and infrastructure. Clearly, this location offers opportunities for enhanced responsiveness to the challenges before us in safeguarding our nation in the years ahead; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Department of Homeland Security to locate its Midwestern headquarters at the Selfridge Air National Guard Base in Macomb County; and be it further

Resolved, That copies of this resolution be transmitted to the Secretary of the United States Department of Homeland Security, 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 Veterans Affairs and Homeland Security.

Reports of Standing Committees

The Committee on Government Operations, by Rep. Koetje, Chair, reported

House Bill No. 4511, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 45 and 45a (MCL 24.245 and 24.245a), section 45 as amended and section 45a as added by 1999 PA 262.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Koetje, Drolet and Howell

Nays: None

The Committee on Government Operations, by Rep. Koetje, Chair, reported

Senate Bill No. 180, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 224.

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 and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Koetje, Howell and Tobocman

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Koetje, Chair of the Committee on Government Operations, was received and read:

Meeting held on: Tuesday, April 29, 2003, at 3:03 p.m.

Present: Reps. Koetje, Drolet, Howell and Tobocman

Absent: Rep. Lipsey

Excused: Rep. Lipsey

The Committee on Education, by Rep. Palmer, Chair, reported

House Bill No. 4218, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1303 (MCL 380.1303), as amended by 1995 PA 289.

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 and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Palmer, Hummel, Meyer, Bradstreet, Hager, Ruth Johnson, Voorhees, Vander Veen, Nofs, Stahl, Gielegem, Vagnozzi, Spade, Smith, Hopgood, Meisner and Clack

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 29, 2003, at 3:14 p.m.

Present: Reps. Palmer, Hummel, Meyer, Bradstreet, Hager, Hart, Ruth Johnson, Voorhees, Vander Veen, Nofs, Stahl, Gielegem, Vagnozzi, Spade, Smith, Hopgood, Meisner and Clack

Absent: Rep. Tabor

Excused: Rep. Tabor

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

House Bill No. 4556, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 110 (MCL 206.110), as amended by 1996 PA 484.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Sheen, Woronchak, Hummel, Palmer, Milosch, Nofs, Stakoe, O'Neil, Minore, Farrah, Bieda, Zelenko and Condino

Nays: Reps. Koetje and Meyer

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

House Bill No. 4557, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 4 (MCL 206.4).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Sheen, Woronchak, Nofs, O'Neil, Minore, Farrah, Bieda, Zelenko and Condino

Nays: Reps. Koetje, Meyer, Drolet, Hummel, Palmer, Milosch and Stakoe

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 30, 2003, at 9:00 a.m.

Present: Reps. Wenke, Sheen, Koetje, Woronchak, Meyer, Drolet, Hummel, Palmer, Milosch, Nofs, Stakoe, O'Neil, Minore, Farrah, Bieda, Zelenko and Condino

Introduction of Bills

Rep. Spade introduced

House Bill No. 4597, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 106 (MCL 400.106), as amended by 1990 PA 145.

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

Reps. Pumford and Hart introduced

House Bill No. 4598, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 1999 PA 6; and to repeal acts and parts of acts.

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

Reps. Richardville, Nitz, Acciavatti, Hager, Meyer, Rocca, LaSata, Milosch, Ehardt, Julian, Garfield, Sheen, LaJoy, Farhat and Drolet introduced

House Bill No. 4599, entitled

A bill to repeal local acts restricting hunting on Sundays in the counties of Tuscola, Lenawee, Hillsdale, and St. Clair.

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

Reps. Gaffney, LaSata, Hummel, Bieda, Sheen, Hardman, Stallworth, Shaffer, Ehardt, Ward and Pastor introduced

House Bill No. 4600, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310e (MCL 257.310e), as amended by 2002 PA 554.

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

Reps. Gaffney, Ward and Pastor introduced

House Bill No. 4601, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 552 (MCL 168.552), as amended by 1999 PA 220.

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

Reps. Farhat, Hummel, Shaffer, LaJoy, Steil, Gaffney, Sheen, Casperson, Milosch, Garfield, Nitz, Brandenburg, Pastor, Taub, Nofs, Bradstreet, DeRossett, Stewart, Middaugh, Hager, Moolenaar, DeRoche, Drolet, Bisbee, Howell, Wenke, Caswell, Van Regenmorter, Vander Veen, Stahl, Stakoe and Newell introduced

House Bill No. 4602, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 613a (MCL 168.613a), as amended by 1999 PA 72.

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

Reps. Robertson, Stahl, Vander Veen, Acciavatti, Shaffer, Hoogendyk, Sheen, Hummel, Steil, Julian, Middaugh, Howell, Meyer, Hager, LaJoy, Pappageorge, Van Regenmorter, Brandenburg, Palmer, Casperson, Milosch, Garfield, Rivet, Farhat, Nofs, Walker, Palsrok, DeRossett, Newell, Moolenaar, DeRoche, Ehardt, Shulman, Ruth Johnson, Caul, Rocca, Woronchak, Caswell, Pumford, Richardville, Drolet, Taub, Hart, Hune, Pastor, Stakoe, Bisbee, Gaffney, Nitz, Ward, Wenke, Shackleton, Kooiman, Koetje, Voorhees, Bradstreet, Emmons, Stewart, Sak, Paletko, Gleason, Reeves, Spade, O'Neil, Wojno, Brown and Bieda introduced

House Bill No. 4603, entitled

A bill to define legal birth and the commencing of legal personhood and rights; and to provide immunity for certain acts.

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

Reps. Acciavatti, Hummel, Casperson, Nofs, Brandenburg, Garfield, Stahl, LaJoy, Drolet, Ward, Huizenga, Taub, Nitz, DeRoche, Hager, Palsrok, Wenke, Howell, Newell, Meyer, Caswell, Pastor, Palmer, Shaffer, Pappageorge, Milosch, Bradstreet, Sheltroun, Hoogendyk, Tabor, Robertson, Farhat, Accavitti and Gillard introduced

House Bill No. 4604, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 227h. The bill was read a first time by its title and referred to the Committee on Conservation and Outdoor Recreation.

Reps. Acciavatti, Hummel, Casperson, Nofs, Brandenburg, Garfield, Stahl, LaJoy, Drolet, Ward, Huizenga, Taub, Nitz, DeRoche, Hager, Palsrok, Wenke, Howell, Newell, Meyer, Caswell, Pastor, Palmer, Shaffer, Pappageorge, Milosch, Sheltroun, Bradstreet, Hoogendyk, Tabor, Robertson, Farhat, Accavitti and Gillard introduced

House Bill No. 4605, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 12 (MCL 28.432), as amended by 2000 PA 381, and by adding section 12c.

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

Rep. Gleason moved that the House adjourn.

The motion prevailed, the time being 3:30 p.m.

Associate Speaker Pro Tempore Vander Veen declared the House adjourned until Thursday, May 1, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives