

No. 59
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House of Representatives
90th Legislature
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House Chamber, Lansing, Wednesday, September 22, 1999.

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	Kukuk—present	Sanborn—present
Bisbee—present	Gielegem—present	Law—present	Schauer—present
Bishop—present	Gilbert—present	Lemmons—present	Schermesser—excused
Bogardus—present	Godchaux—present	Lockwood—present	Scott—present
Bovin—present	Gosselin—present	Mans—present	Scranton—present
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—excused	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—present
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

Rev. Dr. Lottie Jones Hood, Pastor of the First Congregational Church of Detroit, offered the following invocation:

“Eternal Father, Mother, God, we come before You now O Lord, acknowledging that on occasion we are sometimes so caught up in the flurry of our daily living—so caught up in the hustle and bustle, the wheeling and dealing, and the quid pro quos—that sometimes, we forget to thank You for the many blessings that You have bestowed upon us. So now, we want to take the time out to just thank You, Eternal God, to thank You for the simple things—things like the fact that: You woke us up this morning, O Lord, with the blood still running warm in our veins; our sheets were not our shrouds, and our bed was not our cooling board, and last night was not our last night; and we woke up clothed in our right mind.

And, Eternal God, we thank You for this Michigan State House of Representatives. We commit them to You today—we deposit them into Your charge. We ask that You guide and direct these elected men and women so that they will always depend on You to assist them in their responsible positions. We ask that You help them to seek the welfare of the whole state and never engage in anything that erodes our rightful freedoms under the Constitution.

Eternal God, we ask that You help them to remember that they are Your children—made in Your image—like the wave is to the ocean; and that as You have said, ‘Nothing is too hard for the Lord.’ Help them to remember also, Eternal God, that You are a good parent, a sane parent; that You would not give Your children tasks You know they cannot perform; nor would You give them responsibilities without the resources to accomplish them.

And finally, into Your hands, Eternal God, we entrust these, their sessions—today, tomorrow, and forever more, and ask that You anoint each and every person who speaks to deliver words that—motivate, inspire, and express; that comfort, care, and caress; words that slip and slide and soar; words that rock and roll and roar.

Words that sing like David’s and thunder like Elijah’s; words that transcend like Isaiah’s and indict like Micah’s; words that heal like Luke’s and persevere like Paul’s.

Anoint the members of this House of Representatives so that when the results of their work leave this place, we, the people of the sovereign State of Michigan will be inspired to mount up with wings as eagles, run and not be weary, walk and not faint. In the name of all that is good we pray; and the people said, Amen.”

Rep. Scott moved that Rep. Schermesser be excused from today’s session.
The motion prevailed.

Rep. Hale moved that Rep. Hardman be excused from today’s session.
The motion prevailed.

Rep. Cassis asked and obtained a temporary excuse from today’s session.

Second Reading of Bills

House Bill No. 4601, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 2837. (The bill was read a second time, substitute (H-3) adopted, amendments defeated, amendments offered and postponed temporarily and bill postponed for the day on September 21, see House Journal No. 58, p. 1721.)

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

Rep. Scranton demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 810

Yeas—36

Baird	Dennis	Kilpatrick	Schauer
Bogardus	Garza	LaForge	Scott
Brater	Gielegem	Lemmons	Scranton

Brewer	Godchaux	Martinez	Stallworth
Cherry	Hale	Minore	Tesanovich
Clark, I.	Hanley	Price	Thomas
Clarke, H.	Hansen	Prusi	Toy
Daniels	Jacobs	Quarles	Vaughn
DeHart	Jamnick	Rison	Woodward

Nays—72

Allen	Frank	Kuipers	Richardville
Basham	Garcia	Kukuk	Richner
Birkholz	Geiger	LaSata	Rivet
Bisbee	Gilbert	Law	Rocca
Bishop	Gosselin	Lockwood	Sanborn
Bovin	Green	Mans	Shackleton
Bradstreet	Hager	Mead	Sheltrown
Brown, B.	Hart	Middaugh	Shulman
Brown, C.	Howell	Mortimer	Spade
Byl	Jansen	Neumann	Stamas
Callahan	Jelinek	O'Neil	Switalski
Cassis	Jellema	Pappageorge	Tabor
Caul	Johnson, Rick	Patterson	Van Woerkom
DeRossett	Johnson, Ruth	Perricone	Vander Roest
DeVuyst	Julian	Pestka	Vear
DeWeese	Kelly	Pumford	Voorhees
Ehardt	Koetje	Raczkowski	Wojno
Faunce	Kowall	Reeves	Woronchak

In The Chair: Patterson

Rep. O'Neil 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**House Bill No. 4601, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2837.

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

Roll Call No. 811**Yeas—72**

Allen	Frank	Kuipers	Richardville
Basham	Garcia	Kukuk	Richner
Birkholz	Geiger	LaSata	Rivet
Bisbee	Gilbert	Law	Rocca
Bishop	Gosselin	Lockwood	Sanborn
Bovin	Green	Mans	Shackleton
Bradstreet	Hager	Mead	Sheltrown
Brown, B.	Hart	Middaugh	Shulman

Brown, C.	Howell	Mortimer	Spade
Byl	Jansen	Neumann	Stamas
Callahan	Jelinek	O'Neil	Switalski
Cassis	Jellema	Pappageorge	Tabor
Caul	Johnson, Rick	Patterson	Van Woerkom
DeRossett	Johnson, Ruth	Perricone	Vander Roest
DeVuyst	Julian	Pestka	Vear
DeWeese	Kelly	Pumford	Voorhees
Ehardt	Koetje	Raczkowski	Wojno
Faunce	Kowall	Reeves	Woronchak

Nays—35

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

In The Chair: Patterson

The House agreed to the title of the bill.

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

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

Reps. Birkholz, Bishop, Byl, Cassis, DeVuyst, Ehardt, Gilbert, Gosselin, Green, Hart, Howell, Jansen, Jelinek, Julian, Koetje, Kowall, Kuipers, LaSata, Law, Middaugh, Mortimer, Pumford, Raczkowski, Rocca, Shackleton, Shulman, Vander Roest and Woronchak were named co-sponsors of the bill.

Rep. Gielegem, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

This bill calls for reporting complications that may be the result of a previously performed abortion. However, there are no time limits put in place, so any health complication could be reported or misreported at any time. In this bill, the potential for abuse is too great.

Any physician could likely provide opinions based not upon professional experience but rather on personal convictions aimed at skewing the data to further a political agenda. Here again, amendments were offered to extend these requirements to other types of surgical procedures. When all of these amendments failed, it became apparent that this bill was about limiting access.”

Second Reading of Bills

House Bill No. 4600, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 2835 (MCL 333.2835) and by adding section 2837.

(The bill was read a second time, substitute (H-2) defeated, substitute (H-3) adopted, amendments defeated and bill postponed for the day on September 21, see House Journal No. 58, p. 1725.)

Rep. Bisbee 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

House Bill No. 4600, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2835 (MCL 333.2835) and by adding section 2837.

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

Roll Call No. 812

Yeas—72

Allen	Frank	Kuipers	Richardville
Basham	Garcia	Kukuk	Richner
Birkholz	Geiger	LaSata	Rivet
Bisbee	Gilbert	Law	Rocca
Bishop	Gosselin	Lockwood	Sanborn
Bovin	Green	Mans	Shackleton
Bradstreet	Hager	Mead	Sheltrown
Brown, B.	Hart	Middaugh	Shulman
Brown, C.	Howell	Mortimer	Spade
Byl	Jansen	Neumann	Stamas
Callahan	Jelinek	O'Neil	Switalski
Cassis	Jellema	Pappageorge	Tabor
Caul	Johnson, Rick	Patterson	Van Woerkom
DeRossett	Johnson, Ruth	Perricone	Vander Roest
DeVuyst	Julian	Pestka	Vear
DeWeese	Kelly	Pumford	Voorhees
Ehardt	Koetje	Raczkowski	Wojno
Faunce	Kowall	Reeves	Woronchak

Nays—36

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

In The Chair: Patterson

The question being on agreeing to the title of the bill,
Rep. Raczkowski moved to amend the title to read as follows:
A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2835 (MCL 333.2835).
The motion prevailed.

The House agreed to the title as amended.

Reps. Bovin, Callahan, Jelinek, Kelly, Neumann, Pappageorge, Sheltroun, Spade and Wojno were named co-sponsors of the bill.

Rep. Gielegem, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Under current reporting requirements, physicians must provide to the Department of Community Health, within 7 days, information on the age, marital status and residency of the patient, plus the type of facility, source of referral, method of operation, physician’s signature and license number. Patient information reported includes the number of previous pregnancies and their outcomes, gestation of the present pregnancy, the weight and status of the embryo or fetus, and any immediate complications of the procedure.

This bill adds further burdensome and excessive reporting requirements. Amendments were offered to place similar reporting requirements on other surgical procedures. When all of these amendments failed, it became apparent that this bill was not about patient protection but rather about increasing the cost and limiting the access to this procedure, along with adding bureaucratic paperwork.”

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

The question being on the motion made by Rep. Raczkowski,

Rep. Baird demanded the yeas and nays.

The demand was supported.

The question being on the motion made by Rep. Raczkowski,

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 813

Yeas—73

Allen	Garcia	Kukuk	Richner
Basham	Geiger	LaSata	Rivet
Birkholz	Gilbert	Law	Rocca
Bisbee	Gosselin	Lockwood	Sanborn
Bishop	Green	Mans	Shackleton
Bovin	Hager	Mead	Sheltroun
Bradstreet	Hart	Middaugh	Shulman
Brown, B.	Howell	Mortimer	Spade
Brown, C.	Jansen	Neumann	Stamas
Byl	Jelinek	O’Neil	Switalski
Callahan	Jellema	Pappageorge	Tabor
Cassis	Johnson, Rick	Patterson	Toy
Caul	Johnson, Ruth	Perricone	Van Woerkom
DeRossett	Julian	Pestka	Vander Roest
DeVuyst	Kelly	Pumford	Vear
DeWeese	Koetje	Raczkowski	Voorhees
Ehardt	Kowall	Reeves	Wojno
Faunce	Kuipers	Richardville	Woronchak
Frank			

Nays—32

Baird	DeHart	Jacobs	Rison
Bogardus	Dennis	Jamnick	Schauer
Brater	Garza	Kilpatrick	Scott
Brewer	Gielegem	LaForge	Scranton
Cherry	Godchaux	Minore	Tesanovich
Clark, I.	Hale	Price	Thomas
Clarke, H.	Hanley	Prusi	Vaughn
Daniels	Hansen	Quarles	Woodward

In The Chair: Patterson

Second Reading of Bills

House Bill No. 4599, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20104 and 20115 (MCL 333.20104 and 333.20115).

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Regulatory Reform (for amendment, see House Journal No. 47, p. 1014),

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

Rep. Geiger moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Reps. Scranton and Stallworth moved to amend the bill as follows:

1. Amend page 3, line 19, after "SEC. 22224." by striking out "(1)".

2. Amend page 3, line 24, by striking out all of subsection (2).

The question being on the adoption of the amendments offered by Reps. Scranton and Stallworth,

Rep. Baird demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Scranton and Stallworth,

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

Roll Call No. 814

Yeas—37

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

Nays—70

Allen	Frank	Kuipers	Richardville
Basham	Garcia	Kukuk	Richner
Birkholz	Geiger	LaSata	Rivet
Bisbee	Gilbert	Law	Rocca
Bishop	Gosselin	Mans	Sanborn
Bovin	Green	Mead	Shackleton
Bradstreet	Hager	Middaugh	Sheltrown
Brown, B.	Hart	Mortimer	Shulman
Brown, C.	Howell	Neumann	Spade
Byl	Jansen	O'Neil	Stamas
Callahan	Jelinek	Pappageorge	Tabor
Cassis	Jellema	Patterson	Van Woerkom
Caul	Johnson, Rick	Perricone	Vander Roest
DeRossett	Johnson, Ruth	Pestka	Vear
DeVuyst	Julian	Pumford	Voorhees
DeWeese	Kelly	Rackowski	Wojno
Ehardt	Koetje	Reeves	Woronchak
Faunce	Kowall		

Reps. Scranton and Schauer moved to amend the bill as follows:

1. Amend page 2, line 11, after "TION" by inserting "CONSISTING OF A PRIVATE PRACTICE OFFICE OF A PHYSICIAN, DENTIST, PODIATRIST, OR OTHER HEALTH PROFESSIONAL LICENSED UNDER ARTICLE 15 WHOSE SCOPE OF PRACTICE DEFINITION ALLOWS HIM OR HER TO PERFORM 1 OR MORE SURGICAL PROCEDURES".

2. Amend page 2, line 12, after "ABORTION" by inserting "OR OTHER SURGICAL PROCEDURE".

3. Amend page 2, line 18, after "FACILITY" by inserting "CONSISTING OF THE PRIVATE PRACTICE OFFICE OF A PHYSICIAN, DENTIST, PODIATRIST, OR OTHER HEALTH PROFESSIONAL LICENSED UNDER ARTICLE 15 WHOSE SCOPE OF PRACTICE DEFINITION ALLOWS HIM OR HER TO PERFORM 1 OR MORE SURGICAL PROCEDURES".

4. Amend page 2, line 20, after "ABORTION" by inserting "OR OTHER SURGICAL PROCEDURE".

5. Amend page 2, following line 23, by inserting:

"(4) AS USED IN THIS SECTION:

(A) "ABORTION" MEANS THAT TERM AS DEFINED IN SECTION 17015.

(B) "SURGICAL PROCEDURE" MEANS THE TREATMENT OF A HUMAN BEING BY A HEALTH PROFESSIONAL LICENSEE OR HIS OR HER DELEGATEE IN HIS OR HER PRIVATE PRACTICE OFFICE BY THE USE OF 1 OR MORE OF THE FOLLOWING PROCEDURES:

(i) CUTTING INTO ANY PART OF THE BODY BY SURGICAL SCALPEL, ELECTRO-CAUTERY, OR OTHER MEANS FOR DIAGNOSIS OR THE REMOVAL OR REPAIR OF DISEASED OR DAMAGED TISSUE, BONE, ORGANS, TUMORS, OR FOREIGN BODIES.

(ii) REDUCTION OF FRACTURES OR DISLOCATIONS OF A BONE, JOINT, OR BONY STRUCTURE.

(iii) REPAIR OF MALFORMATIONS OR BODY DEFECTS RESULTING FROM INJURY, BIRTH DEFECTS, OR OTHER CAUSES THAT REQUIRE CUTTING AND MANIPULATION OR SUTURE.

(iv) INSTRUMENTATION OF THE UTERINE CAVITY INCLUDING THE PROCEDURE COMMONLY KNOWN AS DILATATION AND CURETTAGE FOR DIAGNOSTIC OR THERAPEUTIC PURPOSES.

(v) HUMAN STERILIZATION PROCEDURES.

(vi) ENDOSCOPIC PROCEDURES." and renumbering the remaining subsections.

6. Amend page 3, line 3, after "ABORTION" by inserting "OR OTHER SURGICAL PROCEDURE".

7. Amend page 3, line 17, by striking out all of subsection (5).

The question being on the adoption of the amendments offered by Reps. Scranton and Schauer,

Rep. Kilpatrick demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Scranton and Schauer,

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

Roll Call No. 815

Yeas—36

Baird	Gielegghem	Lemmons	Schauer
Bogardus	Godchaux	Lockwood	Scott
Brater	Hale	Martinez	Scranton
Brewer	Hanley	Minore	Stallworth
Clark, I.	Hansen	Price	Tesanovich
Clarke, H.	Jacobs	Prusi	Thomas
Daniels	Jamnack	Quarles	Toy
Dennis	Kilpatrick	Reeves	Vaughn
Garza	LaForge	Rison	Woodward

Nays—70

Allen	Frank	Kuipers	Richner
Basham	Garcia	Kukuk	Rivet
Birkholz	Geiger	LaSata	Rocca
Bisbee	Gilbert	Law	Sanborn

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

In The Chair: Patterson

Rep. Geiger 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 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. Pumford, Bovin, Clarke, Allen, Pappageorge, Howell, Vander Roest, Mead, Ehardt, DeHart, DeRossett, Bishop, Gosselin, Kilpatrick, Van Woerkom, Sanborn, Kukuk, LaSata, Kowall, Toy, Koetje, Kelly, Vear, Jamnick, Cassis, Jelinek, Tesanovich, Raczkowski, Richner, Jansen, Birkholz, Faunce, Hager, Woronchak, Julian, Green and Rick Johnson offered the following resolution:

House Resolution No. 178.

A resolution offered as a memorial for John Graves.

Whereas, It is with a great deal of respect for his accomplishments that we join the family of John Graves in remembering his significant contributions to the people of the state of Michigan. John Graves was a man devoted to his family and committed to his community and his cherished memory will not fade from the hearts and minds of those who knew and loved him. He will always be remembered as "Big John" by his friends and "Papa John" by children; and

Whereas, Born on September 1, 1926, John Graves excelled in various endeavors throughout his life, including service as city councilman, city mayor, county commissioner, and developer, merchant, factory worker, and navy veteran. However, the alias most revered, honored, and most common to those he touched was that of "friend." As a businessman, John owned Graves Sport Shop for 45 years. This shop was a clearing house for information, a conversational forum to voice opinions on politics, the particular issue of the day, and of course the outdoors. It often served as a city mission of sorts; and

Whereas, Although a large number of people benefited through his endeavors in public life, the legacy John Graves will be remembered most often for are the innumerable small, generous, personal, and more often than not, anonymous acts that he performed every day of his life. He was so concerned with improving the human condition that he did not let partisanship or being consumed with the trappings of power and position stand in his way. His commitment to others is best summed up by his son John, "My father personified White Cloud, he got involved because he loved this community, state, and country." It seems that he touched and affected in some way the life of every person in the community. A loving family man, he and his wife Ruth were lifelong companions continuing from their wedding day on February 1, 1947. In addition to his wife, John is survived by 4 children, 12 grandchildren, and to date 1 great grandchild; now, therefore, be it

Resolved by the House of Representatives, That this resolution is dedicated to offer these words of praise as a memorial for John Graves. A community leader, he was much admired and will long be remembered; and be it further Resolved, That a copy of this resolution be transmitted to the Graves family as evidence of our highest esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Thomas, Clarke, Cherry, Ehardt, Rivet, Wojno, Woodward, Dennis, DeHart, Daniels, Hale, DeRossett, Bishop, Gosselin, Kilpatrick, Sanborn, Kukuk, Kowall, Kelly, Quarles, Vaughn, Jamnick, Jelinek, Tesanovich, Price, Raczkowski, Richner, Jansen, LaForge, Birkholz, Hager, Reeves, Garza, Schauer and Green offered the following resolution:

House Resolution No. 179.

A resolution honoring the 25th anniversary of OmniCare Health Plan.

Whereas, On September 23, 1999, Michigan Health Maintenance Organization Plans, Inc., a.k.a. OmniCare Health Plan of Michigan, will be celebrating 25 years of delivering quality health care to the City of Detroit and Southeastern Michigan; and

Whereas, OmniCare Health Plan has been a pioneer in the field of managed care as the first health maintenance organization (HMO) in Michigan to become federally qualified, the first HMO in the country to structure itself on what is now called the network model, the first HMO in the country to capitate physician services in an IPA model HMO, and the first to create a mental health carve out; and

Whereas, OmniCare Health Plan's enrollment is over 95,000 subscribers whom it serves through a network of more than 582 primary care physicians, 48 hospitals, 150 vision care providers, and more than 525 pharmacies; and

Whereas, OmniCare has a history of supporting and hiring Detroit residents, has offered services to City of Detroit employees since 1978, and is one of the largest HMOs in the country with African-American top management; and

Whereas, OmniCare Health Plan through these first 25 years has remained committed to its mission statement—to improve the health status of the population within its service area through the delivery of quality, cost-effective, reliable, and accessible health care services while building solid partnerships with its customers; and

Whereas, OmniCare Health Plan will be entering its second quarter-century of service to the people of the City of Detroit, continuing its commitment to that mission; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body hereby commemorate the 25th anniversary of OmniCare Health Plan. May all involved in its success know of our admiration and may OmniCare long continue its exemplary course in its mission of help and healing; and be it further

Resolved, That a copy of this resolution be transmitted to OmniCare Health Plan as a token 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.

Reps. Wojno, Clarke, Hansen, Cherry, Gielegem, Woodward, DeHart, Callahan, Thomas, Hale, DeRossett, Gosselin, Kilpatrick, Sanborn, Kukuk, Kowall, Kelly, Vaughn, Bovin, Martinez, Tesanovich, Price, Raczkowski, Richner, LaForge, Faunce, Hager, Woronchak, Garza and Schauer offered the following resolution:

House Resolution No. 180.

A resolution to urge the Federal Communications Commission to restore approval for low-power FM radio broadcasting.

Whereas, In recent years, the world of communications has experienced enormous changes. One of the components of this change is the increasing growth of radio station ownership by corporate entities far different than the local ownership of years ago. This trend has taken from the medium of radio a large measure of its spirit of community service and the local identity of radio programming; and

Whereas, As more and more people have expressed frustration with the loss of low-power radio stations, the Federal Communications Commission (FCC) has been examining the possibility of restoring this element of communications by licensing small operations. Over the past couple of years, the FCC has sought and received input from many individuals and groups hoping to return independent voices and local ownership to the airwaves; and

Whereas, The FCC has before it RM-9242, a proposal for rulemaking that would encourage greater participation in radio by people with traditionally less access to radio. The option of very low-power operations will give greater voice to groups not associated with radio station ownership, such as minorities, small businesses and groups, and women. Approval of this rule would do little to threaten the status of large stations and networks, yet it would open doors of communications and opportunity too long closed by technology and financial obstacles; now, therefore, be it

Resolved by the House of Representatives, That we urge the Federal Communications Commission to restore approval for low-power FM radio broadcasting; and be it further

Resolved, That copies of this resolution be transmitted to the Federal Communications Commission.

The resolution was referred to the Committee on Energy and Technology.

Reps. Schauer, Martinez, Thomas, Bogardus, Hale, Rison, Quarles, LaForge, Pestka, Cherry, Vaughn, Byl, Stallworth, Jelinek, Julian, Kelly, Jellema, Godchaux, Scranton, Callahan, Clarke, Clark, Garza, Kilpatrick, Reeves, Minore, Baird, Switalski, Dennis, Hanley, Spade, Mans, Woodward, Jacobs, Brater, DeHart and Lemmons offered the following resolution:

House Resolution No. 181.

A resolution commending the Sojourner Truth Institute of Battle Creek.

Whereas, Sojourner Truth was a powerful voice that helped shape our nation's ideals of freedom and equality. As an advisor to President Abraham Lincoln and as a former slave, she proclaimed a message that continues to inspire, empower and educate to this day; and

Whereas, A resident of Battle Creek, Sojourner Truth's legacy as a crusader for the abolition of slavery, for women's suffrage and as a great champion of basic human rights has brought honor and recognition to her home; and

Whereas, The efforts of the Sojourner Truth Institute of Battle Creek, the Sojourner Truth Commemoration Committee, the National Association of Negro Business and Professional Women, the W. K. Kellogg Foundation, the Kellogg Company, the Battle Creek Historical Society, the Battle Creek Community Foundation, the City of Battle Creek, the Michigan Council for the Arts and Cultural Affairs and many other community-minded partners who are committed to carrying forward her legacy of freedom, equality and truth into the next century have resulted in the completion and installation of the Sojourner Truth Monument; and

Whereas, We honor the gifts and personal commitment of sculptor Tina Brown, who brought to life the vision of Sojourner Truth, standing at a lectern speaking boldly and confidently of her beliefs and courageous travels, creating a reminder and visual role model for the next generation of Americans of all background. We also honor the occasion of the unveiling and dedication of the Sojourner Truth Monument at Monument Park in Battle Creek on Saturday, September 25, 1999, in recognition of all that Sojourner Truth advocated for with dignity and determination; now, therefore, be it

Resolved by the House of Representatives, That we hereby commend the Battle Creek community and declare that Saturday, September 25, 1999, shall be recognized as Sojourner Truth Day throughout the State of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Sojourner Truth Institute of Battle Creek as evidence of our heartfelt commendation.

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.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL § 18.1246.

Rep. Jellema offered the following concurrent resolution:

House Concurrent Resolution No. 44.

A concurrent resolution to change the scope of the Professional Studies and Classroom Building project at the University of Michigan-Flint.

Whereas, The University of Michigan-Flint Professional Studies and Classroom Building project was authorized with a total cost of \$33,123,000 by 1996 PA 480 and Senate Concurrent Resolution No. 71 of 1998; and

Whereas, The University of Michigan-Flint has estimated that the total cost to complete the Professional Studies and Classroom Building project has increased to \$35,623,000; and

Whereas, The University of Michigan-Flint has agreed to fund the increase in the project cost of \$2,500,000, with the state commitment remaining at \$25,942,200; and

Whereas, Pursuant to section 246 of 1984 PA 431, as amended, being MCL § 18.1246, the authorized cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Michigan Legislature recognizes the need to increase the total authorized cost for the University of Michigan-Flint Professional Studies and Classroom Building project to an amount not to exceed \$35,623,000 (State Building Authority share \$25,942,100; State General

Fund/General Purpose share \$100; the University of Michigan-Flint share \$9,680,800); and that the legislature intends to continue to appropriate funds for construction subject to limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes in the legislative process; and be it further

Resolved, That a copy of this resolution be transmitted to the State Budget Director, the Director of the Department of Management and Budget, and the University of Michigan-Flint.

The concurrent resolution was referred to the Committee on Appropriations.

Reps. Wojno, Clarke, Hansen, Cherry, Gielegem, Woodward, DeHart, Callahan, Thomas, Daniels, Hale, DeRossett, Gosselin, Kilpatrick, Sanborn, Kukuk, Kowall, Kelly, Quarles, Vaughn, Bovin, Martinez, Tesanovich, Price, Raczkowski, Richner, LaForge, Faunce, Hager, Woronchak, Garza and Schauer offered the following concurrent resolution:

House Concurrent Resolution No. 45.

A concurrent resolution to urge the Federal Communications Commission to restore approval for low-power FM radio broadcasting.

Whereas, In recent years, the world of communications has experienced enormous changes. One of the components of this change is the increasing growth of radio station ownership by corporate entities far different than the local ownership of years ago. This trend has taken from the medium of radio a large measure of its spirit of community service and the local identity of radio programming; and

Whereas, As more and more people have expressed frustration with the loss of low-power radio stations, the Federal Communications Commission (FCC) has been examining the possibility of restoring this element of communications by licensing small operations. Over the past couple of years, the FCC has sought and received input from many individuals and groups hoping to return independent voices and local ownership to the airwaves; and

Whereas, The FCC has before it RM-9242, a proposal for rulemaking that would encourage greater participation in radio by people with traditionally less access to radio. The option of very low-power operations will give greater voice to groups not associated with radio station ownership, such as minorities, small businesses and groups, and women. Approval of this rule would do little to threaten the status of large stations and networks, yet it would open doors of communications and opportunity too long closed by technology and financial obstacles; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Federal Communications Commission to restore approval for low-power FM radio broadcasting; and be it further

Resolved, That copies of this resolution be transmitted to the Federal Communications Commission.

The concurrent resolution was referred to the Committee on Energy and Technology.

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 21, 1999, at 4:42 p.m.,

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

Absent: Reps. Ruth Johnson, Middaugh, Reeves, Schermesser,

Excused: Reps. Ruth Johnson, Middaugh, Reeves, Schermesser

Communications from State Officers

The following communication from the Auditor General was received and read:

September 17, 1999

Enclosed is a copy of the following audit report and/or executive digest:

Financial Audit of the
Transition in the Office of State Treasurer
Department of Treasury
As of January 9, 1999

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The communication was referred to the Clerk and the accompanying report referred to the Committee on House Oversight and Operations.

The following communication from the Department of Environmental Quality was received and read:

September 17, 1999

I am submitting a list of ten research projects approved for funding under the Michigan Great Lakes Protection Fund in compliance with Act 156 of the Public Acts of 1989. Section 10(1) of the Act requires that this list be submitted annually to the Legislature.

If you have any questions, please contact Mark Coscarelli at 335-4227, or you may contact me.

Sincerely,
G. Tracy Mehan, III
Director
Office of the Great Lakes
(517) 335-4056

The communication was referred to the Clerk.

Introduction of Bills

Reps. Minore, Quarles and Jamnick introduced

House Bill No. 4842, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 9 (MCL 208.9), as amended by 1998 PA 539.

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

Reps. DeWeese, Gosselin, Kuipers, Allen, Tabor and Rick Johnson introduced

House Bill No. 4843, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending sections 1 and 2a (MCL 423.201 and 423.202a), section 1 as amended by 1996 PA 543 and section 2a as added by 1994 PA 112.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Reps. Faunce, Price, Gosselin, Rick Johnson, Wojno, Woronchak, Thomas, Garcia and Middaugh introduced

House Bill No. 4844, 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 sections 2, 4, and 9 (MCL 207.552, 207.554, and 207.559), section 2 as amended by 1986 PA 66, section 4 as amended by 1995 PA 218, and section 9 as amended by 1996 PA 513.

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

Rep. Law moved that the House adjourn.

The motion prevailed, the time being 4:55 p.m.

Associate Speaker Pro Tempore Patterson declared the House adjourned until Thursday, September 23, at 12:00 Noon.

GARY RANDALL
Clerk of the House of Representatives.

