

No. 76
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, November 2, 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—excused
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 George Z. Hart of the 6th District offered the following invocation:

Our Father, who art in heaven, we give You praise and thanks for giving us this opportunity to come together in the true spirit of public service.

As an Armenian-American, it is incumbent upon me to ask that we pray this morning for the victims, the families, and the relatives of the tragedy of recent events that took place in the Armenian Parliament on October 27, 1999.

Let us also pray for the victims and the families of EgyptAir Flight 990. Let us pray for the suffering, the dying, those mourning or grieving, and all who need God's mercy.

Bless us all. In the Lord's name we pray. Amen

Senator Leland entered the Senate Chamber.

Motions and Communications

Senator V. Smith moved that Senator Murphy be temporarily excused from today's session.
The motion prevailed.

Senator V. Smith moved that Senator Cherry be excused from today's session.
The motion prevailed.

Senator Miller entered the Senate Chamber.

Senator Rogers moved that Senator Bullard be temporarily excused from today's session.
The motion prevailed.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, October 28:
House Bill Nos. 4007 4008 4456 4812 4852

The Secretary announced that the following House bills were received in the Senate and filed on Friday, October 29:
House Bill Nos. 4927 4928 4929 4930 4931 4932

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, October 28, for his approval the following bills:

Enrolled Senate Bill No. 513 at 1:37 p.m.

Enrolled Senate Bill No. 514 at 1:39 p.m.

The Secretary announced the printing and placement in the members' files on Thursday, October 28 of:

Senate Bill Nos.	848	849	850	851	852	853	854							
House Bill Nos.	5025	5026	5027	5028	5029	5030	5031	5032	5033	5034	5035	5036	5037	5038
	5039	5040	5041	5042	5043	5044	5045	5046	5047	5048	5049	5050	5051	5052
	5053	5054	5055	5056	5057	5058	5059	5060	5061	5062	5063	5064	5065	5066

The Secretary announced the printing and placement in the members' files on Friday, October 29 of:

Senate Bill Nos. 855 856 857 858 859 860 861

House Bill Nos. 5067 5068

The Secretary announced the printing and placement in the members' files on Monday, November 1 of:

Senate Bill Nos. 862 863 864 865 866 867

Messages from the Governor

The following messages from the Governor were received:

Date: November 1, 1999

Time: 10:10 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 485 (Public Act No. 146), being

An act bill to amend 1943 PA 202, entitled "An act relative to the borrowing of money by municipalities, and the issuance of bonds, notes, and certificates of indebtedness; to provide for tax levies and sinking funds; to create the municipal finance commission, and to prescribe its powers and duties; to prescribe powers and duties of the department

of treasury and the state treasurer and of the department of education and the superintendent of public instruction; to impose certain duties, requirements, and filing fees upon political subdivisions of this state; to provide for prior approval of the issuance of municipal obligations and for the issuance of municipal obligations without prior approval upon the existence or occurrence of certain conditions; to provide certain powers to the department of treasury and the department of education to aid municipalities in default of the payment of an obligation to develop and implement refinancing plans; to authorize the issuance of obligations to pay premiums or to establish funds to self-insure for losses; to prescribe penalties; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 1b of chapter VII (MCL 137.1b), as amended by 1982 PA 469.

(Filed with the Secretary of State on November 1, 1999, at 10:47 a.m.)

Date: November 1, 1999
Time: 10:20 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 419 (Public Act No. 147), being

An act to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," by amending section 2963 (MCL 600.2963), as added by 1996 PA 555, and by adding chapter 55.

(Filed with the Secretary of State on November 1, 1999, at 10:49 a.m.)

Date: November 1, 1999
Time: 10:22 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 500 (Public Act No. 148), being

An act to amend 1893 PA 118, entitled "An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith," by amending section 33 (MCL 800.33), as amended by 1994 PA 218.

(Filed with the Secretary of State on November 1, 1999, at 10:51 a.m.)

Respectfully,
John Engler
Governor

The following message from the Governor was received and read:

November 1, 1999

There is herewith presented for consideration and confirmation by the Senate, the following reappointment to office:

Commission on Services to the Aging

Ms. Christina L. Clark, 3809 Wilder Road, Metamora, Michigan 48455, county of Lapeer, as a member representing Republicans, succeeding herself, for a term expiring on July 28, 2002.

Sincerely,
John Engler
Governor

The appointment was referred to the Committee on Government Operations.

Senator Bullard entered the Senate Chamber.

Messages from the House

Senate Bill No. 463, entitled

A bill to amend 1972 PA 230, entitled "State construction code act of 1972," by amending the title and sections 2, 7, 8, 10, and 22 (MCL 125.1502, 125.1507, 125.1508, 125.1510, and 125.1522), the title as amended by 1995 PA 270, section 2 as amended by 1998 PA 42, section 8 as amended by 1994 PA 128, section 10 as amended by 1989 PA 135, and section 22 as amended by 1980 PA 371, and by adding sections 2a, 3a, 8a, 8b, 9b, and 13d; and to repeal acts and parts of acts.

Substitute (H-2).

The question being on concurring on the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

Roll Call No. 559**Yeas—16**

Byrum	Goschka	Koivisto	Smith, A.
DeBeaussaert	Hart	Leland	Smith, V.
Dingell	Hoffman	Miller	Vaughn
Emerson	Jaye	Peters	Young

Nays—20

Bennett	Gast	McManus	Shugars
Bullard	Gougeon	North	Sikkema
DeGrow	Hammerstrom	Rogers	Steil
Dunaskiss	Johnson	Schuette	Stille
Emmons	McCotter	Schwarz	Van Regenmorter

Excused—2

Cherry	Murphy
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Not Voting—0

In The Chair: Schwarz

Senate Bill No. 430, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 316 (MCL 750.316), as amended by 1996 PA 21.

(For text of amendment, see Senate Journal No. 75, p.1604.)

The question being on concurring in the amendment made to the bill by the House,

The amendment was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 560**Yeas—36**

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

Nays—0

Excused—2

Cherry

Murphy

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the full title.

The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 106, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 535a (MCL 750.535a), as amended by 1988 PA 140.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2) and pursuant to Joint Rule 20, inserted the full title.

Pursuant to rule 3.202, the bill was laid over one day.

Senate Bill No. 288, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16z of chapter XVII (MCL 777.16z), as added by 1998 PA 317.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2) and pursuant to Joint Rule 20, inserted the full title.

Pursuant to rule 3.202, the bill was laid over one day.

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 amended the Senate substitute (S-1) as follows:

1. Amend page 2, following line 18, by inserting:

"(D) IF A MEMBER IS DIAGNOSED WITH CANCER PRIOR TO A PHYSICIAN'S TERMINATION OR KNOWLEDGE OF THE TERMINATION AND THE PHYSICIAN WAS TREATING THE CANCER BEFORE THE DATE OF TERMINATION OR KNOWLEDGE OF THE TERMINATION, FOR THE REMAINDER OF THE MEMBER'S LIFE FOR CARE DIRECTLY RELATED TO THE TREATMENT OF THAT CANCER.

(E) IF A MEMBER IS 65 YEARS OLD OR OLDER, FOR THE REMAINDER OF THE MEMBER'S LIFE."

The House of Representatives has concurred in the Senate substitute (S-1) as amended.

Pursuant to rule 3.202, the bill was laid over one day.

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 amended the Senate substitute (S-1) as follows:

1. Amend page 2, line 10, after "IS" by striking out the balance of the line through "PREGNANCY" on line 11 and inserting "PREGNANT".

2. Amend page 2, following line 18, by inserting:

"(D) IF AN ENROLLEE IS DIAGNOSED WITH CANCER PRIOR TO A PHYSICIAN'S TERMINATION OR KNOWLEDGE OF THE TERMINATION AND THE PHYSICIAN WAS TREATING THE CANCER BEFORE THE DATE OF TERMINATION OR KNOWLEDGE OF THE TERMINATION, FOR THE REMAINDER OF THE ENROLLEE'S LIFE FOR CARE DIRECTLY RELATED TO THE TREATMENT OF THAT CANCER.

(E) IF AN ENROLLEE IS 65 YEARS OLD OR OLDER, FOR THE REMAINDER OF THE ENROLLEE'S LIFE.”
 3. Amend page 3, line 22, after “PHYSICIAN” by inserting “OR A MENTAL HEALTH PROFESSIONAL”.
 The House of Representatives has concurred in the Senate substitute (S-1) as amended.
 Pursuant to rule 3.202, the bill was laid over one day.

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 amended the Senate substitute (S-1) as follows:

1. Amend page 2, following line 18, by inserting:

“(D) IF AN INSURED IS DIAGNOSED WITH CANCER PRIOR TO A PHYSICIAN'S TERMINATION OR KNOWLEDGE OF THE TERMINATION AND THE PHYSICIAN WAS TREATING THE CANCER BEFORE THE DATE OF TERMINATION OR KNOWLEDGE OF THE TERMINATION, FOR THE REMAINDER OF THE INSURED'S LIFE FOR CARE DIRECTLY RELATED TO THE TREATMENT OF THAT CANCER.

(E) IF AN INSURED IS 65 YEARS OLD OR OLDER, FOR THE REMAINDER OF THE INSURED'S LIFE.”

The House of Representatives has concurred in the Senate substitute (S-1) as amended.
 Pursuant to rule 3.202, the bill was laid over one day.

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 Johnson as Chairperson.

After some time spent therein, the Committee arose; and, the President, Lieutenant Governor Posthumus, having assumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

Senate Bill No. 657, entitled

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

House Bill No. 4632, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 15b (MCL 247.665b), as added by 1997 PA 79.

The bills were placed on the order of Third Reading of Bills.

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

Senate Bill No. 755, entitled

A bill to amend 1970 PA 29, entitled "An act relating to potatoes; to create a potato commission; to prescribe its powers and duties and authority; to impose an assessment on the privilege of introducing potatoes into the channels of trade and commerce; to provide for the collection of the assessment; to provide for penalties; and to repeal certain acts and parts of acts," by amending section 2 (MCL 290.422), as amended by 1992 PA 135.

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

1. Amend page 3, line 4, after "years." by striking out the balance of the line through "years." on line 7.

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.

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

Senate Bill No. 581, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 717 (MCL 257.717), as amended by 1992 PA 257.

Substitute (S-2).

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 a substitute therefor, the following bill:

Senate Bill No. 378, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 174a. Substitute (S-1).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 2, line 18, after "ASSUMED" by inserting "RESPONSIBILITY FOR".
2. Amend page 3, line 1, after "DISABILITY," by inserting "WHETHER OR NOT DETERMINED BY A COURT TO BE AN INCAPACITATED INDIVIDUAL OF PROTECTION,".
3. Amend page 3, following line 5, by inserting:

"Enacting section 1. This amendatory act takes effect 90 days after the date this amendatory act is enacted."

The Senate agreed to the substitute, as amended, 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 a substitute therefor, the following bill:

Senate Bill No. 597, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as added by 1998 PA 317.

Substitute (S-1).

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

1. Amend page 2, following line 28, by inserting:

"Enacting section 1. This amendatory act takes effect 90 days after the date this amendatory act is enacted." and renumbering the remaining enacting section.

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

During the Committee of the Whole, Senator Murphy entered the Senate Chamber.

Resolutions

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

Senate Resolution No. 95

The resolution consent calendar was adopted.

Senators Schwarz and Rogers offered the following resolution:

Senate Resolution No. 95.

A resolution commemorating November 1999 as Respiratory Syncytial Virus (RSV) Awareness Month.

Whereas, Michigan's children are the state's future, and our primary challenge is to lay a solid foundation to enable our children to become healthy, responsible, and productive citizens; and

Whereas, The earliest years of a child's life have a decisive, long-lasting impact on a child's development; and

Whereas, A major cause of illness in infants and children under the age of 24 months is respiratory syncytial virus (RSV), especially in those children with a chronic lung condition or a history of premature birth (less than 35 weeks gestation); and

Whereas, Each year in the United States, more than 90,000 children are hospitalized due to RSV infection, and about 2 percent of these children die; and

Whereas, Over 10,000 children in the state of Michigan under the age of 2 meet the guidelines established by the American Academy of Pediatrics for the administration of preventative medications to combat the onset of RSV in this susceptible population; and

Whereas, Despite the growing awareness of the impact of RSV infection on infant health, many infants and at-risk children still do not receive or do not have access to appropriate standards of care to guard against RSV, and remain unnecessarily vulnerable to infection. Less than 7 percent of Michigan's children who are at-risk for the development of RSV received their preventative medications; and

Whereas, To ensure the best health outcomes and to control overall healthcare costs, physicians should have maximum access to prescription medicines to treat this vulnerable population. These medicines not only save lives—they save costs by reducing the need for more expensive therapy such as hospitalization and additional doctor visits; and

Whereas, Most health insurance plans nationwide provide comprehensive access to and coverage for health care for those infants and children susceptible to RSV. We encourage our Michigan insurers to provide that same vital benefit to our state's children and infants who are at-risk for contracting RSV; and

Whereas, This is an issue involving a critical health benefit and coverage in the state of Michigan to keep thousands of children out of the hospital; now, therefore, be it

Resolved by the Senate, That November 1999 be recognized as Respiratory Syncytial Virus (RSV) Awareness Month in Michigan; and be it further

Resolved, That the Michigan Senate encourage all health insurance plans in Michigan to provide comprehensive access to and coverage for all FDA-approved standards of care therapies in order to ensure the best possible outcomes for Michigan's children at risk for this serious disease, including those children younger than 24 months of age with chronic lung disease or a history of premature birth (less than 35 weeks of gestation).

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

Senate Concurrent Resolution No. 25.

A concurrent resolution to urge the National Collegiate Athletic Association to respect the education standards of the state of Michigan with regard to Jason Richardson, a student at Michigan State University.

(For text of resolution, see Senate Journal No. 74, p. 1589.)

The House of Representatives has adopted the concurrent resolution and named Reps. Birkholz, Pappageorge, Ehardt, Faunce, Hardman, Kowall, Sheltroun, Julian, Jellema, Jansen, Raczkowski, Lemmons and Perricone 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

Senator Miller asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Miller's statement is as follows:

Mr. President, we're living in an economy now where we have many mergers and buyouts. Some of them are very good for stockholders, and some bring sad consequences meaning that people lose their jobs and have to look for other employment. It came to my attention about two weeks ago. We have two of the major utility companies in southeast Michigan and in Michigan. They are very, very successful companies. I'm talking about Mich Con, and I'm talking about Detroit Edison—two great companies who have supplied energy, electric and gas services to millions of people across Michigan, especially in southeast Michigan.

What I'm concerned about is that in my tenure here in the Michigan Senate we have passed a lot of legislation dealing with rates and dealing with protecting consumers in cold month shut-offs. What came to my attention, Mr. President, is it's really, really a ripoff for the ratepayers and stockholders—and my concern is not only the stockholders—but the ratepayers, who are the millions of customers Detroit Edison has—2.1 million customers and Mich Con has 1.2 million customers.

Now last year we talked about a very, very important piece of legislation before we ended our session. We discussed the deregulation of the utilities here. I've always been one who has supported the progress of these utilities. I'm just so concerned about this merger, not only for my consumers, but I think also for the stockholders, because of what happened here, Mr. President, is you had two Michigan companies that came before the Public Service Commission always pleading they needed a rate increase. Now we have them where they're so successful and complain that there is no relief for the ratepayers, that they found the gall, if you want to use that term, that they gave their executives in this merger close to \$30 million in severance pay and golden parachutes.

Now I think that's really, really absurd when I have thousands of senior citizens who worry now when cold weather is coming that they cannot meet their monthly utility bills. Here we have companies who are merging and have a monopolistic enterprise, but yet, they have the nerve to find close to \$30 million to spread out to their executives. Yet when the ratepayer makes that monthly bill, there is no decrease in his or her electric bill or gas bill. I think that the Attorney General of this state should investigate this merger. I think that it's a merger that affects millions of people. Like I told you, 3.3 million Michigan residents are affected by these rates.

In conclusion, I've asked the Service Bureau to draft a resolution putting together the questioning of this merger. I think we have debated here and in committees the need for deregulation. I see why I've always been a supporter of utilities because they provided a great service here in Michigan. But yet, now I have many, many senior citizens and many, many thousands of consumers who are concerned about it that I don't want to see this \$30 million severance package dished out without any relief for the ratepayers.

The President pro tempore, Senator Schwarz, resumed the Chair.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators Murphy, Hart, V. Smith, Peters, Miller, A. Smith, Leland, Emerson and Dingell introduced
Senate Bill No. 868, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 10 (MCL 125.2690), as amended by 1999 PA 36.

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 Murphy, Hart, V. Smith, Peters, Miller, Leland, Emerson, A. Smith and Dingell introduced
Senate Bill No. 869, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending section 8 (MCL 207.808).

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 Murphy, Byrum, Hart, Hammerstrom, Peters, Miller, A. Smith, Leland, Emerson and Dingell introduced
Senate Bill No. 870, entitled

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

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

Senators Murphy, Byrum, Hart, V. Smith, Schwarz, McManus, Peters, Miller, A. Smith, Leland, Emerson, Dingell and Goschka introduced

Senate Bill No. 871, entitled

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

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

Senators Murphy, Byrum, Hart, V. Smith, Schwarz, McManus, Peters, Miller, A. Smith, Leland, Emerson, Dingell and Goschka introduced

Senate Bill No. 872, entitled

A bill to amend 1956 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding sections 416b, 416c, and 416d.

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

Senators Murphy, Byrum, Hart, V. Smith, Schwarz, McManus, Peters, Miller, A. Smith, Leland, Emerson, Dingell and Goschka introduced

Senate Bill No. 873, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 9163, 21053e, 21053f, and 21053g.

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

Senators Murphy, Byrum, Hart, Hammerstrom, Peters, Miller, A. Smith, Leland, Emerson and Dingell introduced

Senate Bill No. 874, 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 416e.

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

Senators Murphy, Byrum, Hart, Hammerstrom, Peters, Miller, A. Smith, Leland, Emerson and Dingell introduced

Senate Bill No. 875, 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 bill was read a first and second time by title and referred to the Committee on Health Policy.

Senators Hoffman, Gast, North and Goschka introduced

Senate Bill No. 876, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8801 (MCL 600.8801), as amended by 1996 PA 211.

The bill was read a first and second time by title and referred to the Committee on Natural Resources and Environmental Affairs.

Senators Hammerstrom, Steil and North introduced

Senate Bill No. 877, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending the title and sections 5, 7, 7a, 8, 24, 25, 33, 36, 40, 41a, 42, 44, 45, 46, 47, 48, 52, 53, 55, 56, 57, 58, and 59 (MCL 24.205, 24.207, 24.207a, 24.208, 24.224, 24.225, 24.233, 24.236, 24.240, 24.241a, 24.242, 24.244, 24.245, 24.246, 24.247, 24.248, 24.252, 24.253, 24.255, 24.256, 24.257, 24.258, and 24.259), the title as amended by 1993 PA 7, sections 5, 24, 52, and 56 as amended by 1982 PA 413, section 7 as amended by 1996 PA 489, sections 7a, 40, and 53 as added by 1984 PA 273, sections 8 and 57 as amended by 1988 PA 333, sections 42, 44, 45, and 46 as amended by 1993 PA 141, sections 48, 55, and 58 as amended by 1986 PA 292, and section 59 as amended by 1995 PA 178, and by adding sections 28, 34, 39, 39a, 45a, and 54.

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

Senators Steil, Hammerstrom and North introduced

Senate Bill No. 878, entitled

A bill to amend 1970 PA 193, entitled "An act to provide for the compilation of the general laws of this state and the compilation and revision of state administrative rules; and to prescribe the functions of the legislative council relative thereto," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, and 8 (MCL 8.41, 8.42, 8.43, 8.44, 8.45, 8.46, 8.47, and 8.48).

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

Senators North, Hammerstrom and Steil introduced

Senate Bill No. 879, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," by amending sections 201, 202, and 203 (MCL 4.1201, 4.1202, and 4.1203), section 203 as amended by 1999 PA 101.

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

House Bill No. 4007, entitled

A bill to amend 1974 PA 369, entitled "An act to regulate the business of conducting a driver training school; to require licenses in relation thereto; to prescribe certain fees; to prescribe the powers and duties of certain persons and state departments; and to prescribe remedies and penalties," by amending sections 5 and 5b (MCL 256.605 and 256.605b), section 5 as amended and section 5b as added by 1998 PA 11.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4008, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 208b (MCL 257.208b), as amended by 1998 PA 329.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4456, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 115p.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Families, Mental Health and Human Services.

House Bill No. 4812, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 268.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4852, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 267.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4927, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8379 (MCL 600.8379), as amended by 1990 PA 54.

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 Transportation and Tourism.

House Bill No. 4928, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 909 (MCL 257.909).

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 Transportation and Tourism.

House Bill No. 4929, entitled

A bill to amend 1956 PA 62, entitled "An act to authorize the director of the department of state police to promulgate a uniform traffic code; to authorize a city, township, or village to adopt the uniform traffic code by reference without publication in full; and to prescribe criminal penalties and civil sanctions for violation of the code," (MCL 257.951 to 257.954) by adding section 5.

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 Transportation and Tourism.

House Bill No. 4930, entitled

A bill to amend 1933 PA 254, entitled "The motor carrier act," by amending section 18 of article V (MCL 479.18), as amended by 1988 PA 355.

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 Transportation and Tourism.

House Bill No. 4931, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 605 and 716 (MCL 257.605 and 257.716), section 605 as amended by 1999 PA 73 and section 716 as amended by 1998 PA 427.

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 Transportation and Tourism.

House Bill No. 4932, entitled

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending sections 7, 7b, 7c, and 11 (MCL 480.17, 480.17b, 480.17c, and 480.21), sections 7 and 11 as amended and section 7c as added by 1995 PA 265 and section 7b as amended by 1990 PA 339.

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 Transportation and Tourism.

Committee Reports

The Committee on Judiciary reported

Senate Bill No. 831, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 23 (MCL 78.23), as amended by 1982 PA 373.

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.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, Bullard, 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 Judiciary reported

Senate Bill No. 832, entitled

A bill to amend 1945 PA 246, entitled "An act to authorize township boards to adopt ordinances and regulations to secure the public health, safety and general welfare; to provide for the establishment of a township police department; to provide for policing of townships by certain law enforcement officers and agencies; to provide for the publication of ordinances; to prescribe powers and duties of township boards and certain local and state officers and agencies; to provide sanctions; and to repeal all acts and parts of acts in conflict with the act," by amending sections 1, 4, and 5 (MCL 41.181, 41.184, and 41.185), section 1 as amended by 1994 PA 315, section 4 as amended by 1994 PA 14, and section 5 as added by 1989 PA 78.

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.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, 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 Judiciary reported

Senate Bill No. 833, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 4 of chapter VI (MCL 66.4), as amended by 1998 PA 255.

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.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Peters, V. Smith and Dingell

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 834, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 3 (MCL 117.3), as amended by 1993 PA 207.

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.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Peters, V. Smith and Dingell

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 838, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 227g.

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.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Peters, V. Smith and Dingell

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 839, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16m of chapter XVII (MCL 777.16m), as added by 1998 PA 317.

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.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Peters, V. Smith and Dingell

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 855, entitled

A bill to amend 1925 PA 289, entitled "An act to create a bureau of criminal identification and records within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties for violation of this act," by amending section 3 (MCL 28.243), as amended by 1999 PA 77.

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.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Peters, V. Smith and Dingell

Nays: None

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

The Committee on Judiciary reported

Senate Bill No. 856, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 219, 222, 233, 240, 319, 605, and 904d (MCL 257.219, 257.222, 257.233, 257.240, 257.319, 257.605, and 257.904d), sections 219, 233, and 605 as amended by 1999 PA 73, section 222 as amended by 1993 PA 300, section 319 as amended by 1999 PA 118, and section 904d as amended by 1999 PA 51.

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.

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Peters, V. Smith and Dingell

Nays: None

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

The Committee on Judiciary reported

House Bill No. 4656, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as added by 1998 PA 317.

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

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard and Dingell

Nays: Senators Peters and V. Smith

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

COMMITTEE ATTENDANCE REPORT

The Joint Committee on Administrative Rules submits the following:

Meeting held on Thursday, October 28, 1999, at 8:30 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Hart and Murphy

Absent: Senators Hammerstrom (C), Steil and Van Regenmorter

Scheduled Meetings

Banking and Financial Institutions Committee - Thursday, November 4, at 2:30 p.m., Room 210, Farnum Building (3-1801).

Education Committee - Wednesday, November 3, at 3:00 p.m., Room 810, Farnum Building (3-7350).

Families, Mental Health and Human Services Committee - Wednesday, November 3, at 3:00 p.m., Room 100, Farnum Building (3-3543).

Families, Mental Health and Human Services Committee and Family Independence Agency Appropriations Subcommittee (Joint meeting with House Family and Children Services Committee and House Appropriations Subcommittee on Family Independence Agency) - Thursday, November 4, at 8:30 a.m., House Appropriations Room, 3rd Floor, Capitol Building (3-3543/3-1760).

Farming, Agribusiness and Food Systems Committee - Wednesday, November 3, at 1:30 p.m., Room 405, Capitol Building (3-1725).

Government Operations Committee - Thursday, November 4, at 1:00 p.m., Room 405, Capitol Building (3-1707).

Financial Services Committee - Wednesday, November 3, at 9:30 a.m., Room 110, Farnum Building (3-1758).

Judiciary Committee - Wednesday, November 3, at 1:00 p.m., Rooms 402 and 403, Capitol Building (3-6920).

Local, Urban and State Affairs Committee - Wednesday, November 3, at 3:00 p.m., Room 405, Capitol Building (3-1707).

State Police and Military Affairs Appropriations Subcommittee - Wednesday, November 3, at 9:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-2426). (CANCELED)

Senator Rogers moved that the Senate adjourn.
The motion prevailed, the time being 10:55 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, November 3, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

