

No. 39
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Wednesday, May 5, 1999.

10:00 a.m

The Senate was called to order by the President pro tempore, Senator John J.H. Schwarz.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Bennett—present
Bullard—present
Byrum—present
Cherry—present
DeBeaussaert—present
DeGrow—present
Dingell—present
Dunaskiss—present
Emerson—present
Emmons—present
Gast—present
Goschka—present
Gougeon—present

Hammerstrom—present
Hart—present
Hoffman—present
Jaye—present
Johnson—present
Koivisto—present
Leland—present
McCotter—present
McManus—present
Miller—present
Murphy—present
North—present
Peters—present

Rogers—present
Schuette—present
Schwarz—present
Shugars—present
Sikkema—present
A. Smith—present
V. Smith—present
Steil—present
Stille—present
Van Regenmorter—present
Vaughn—present
Young—present

Senator Dale L. Shugars of the 21st District offered the following invocation:

O Heavenly Father, we thank You for the beautiful, wonderful day that we have today. Let us contemplate and think about the things that we're about to do for the citizens of Michigan.

But let us also be mindful of birthdays that we have. One of our own colleague's birthday is today, Senator Cherry. We wish him a wonderful birthday as we know You have given us a gift of life and that we should respect life. We want to thank You for that.

Heavenly Father, as we go through today, let us treat other people like we would like to be treated ourselves. Let us be mindful of our children as they go to school and do the best that they can, and that they're in safe schools and that when they come home, we spend more time with them, work with them and let them know how much we love them.

In Your name we pray. Amen.

Motions and Communications

Senator V. Smith moved that Senator Young be temporarily excused from today's session.

The motion prevailed.

Senators Leland, Cherry and Bullard entered the Senate Chamber.

Senator Rogers moved that Senators Schuette and Goschka be temporarily excused from today's session.

The motion prevailed.

Senator Schuette entered the Senate Chamber.

The following communications were received:

Office of the Auditor General

April 28, 1999

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the Cash Receipts Operations, Department of State.

April 30, 1999

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of Private College's and Universities' Enrollments, Michigan Higher Education Assistance Authority, Department of Treasury.

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

The communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, May 4:

House Bill Nos. 4479 4480 4481 4482 4483 4484 4485 4486 4487

The Secretary announced the printing and placement in the members' files on Tuesday, May 4 of:

Senate Bill Nos. 562 566 567 568 569 570 571 572

The Secretary announced the printing and placement in the members' files on Wednesday, May 5 of:

House Bill No. 4609

By unanimous consent the Senate proceeded to the order of

General Orders

Senator Rogers moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President pro tempore, Senator Schwarz, designated Senator Shugars as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Schwarz, having resumed the Chair, the Committee reported back to the Senate, favorably and with amendment, the following bill:

Senate Bill No. 529, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 2511; and to repeal acts and parts of acts.

The following is the amendment recommended by the Committee of the Whole:

1. Amend page 3, line 12, after “FOLLOWING” by inserting “IF ADEQUATE APPROPRIATIONS ARE MADE TO MICHIGAN STATE UNIVERSITY FOR THE SPECIFIC PURPOSES OF THIS SECTION”.

The Senate agreed to the amendment recommended by the Committee of the Whole and the bill as amended was placed on the order of Third Reading of Bills.

During the Committee of the Whole, Senators Young and Goschka entered the Senate Chamber.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Rogers moved that consideration of the following joint resolution and bills be postponed for today:

Senate Joint Resolution G

Senate Bill No. 287

Senate Bill No. 390

Senate Bill No. 300

House Bill No. 4345

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 198, entitled

A bill to prohibit governmental entities from requiring individuals to reside within certain geographic areas or specified distances or travel times from their place of employment as a condition of employment or promotion.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 160

Yeas—23

Bennett	Dingell	Koivisto	Schuette
Bullard	Dunaskiss	McCotter	Schwarz
Byrum	Goschka	McManus	Shugars
Cherry	Gougeon	Miller	Sikkema
DeBeaussaert	Jaye	Peters	Steil
DeGrow	Johnson	Rogers	

Nays—14

Emerson	Hoffman	Smith, A.	Van Regenmorter
Emmons	Leland	Smith, V.	Vaughn
Gast	Murphy	Stille	Young
Hammerstrom	North		

Excused—0

Not Voting—1

Hart

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Protests

Senators Emmons and V. Smith, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 198 and moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator Emmons’ statement is as follows:

I have put a letter on all your desks from the Michigan Association of Police Chiefs that asks you to vote “no” on Senate Bill No. 198, as I would urge you also.

Local people have local insights into what is necessary to provide for the safety of their constituency. They should be free to set conditions of employment that ensure that every citizen can have prompt attention when there is danger or prompt attention when there is a fire.

I also believe that these safety officers, whether they be a fireman or a policeman, are an asset to every community that they preside in by simply being there.

These are decisions to be made by local people who know their own situation. We should not interfere with their ability to look all their constituents in the face and assure that they will be safe, and if you have a fire, a fireman is going to be there quickly to help them.

This issue has been before us before, and I hope that we have a different result this time than we had last time. I trust my local people to set conditions of employment that are good for me and my family.

Senator V. Smith’s statement is as follows:

Mr. President and members, I rise to oppose passage of Senate Bill No. 198. I share the view of my colleague from the 19th District. The point that he put on the table is a very valid one that the police security and the need to make sure that the most important services that the local unit of government offers, police and fire protection, are rendered in a way that best protects the citizens of that locality. That’s best decided on the local side for the local units of government.

It’s important that local units of governments be able to negotiate these issues with their employees. I do believe this is an issue that traditionally has been bargained and negotiated, and that’s where it should be. We should not have a statewide preemption. I would hope that the body would not support a statewide preemption to allow local units of government to be able to put their best foot forward in making sure that they follow through on their most important mandate, and that is providing for protection of the citizens of their locality.

I recognize that the good Senator from the 8th District who’s put this bill in has done it because this is what he believes, and this is the way he feels. The issue that he raises is a legitimate one. People should have the right, generally, to live anywhere they want, but local units of government should also have the right in fulfilling the most basic commitment that they make to their constituencies of providing adequate police and fire protection to make sure the community is an attractive one.

So let the local units continue to negotiate this out. Let them bargain this issue. Let’s stay out of statewide preemptions on this particular issue, and I would hope that we would vote against Senate Bill No. 198.

Senator Rogers moved that he be named co-sponsor of the following bill:

Senate Bill No. 198

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 484, entitled

A bill to amend 1961 PA 120, entitled “An act to authorize the development or redevelopment of principal shopping districts of certain cities; to permit the creation of certain boards; and to authorize the collection of revenue and the bonding of certain cities for the development or redevelopment projects,” by amending the title and sections 1, 2, 3, 4, and 5 (MCL 125.981, 125.982, 125.983, 125.984, and 125.985), as amended by 1992 PA 146.

The question being on the passage of the bill,

The Assistant President pro tempore, Senator Hoffman, assumed the Chair.

Senator Jaye offered the following amendment:

1. Amend page 3, line 10, after "purchase" by striking out the comma and "gift, or condemnation" and inserting "OR GIFT".

The amendment was not adopted, a majority of the members serving not voting therefor.

Senator Emmons offered the following amendments:

1. Amend page 6, line 18, after "2." by inserting "(1)".

2. Amend page 7, following line 7, by inserting:

"(2) BEGINNING JANUARY 1, 2000, A BOND, NOTE, OR OTHER OBLIGATION ISSUED TO FINANCE A PROJECT AUTHORIZED UNDER THIS ACT SHALL MEET ALL OF THE FOLLOWING CRITERIA:

(A) THE PROCEEDS OF THE BONDS, NOTES, OR OTHER OBLIGATIONS ARE USED FOR CAPITAL EXPENDITURES, COSTS OF A RESERVE FUND SECURING THE BONDS, NOTES, OR OTHER OBLIGATIONS, AND COSTS OF ISSUING THE BONDS, NOTES, OR OTHER OBLIGATIONS. THE PROCEEDS OF THE BONDS, NOTES, OR OTHER OBLIGATIONS SHALL NOT BE USED FOR OPERATIONAL EXPENSES OF A DISTRICT.

(B) THE WEIGHTED AVERAGE MATURITY OF THE BONDS, NOTES, OR OTHER OBLIGATIONS DOES NOT EXCEED THE USEFUL LIFE OF THE CAPITAL ASSETS.

(C) THE BONDS, NOTES, OR OTHER OBLIGATIONS SHALL NOT IN WHOLE OR IN PART APPRECIATE IN PRINCIPAL AMOUNT OR BE SOLD AT A DISCOUNT OF MORE THAN 10%.

(D) IF BONDS, NOTES, OR OTHER OBLIGATIONS ARE ISSUED TO REFUND BONDS, NOTES, OR OTHER OBLIGATIONS THAT MEET THE CONDITIONS DESCRIBED IN SUBDIVISIONS (A), (B), AND (C), THE NET PRESENT VALUE OF THE PRINCIPAL AND INTEREST TO BE PAID ON THE REFUNDING BONDS, NOTES, OR OTHER OBLIGATIONS, EXCLUDING THE COST OF ISSUANCE, WILL BE LESS THAN THE NET PRESENT VALUE OF THE PRINCIPAL AND INTEREST TO BE PAID ON THE BONDS, NOTES, OR OTHER OBLIGATIONS BEING REFUNDED, AS CALCULATED USING A METHOD APPROVED BY THE DEPARTMENT OF TREASURY."

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

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 161

Yeas—36

Bennett	Emmons	Leland	Shugars
Bullard	Gast	McCotter	Sikkema
Byrum	Goschka	McManus	Smith, A.
Cherry	Gougeon	Miller	Smith, V.
DeBeaussaert	Hammerstrom	Murphy	Steil
DeGrow	Hart	North	Stille
Dingell	Hoffman	Peters	Van Regenmorter
Dunaskiss	Johnson	Schuetz	Vaughn
Emerson	Koivisto	Schwarz	Young

Nays—2

Jaye	Rogers
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Excused—0

Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

Protests

Senators Rogers and Jaye, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 484.

Senator Rogers' statement is as follows:

Although the principal shopping districts have shown some merit, there are some real problems with it. What they have done is kind of locked in industrial sites, non-shopping areas, in order to collect an additional tax. It is really not fair to those industrial sites to pay taxes to beautify shopping areas.

They have gerrymandered districts. The principal shopping district here in Lansing is suffering that very same problem. We need to make sure that these things are fair and meet the needs of their intention, which means that if it is for retail shopping, it ought to be retail shoppers who are paying for it not those companies that are not directly involved. No ifs, ands, or buts; this is an additional way to raise taxes on businesses to perform a function of government. If we are not doing it correctly and the cities are not doing it correctly, I see no reason to expand it before we fix the problem.

Senator Jaye moved that the statements he made during the discussion of his amendment be printed as his reasons for voting "no."

The motion prevailed.

Senator Jaye's first statement is as follows:

This amendment strikes out the power of condemnation from the principal shopping district committee. I support the legislation, particularly because it allows the small businesses and the family-owned businesses to collectively remain in a downtown area as opposed to being pressured by a corporate parent to locate near an expressway. However, since it is not an elected official body, I didn't want to give this private consortium the power of condemnation.

I believe the sponsor of the bill would support it, and I hope you would as well.

Senator Jaye's second statement is as follows:

Mr. Chairman and Senate colleagues, I did share this amendment with the sponsor of the bill yesterday and was informed he supported it, but now he took a second look at it and is opposed to it. I understand things change.

There is a new section to the local units of government act that we're adding called "creating principal shopping districts." This is similar to downtown development authorities or tax increment financing authorities or other sorts of quasi-public and private organizations that have been given powers to bond and powers to tax and powers to regulate, sometimes capture, various tax revenue. This amendment does not take away the power from the townships, cities or villages from condemning property. What this amendment does is it says that this new entity, which includes private businesses, should not have the power of condemnation.

There was a Supreme Court ruling that said that condemnation can be used for economic purposes. We saw the Pole Town case where General Motors, along with the city of Detroit, was able to bulldoze down people's homes, people's churches and people's small businesses. It used to be that condemnation would be strictly limited to a road or to a sewer or a bridge or a park—something for a public use. I'm offering this amendment for your consideration saying that we should not allow unelected individuals to have the power of condemnation.

When I talked to the bill drafter about it, he said, "You know, Senator Jaye, the city of Battle Creek still could condemn these people's property for a business development, and I haven't taken that out." However, I don't believe it's appropriate or prudent for any business group to be able to condemn their neighboring business' property. It could lead to an excessive empowerment during negotiations. It could lead to intimidation, and it would deteriorate private property rights where a little business might get bullied around by a couple of big businesses in these districts.

So I would hope that you would take a look at this. I want to help particularly the family auto dealers. I've got a similar situation in my district. However, I don't believe that my auto dealers or any other businesses should have the power to condemn their next door neighbors' property. That should be reserved solely for elected officials who then could be held accountable to the electorate.

The following bill was read a third time:

Senate Bill No. 537, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 22229 (MCL 333.22229), as amended by 1993 PA 88.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 162**Yeas—26**

Bennett	Goschka	Leland	Schwarz
Bullard	Gougeon	McCotter	Shugars
DeGrow	Hammerstrom	McManus	Sikkema
Dingell	Hoffman	North	Steil
Dunaskiss	Jaye	Rogers	Stille
Emmons	Johnson	Schuette	Van Regenmorter
Gast	Koivisto		

Nays—11

Byrum	Emerson	Peters	Vaughn
Cherry	Hart	Smith, A.	Young
DeBeaussaert	Murphy	Smith, V.	

Excused—0**Not Voting—1**

Miller

In The Chair: Hoffman

The Senate agreed to the title of the bill.

By unanimous consent the Senate returned to the order of

General Orders

Senator Rogers moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the Assistant President pro tempore, Senator Hoffman, designated Senator Shugars as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Schwarz, having resumed the Chair, the Committee reported back to the Senate, favorably and with a substitute therefor, the following bill:

House Bill No. 4103, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8401 (MCL 600.8401), as amended by 1991 PA 192.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with amendments, the following bill:

Senate Bill No. 546, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 90g. The following are the amendments recommended by the Committee of the Whole:

1. Amend page 2, line 12, by striking out all of the subsection (4) and inserting:

"(4) IT IS NOT A VIOLATION OF SUBSECTION (3) IF A PHYSICIAN TAKES MEASURES, AT ANY POINT AFTER A LIVE INFANT IS PARTIALLY OUTSIDE THE MOTHER'S BODY, THAT IN THE PHYSICIAN'S

REASONABLE MEDICAL JUDGEMENT ARE NECESSARY TO SAVE THE LIFE OF THE MOTHER AND IF EVERY REASONABLE PRECAUTION IS ALSO TAKEN TO SAVE THE LIVE INFANT'S LIFE.”.

2. Amend page 2, line 22, after “AND” and by striking out “THAT”.

3. Amend page 3, following line 6, by inserting:

“Enacting section 1. This amendatory act takes effect October 1, 1999.”.

The Senate agreed to the amendments recommended by the Committee of the Whole and the bill as amended was placed on the order of Third Reading of Bills.

Resolutions

The question was placed on the adoption of the following resolution consent calendar:

Senate Resolution No. 54

The resolution consent calendar was adopted.

Senator Schwarz offered the following resolution:

Senate Resolution No. 54.

A resolution honoring Nicole Johnson, Miss America 1999.

Whereas, The members of the Michigan Senate offer this resolution to extend our most gracious welcome to Nicole Johnson, Miss America 1999, on her visit to the state of Michigan and the Michigan Senate; and

Whereas, A native of Virginia Beach, Virginia, Nicole Johnson earned a bachelor of arts degree in English from the University of South Florida, a master's degree in journalism from Regent University, and will pursue a doctorate in journalism and a career in professional journalism; and

Whereas, Nicole Johnson was crowned Miss America 1999 and has adopted the issue of diabetes awareness as her platform, a very personal issue as she is a diabetic. She knows firsthand that there is a great need for education, funding, and legislative support so those who are diabetics can effectively manage their disease and live productive lives. The large number of undiagnosed diabetics must be educated about the symptoms of diabetes and should be encouraged to undergo diabetes screening; and

Whereas, Nicole Johnson has served as a national celebrity spokesperson and advocate for the Juvenile Diabetes Foundation International and the American Diabetes Association, where she is also on the Board of Directors, and has lobbied the U.S. Congress for increased funding for diabetes research. Additionally, she has worked on the successful passage of diabetes-related legislation in her homestate of Virginia; and

Whereas, As an advocate for diabetes issues, Nicole Johnson has traveled to other states in support of their initiatives to increase education, funding, and support for diabetes and to inform audiences about the critical need to make early detection screening, prevention, and the search for a cure national priorities; and

Whereas, The Michigan Senate just recently passed legislation that would aid over 370,000 diabetic Michigan residents in their daily struggle with diabetes; and

Whereas, We thank Nicole Johnson, Miss America 1999, for her activism on this important health concern and for her service to help inform and educate others about diabetes; now, therefore, be it

Resolved by the Senate, That a unanimous accolade of tribute be hereby accorded to Nicole Johnson, welcoming her to Michigan and the Michigan Senate on her visit as Miss America 1999, and to lend our support to her efforts on behalf of diabetes; and be it further

Resolved, That a copy of this resolution be transmitted to Nicole Johnson as an expression of our high esteem for her work and service, especially in the area of diabetes advocacy, as Miss America 1999. May her work inspire others to take up this worthy and vital cause.

Senator Rogers moved that rule 3.204 be suspended to name the entire membership of the Senate and the Lieutenant Governor as co-sponsors of the resolution.

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

House Concurrent Resolution No. 27.

A concurrent resolution to memorialize the Congress of the United States to investigate the issue of apple juice concentrate from other countries being sold in the American market at prices below cost.

Whereas, The production of apple juice concentrate is an important component of Michigan's agricultural bounty. Michigan, which is traditionally the third largest apple-growing state, is the nation's top apple-processing state. This record of consistency has been achieved in the face of many uncertain times in farming, including wild swings in our Midwestern weather; and

Whereas, In recent years, however, our apple growers and processors have come to face even more serious threats from foreign sources of apple juice concentrate selling their products in this country at artificially low costs. From an average imported price of apple juice concentrate of \$10 per gallon in 1995, the price has fallen by fifty percent. This is far below the break-even point for American growers. Coupled with the erosion of export opportunities due to the troubled economies in the Asian markets, Michigan apple growers and those in other states face severe threats to their livelihood; and

Whereas, The opening up of markets that has taken place in the past few years has brought many benefits. However, there can be situations in which the removal of restrictions on trade offers the chance for abuses. When a country, for whatever purpose, encourages certain activities by helping a specific industry gain an unfair advantage through below-cost prices, steps need to be taken to ensure the viability of American economic and social interests. The United States Department of Agriculture has taken steps to assist certain American farmers on a number of occasions. The possibility of apple juice concentrate being “dumped” on the American market is a situation that demands immediate attention and thorough study; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to investigate the issue of apple juice concentrate from other countries being sold in the American market at prices below cost; 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 House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator Rogers moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Rogers moved that the concurrent resolution be referred to the Committee on Farming, Agribusiness and Food Systems.

The motion prevailed.

Senators Hoffman and Young were named co-sponsors of the concurrent resolution.

Senate Concurrent Resolution No. 12.

A concurrent resolution to express support for efforts to increase public awareness of the severe health risks related to obesity and to encourage people to make responsible lifestyle changes, and commemorate July 1999 as Obesity Awareness Month.

(For text of resolution, see Senate Journal No. 34, p. 509.)

The House of Representatives has adopted the concurrent resolution and named Reps. LaForge, Thomas, Kelly, DeHart, Vaughn, Raczkowski, Clarke, Sanborn, Bisbee, Kilpatrick, Jansen, Richardville, Garcia, Scott, Woodward, Vander Roest, Vear, Rocca, Julian, DeRossett, Voorhees, DeVuyst, Hardman, Bogardus, Jamnick, Schauer, Ehardt, Kowall, Hale, Brater, Rison, Quarles and Dennis as co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of
Statements

Senators Miller and Shugars asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Miller’s statement is as follows:

This is a special day for me. I had the privilege a year ago to recommend to the body a young woman to be a Page in this august body, and today is her last day. We look back and wonder where all the time went, but she’s been a very, very proud appointment and recommendation. I wanted the body to recognize this young woman who also, Mr. President, is completing her studies at Michigan State University this week. In fact, she took her last exam this morning.

I think she has a brilliant career in her future, and she comes from a great family. I’m very, very proud that I had the privilege to recommend her to this body.

I’d like the rest of the Senate to recognize Katherine Sperti who’s seated in the back.

Senator Shugars’ statement is as follows:

I would like to make some comments and, hopefully, in the next few months my colleagues can look at the certificate of need statute and listen to more than just the special interest groups who want to protect their franchises and limit access for patients in health care.

As we noticed earlier today, Senate Bill No. 537 dealt with a specific issue with a nursing home relocation within a community of less than 2.8 miles. It's something that isn't going to escalate health care costs, but it is going to improve access and quality. I know that a number of my colleagues voted "no" on that, and I hope that as we review the certificate of need that they consider and look for the access and quality of health care for our patients because there are a number of issues that we hear that patients do not have access to some of the health care technology in their location as they should have.

As some of my colleagues have talked about it, some of the equipment that hospitals or clinics don't have, as far as MRIs and some of the other instruments, is almost short of malpractice if they can't get it because of some of the limitations of the certificate of need.

So I urge my colleagues to start brushing up on the statute.

By unanimous consent the Senate proceeded to the order of

Motions and Communications

Pursuant to rule 3.203, the Majority Leader made the following committee reassignment:

House Concurrent Resolution No. 34

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

Introduction and Referral of Bills

Senators Rogers, Hammerstrom, Bullard, Schuette, Steil, North, Gougeon, McManus, Sikkema, McCotter, Stille, Schwarz and Hoffman introduced

Senate Bill No. 573, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending sections 37c and 37d (MCL 208.37c and 208.37d), as amended by 1996 PA 470.

The bill was read a first and second time by title and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

Senators Koivisto, Dunaskiss, Dingell, Peters, Miller, V. Smith, Vaughn, Young, Murphy, Leland, Gougeon, Bennett, Jaye and Shugars introduced

Senate Bill No. 574, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 658 (MCL 257.658), as amended by 1984 PA 328.

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

House Bill No. 4479, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 401h.

The House of Representatives has passed the bill.

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

House Bill No. 4480, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21053f.

The House of Representatives has passed the bill.

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

House Bill No. 4481, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406o.

The House of Representatives has passed the bill.

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

House Bill No. 4482, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 401g.

The House of Representatives has passed the bill.

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

House Bill No. 4483, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406n.

The House of Representatives has passed the bill.

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

House Bill No. 4484, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21053e.

The House of Representatives has passed the bill.

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

House Bill No. 4485, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 402c.

The House of Representatives has passed the bill.

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

House Bill No. 4486, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21052b.

The House of Representatives has passed the bill.

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

House Bill No. 4487, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2212b.

The House of Representatives has passed the bill.

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

Committee Reports

The Committee on Finance reported

Senate Bill No. 195, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 39 (MCL 211.39).

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Joanne Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 396, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4s. With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Joanne Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 466, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4r. With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Joanne Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 467, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4p. With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Joanne Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 544, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4g (MCL 205.54g), as amended by 1998 PA 60, and by adding section 4r.

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

The committee further recommends that the bill be given immediate effect.

Joanne Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Finance reported

Senate Bill No. 545, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4k (MCL 205.94k), as amended by 1996 PA 477.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Joanne Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 4020, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 39 (MCL 211.39).

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Joanne Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Hammerstrom, Peters and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submits the following:

Meeting held on Tuesday, May 4, 1999, at 1:05 p.m., 8th Floor Conference Room, Farnum Building

Present: Senators Emmons (C), Bullard, Hammerstrom, Peters and Dingell

The Committee on Health Policy reported

House Bill No. 4019, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7216 (MCL 333.7216).

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

1. Amend page 5, following line 11, by inserting:

"Enacting section 1. This amendatory act takes effect August 15, 1999."

The committee further recommends that the bill be given immediate effect.

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Hammerstrom, Schwarz and Murphy

Nays: None

The bill and the amendment recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submits the following:

Meeting held on Tuesday, May 4, 1999, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Shugars (C), Hammerstrom, Schwarz and Murphy

Excused: Senator Byrum

Scheduled Meetings

Agriculture Preservation Task Force (SR 52) - Friday, May 21, at 9:00 a.m., Lowell Township Hall, 2910 Alden Nash, Lowell Township; Monday, May 24, at 1:00 p.m., Oaklane Golf Course Conference Room, 800 N. Main Street, Webberville; Friday, June 18, at 1:00 p.m., Marlette Middle School Media Center, 6230 Euclid Street, Marlette; and Tuesday, June 29, at 11:00 a.m., Michigan State University Livestock Pavilion, East Lansing (3-1725).

Government Operations Committee - Thursday, May 6, at 1:00 p.m., Room 110, Farnum Building (3-1758).
(CANCELED)

Higher Education Appropriations Subcommittee - Thursday, May 13, at 1:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-3447).

Hunting, Fishing and Forestry Committee - Thursday, May 6, at 2:30 p.m., Room 110, Farnum Building (3-7670).

Senator Rogers moved that the Senate adjourn.
The motion prevailed, the time being 11:23 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Thursday, May 6, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.