

**No. 42**  
**JOURNAL OF THE SENATE**

---

Senate Chamber, Lansing, Tuesday, May 9, 2000.

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 not 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 Gary Peters of the 14th District offered the following invocation:

Lord, make us instruments of Your peace. Where there is hatred, let us sow love. Where there is injury, pardon. Where there is discord, union. Where there is doubt, faith. Where there is despair, hope. Where there is darkness, light. Where there is sadness, joy.

Grant that we may not so much seek to be consoled as to console; to be understood as to understand; to be loved as to love, for it is in giving that we receive. It is in pardoning that we are pardoned. It is in dying that we are born to eternal life. Amen.

### **Recess**

Senator Rogers moved that the Senate recess subject to the call of the President.  
The motion prevailed, the time being 10:03 a.m.

10:07 a.m.

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

During the recess, Senators Emmons, Jaye, DeGrow, Van Regenmorter, McCotter, Bennett, Steil, North, Gast, Shugars, Sikkema, McManus, Stille, Goschka, Hammerstrom, Johnson, Bullard, Schuette and Gougeon entered the Senate Chamber.

A quorum of the Senate was present.

### **Motions and Communications**

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

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

The following communications were received:  
Department of State

#### **Administrative Rules Notices of Filing**

April 11, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:56 p.m. this date, administrative rule (00-04-04) (Corrected Copy) for the Department of Consumer and Industry Services, Director's Office, entitled "*Vinyl Chloride*," effective 15 days hereafter.

April 25, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:30 a.m. this date, administrative rule (00-04-09) for the Department of Consumer and Industry Services, Bureau of Workers' Disability Compensation, entitled "*Bureau of Workers' Disability Compensation - Health Care Service Rules*," effective 15 days hereafter.

April 25, 2000

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:00 p.m. this date, administrative rule (00-04-10) for the Department of Transportation, Bureau of Urban and Public Transportation, entitled "*Comprehensive Transportation Fund*," effective 15 days hereafter.

Sincerely,  
Candice S. Miller  
Secretary of State  
Elena L. Beasley, Supervisor  
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communication was received:  
Office of the Auditor General

May 5, 2000

Enclosed is a copy of the following audit report and/or executive digest:  
Financial Audit Including the Provisions of the Single Audit Act of the Michigan Strategic Fund, October 1, 1997, through September 30, 1998.

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

The communication was referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, May 4:  
**House Bill Nos. 5418 5587**

The Secretary announced the printing and placement in the members' files on Thursday, May 4, of:  
**Senate Bill Nos. 1237 1238 1239 1240 1241 1242**  
**House Bill Nos. 5722 5723 5724 5725 5726**

The Secretary announced the printing and placement in the members' files on Friday, May 5, of:  
**Senate Bill Nos. 1243 1244 1245 1246 1247**

The Secretary announced the printing and placement in the members' files on Monday, May 8, of:  
**House Bill Nos. 5727 5728 5729 5730 5731 5732 5733 5734 5735 5736 5737 5738 5739 5740**  
**5741 5742 5743 5744 5745 5746 5747**

### Messages from the House

#### **Senate Bill No. 1128, entitled**

A bill to repeal 1915 PA 50, entitled "An act to provide for the payment of bounties for the killing of common rats," (MCL 433.251 to 433.253).

The House of Representatives has passed the bill and ordered that the bill be given immediate effect. The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senator Young entered the Senate Chamber.

#### **Senate Bill No. 1085, entitled**

A bill to repeal 1889 PA 204, entitled "An act to authorize the township board of any township in the upper peninsula to license hawkers, peddlers and pawnbrokers, and hawking and peddling, and to regulate and license the sale or peddling of goods, wares, merchandise, refreshments or any kind of property or thing by persons going about from place to place in the township, for that purpose, or from any stand, cart, vehicle, or other device, in the streets,

highways, or in or upon wharves, docks, open places or spaces, public grounds or buildings in the township, and to provide a forfeiture for every person who, without license, or contrary to the terms of any license granted to him, shall exercise any occupation or trade, or do anything in respect to which any license shall be required by any resolution or regulation of the township board, made or passed under authority of this act," (MCL 446.101 to 446.105).

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

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

**Senate Bill No. 1158, entitled**

A bill to amend 1980 PA 243, entitled "Emergency municipal loan act," by amending section 2 (MCL 141.932), as amended by 1998 PA 528.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

The Senate agreed to the full title.

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

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

The motion prevailed.

Senator Van Regenmorter's statement is as follows:

For the past number of months, I've had in my office an intern from a little known but wonderful school in Grand Rapids named Calvin College. Leslie Harris has been an intern in my office for a number of months and brings with her not only the product of a wonderful education, but a real dedication to hard work and to serving people. She has been an outstanding asset to my office and to the people of Michigan.

In my office, we quickly found that as an intern, she would plug herself into substantive issues, serving constituents, directing policy investigations and review, and substantive matters that were of benefit to all the citizens of this fine state.

She's going to be leaving. She's going to be graduating in a week. Business and marketing are her fields, and she'll, I know, be a wonderful success. I hope that my colleagues will join me in a little applause and recognition for Leslie Harris as she leaves going on to bigger and better things.

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

**Senate Bill No. 1159, entitled**

A bill to amend 1972 PA 354, entitled "An act to authorize the replacement or payment without presentation of lost, destroyed or wrongfully taken bonds or other evidences of indebtedness issued by public corporations; and to prescribe the powers and duties of certain departments and agencies," by repealing section 5 (MCL 129.135).

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

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

**Senate Bill No. 1160, entitled**

A bill to amend 1985 PA 227, entitled "Shared credit rating act," by amending section 7 (MCL 141.1057), as amended by 1997 PA 27.

The House of Representatives has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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. 1125, entitled**

A bill to repeal 1861 PA 263, entitled "An act to provide for the floating of logs and timber in the streams of this state," (MCL 426.51 to 426.57).

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

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

**Senate Bill No. 1126, entitled**

A bill to repeal 1867 PA 202, entitled "An act to protect the title of the owners of floating logs and lumber," (MCL 426.101 to 426.107).

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

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

**Senate Bill No. 1127, entitled**

A bill to repeal 1897 PA 43, entitled "An act to provide for the analysis of water in use by the public in certain cases," (MCL 390.81 to 390.83).

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

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

**Senate Bill No. 1129, entitled**

A bill to repeal 1907 PA 226, entitled "An act to provide for the payment of bounties for the killing of English sparrows," (MCL 433.281 to 433.284).

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

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

**Senate Bill No. 936, entitled**

A bill to amend 1982 PA 455, entitled "The library privacy act," by amending section 6 (MCL 397.606), as added by 1999 PA 37.

The House of Representatives has amended the bill as follows:

1. Amend page 2, line 13, after "IS" by striking out the balance of the subsection and inserting "IMMUNE FROM LIABILITY IN A CIVIL ACTION AS PROVIDED IN SECTION 7 OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL 691.1407."

2. Amend page 2, line 17, by striking out all of line 17, and inserting "October 1, 2000."

The House of Representatives has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senator Dunaskiss entered the Senate Chamber.

**Senate Bill No. 269, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 38g.

The House of Representatives has appointed Reps. Garcia, Bisbee and Bob Brown as conferees to join with Senators Schuette, Emmons and Peters.

The bill was referred to the Conference Committee on May 4, 2000.

**House Bill No. 4400, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 2, 3, 4, 5, 8, 13, 15, 16, and 19 (MCL 125.2652, 125.2653, 125.2654, 125.2655, 125.2658, 125.2663, 125.2665, 125.2666, and 125.2669).

The House of Representatives has appointed Reps. Garcia, Richardville and Bob Brown as conferees to join with Senators Schuette, Emmons and Peters.

The message was referred to the Secretary for record.

**House Bill No. 5443, entitled**

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending the title and sections 3, 6, 7, and 8 (MCL 207.803, 207.806, 207.807, and 207.808) and by adding section 7a.

The House of Representatives has appointed Reps. Garcia, Bisbee and Bob Brown as conferees to join with Senators Schuette, Emmons and Peters.

The message was referred to the Secretary for record.

**House Bill No. 5444, entitled**

A bill to provide for the establishment of obsolete property rehabilitation districts in certain 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 certain local government officials; and to provide penalties.

The House of Representatives has appointed Reps. Garcia, Cameron Brown and Bob Brown as conferees to join with Senators Schuette, Emmons and Peters.

The message was referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of

**Third Reading of Bills**

By unanimous consent the Senate proceeded to consideration of the following bill:

**Senate Bill No. 1194, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 1993 PA 325.

The above bill was read a third time.

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. 257****Yeas—38**

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

**Nays—0****Excused—0**

**Not Voting—0**

In The Chair: Hoffman

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator A. Smith’s statement is as follows:

I’m probably voting “yes” on this bill, but I do want to point out to my colleagues that we are over-earmarking the aviation sales tax. By doing that, we actually reach into the General Fund beyond the aviation sales tax, and we capture General Fund revenue that we are also anxious to have in our other budgets and give it to the aviation industry.

We are over-earmarking the aviation fuel sales tax by 14.2 percent in order to do this transfer of funds for upkeep and improvements on airports that the state regulates and controls. I think it’s important that we watch this process because this is a backdoor way of appropriating dollars for an interest that doesn’t come directly to the Appropriations Committee that takes General Fund dollars without a real obvious commitment on the part of those people on the committee to put General Fund dollars in that category. I know we’ve been interested in having more money available for higher education, and this lifts that fund. I just wanted to point that out to my colleagues so that we don’t go blindly into a vote that really does set a difficult precedent.

The following bill was read a third time:

**Senate Bill No. 1195, entitled**

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 21 (MCL 205.111), as amended by 1994 PA 34. 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. 258**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Hoffman

The Senate agreed to the title of the bill.

The following bill was read a third time:

**Senate Bill No. 1200, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 514.

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. 259**

**Yeas—38**

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

**Nays—0**

**Excused—0**

**Not Voting—0**

In The Chair: Hoffman

The Senate agreed to the title of the bill.

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 Assistant President pro tempore, Senator Hoffman, designated Senator Dingell 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 without amendment, the following bill:

**Senate Bill No. 1216, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 3112c.

The bill was placed on the order of Third Reading of Bills.

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

**Senate Bill No. 308, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4h.

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. 1061, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 8d. Substitute (S-2).

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

1. Amend page 4, line 17, after "MEANS" by inserting "1 OR MORE OF THE FOLLOWING:  
(i)".

2. Amend page 4, following line 19, by inserting:

"(ii) A BUSINESS ENGAGED IN THE MANUFACTURE OF BEVERAGES, A PORTION OF WHICH ARE DISTRIBUTED THROUGH QUALIFIED VENDING MACHINE PROPERTY."

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 amendment, the following bill:

**Senate Bill No. 1201, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112a (MCL 324.3112a), as amended by 1998 PA 3.

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

1. Amend page 2, following line 19, by inserting:

"(2) UPON BEING NOTIFIED OF A DISCHARGE UNDER SUBSECTION (1), THE DEPARTMENT SHALL PROMPTLY POST NOTIFICATION UPON ITS WEB SITE." and renumbering the remaining subsections.

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:

**House Bill No. 4458, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 803q. 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 a substitute therefor, the following bill:

**Senate Bill No. 1173, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 230 (MCL 418.230), as amended by 1994 PA 271.

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 a substitute therefor, the following bill:

**Senate Bill No. 1219, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 1101, 1103, 1105, 1125, and 8132 (MCL 500.1101, 500.1103, 500.1105, 500.1125, and 500.8132), sections 1101, 1105, and 1125 as added by 1994 PA 226, section 1103 as amended by 1994 PA 443, and section 8132 as added by 1989 PA 302.

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.

## Resolutions

By unanimous consent the Senate proceeded to consideration of the following resolution:

**Senate Resolution No. 133.**

A resolution to memorialize the Congress of the United States to provide adequate funding for Michigan's Remedial Action Plans for Areas of Concern under the Great Lakes Water Quality Agreement.

The question being on the adoption of the resolution,

The resolution was adopted.

**Senate Resolution No. 146.**

A resolution to urge the Natural Resources Commission to implement a program to provide hunters with a terminal illness additional opportunities for permits for game taken under a lottery selection process.

The question being on the adoption of the resolution,  
The resolution was adopted.

**Senate Concurrent Resolution No. 37.**

A concurrent resolution to memorialize the Congress of the United States to enact legislation to remove the time limit for Medicare coverage for immunosuppressive drugs.

The question being on the adoption of the concurrent resolution,  
The concurrent resolution was adopted.

**Senate Resolution No. 153.**

A resolution to memorialize the Congress of the United States to enact legislation to remove the time limit for Medicare coverage for immunosuppressive drugs.

The question being on the adoption of the resolution,  
The resolution was adopted.

**Introduction and Referral of Bills**

Senators Byrum, DeBeaussaert, Miller, A. Smith, Emerson, Cherry, V. Smith, Hart, Dingell, Peters, Young, Murphy, Koivisto, Vaughn, Hammerstrom and Leland introduced

**Senate Bill No. 1248, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7212 and 7401 (MCL 333.7212 and 333.7401), section 7212 as amended by 1998 PA 248 and section 7401 as amended by 1998 PA 319.

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

Senators Johnson, Stille, Bullard and Jaye introduced

**Senate Bill No. 1249, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1231 and 1236 (MCL 380.1231 and 380.1236), section 1236 as amended by 1995 PA 289, and by adding section 1236a.

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

Senator Schwarz introduced

**Senate Bill No. 1250, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7o (MCL 211.7o), as amended by 1998 PA 536.

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

Senators Schuette, Hammerstrom, Gougeon, Stille, Steil, Gast, Goschka, Schwarz, McManus, North, Koivisto and McCotter introduced

**Senate Bill No. 1251, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 3, 4, 6, 7, and 10 (MCL 125.2683, 125.2684, 125.2686, 125.2687, and 125.2690), section 3 as amended by 1999 PA 98 and sections 4, 6, and 10 as amended by 1999 PA 139, and by adding section 8c.

The bill was read a first and second time by title and referred to the Committee on Farming, Agribusiness and Food Systems.

Senator Emmons introduced

**Senate Bill No. 1252, entitled**

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 2 (MCL 445.902), as amended by 1984 PA 91.

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

Senator Dunaskiss introduced

**Senate Bill No. 1253, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law therein on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to provide for a restructuring of rates for certain utilities; to encourage the utilization of resource recovery facilities; to provide for appeals; to provide appropriations; to declare the effect of this act; to prescribe penalties; and to repeal all acts contrary to this act," (MCL 460.1 to 460.8) by adding sections 10h, 10i, 10j, 10k, 10l, 10m, 10n, and 10o.

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

**House Bill No. 5418, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20140 (MCL 324.20140), as amended by 1995 PA 71.

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 Natural Resources and Environmental Affairs.

**House Bill No. 5587, entitled**

A bill to repeal 1976 PA 340, entitled "An act to create a municipal fire service classification board; to prescribe the powers and duties of certain state agencies and officials; to provide for the evaluation of fire service delivery systems; to establish a fire service classification scale; to provide recommendations for the improvement of the capabilities of fire service delivery systems to improve life safety and to reduce fire losses for the citizens of this state; to provide for the promulgation of rules; and to provide for the administration of this act," (MCL 28.651 to 28.657).

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 Government Operations.

### Committee Reports

The Committee on Local, Urban and State Affairs reported

**House Bill No. 4809, entitled**

A bill to amend 1846 RS 14, entitled "Of county officers," by amending section 107 (MCL 55.107), as amended by 1997 PA 60.

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.

Thaddeus G. McCotter  
Chairperson

To Report Out:

Yeas: Senators McCotter, Shugars and Van Regenmorter

Nays: Senator Murphy

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

### COMMITTEE ATTENDANCE REPORT

The Committee on Local, Urban and State Affairs submits the following:

Meeting held on Wednesday, May 3, 2000, at 3:00 p.m., Room 405, Capitol Building

Present: Senators McCotter (C), Shugars, Van Regenmorter, Miller and Murphy

The Committee on Families, Mental Health and Human Services reported

**Senate Bill No. 738, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations;

to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," (MCL 722.111 to 722.128) by adding section 3e.

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.

Beverly S. Hammerstrom  
Chairperson

To Report Out:

Yeas: Senators Hammerstrom, Gougeon, Jaye, Johnson, Goschka, Hart and Vaughn

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Families, Mental Health and Human Services submits the following:

Meeting held on Wednesday, May 3, 2000, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Hammerstrom (C), Gougeon, Jaye, Johnson, Goschka, Hart and Vaughn

The Committee on Judiciary reported

**Senate Bill No. 1181, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 222a.

With the recommendation that the bill 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, Schuette, Peters and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Judiciary reported

**Senate Bill No. 1222, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15 of chapter IV (MCL 764.15), as amended by 1999 PA 269.

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, Schuette, 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

**House Bill No. 4207, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8123 (MCL 600.8123), as amended by 1990 PA 54.

With the recommendation that the bill 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, Schuette, Peters and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

## COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submits the following:

Meeting held on Wednesday, May 3, 2000, at 1:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Van Regenmorter (C), McCotter, Bullard, Schuette, Peters and Dingell

Excused: Senator V. Smith

## COMMITTEE ATTENDANCE REPORT

The Legislative Retirement Board of Trustees submits the following:

Meeting held on Wednesday, May 3, 2000, at 3:00 p.m., House Conference Room, Room H65, Capitol Building

Present: Senators McManus (C) and Emerson

Excused: Senator Schwarz

## COMMITTEE ATTENDANCE REPORT

The Subcommittee on Environmental Quality submits the following:

Meeting held on Thursday, May 4, 2000, at 1:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Bennett (C), Gast, North, A. Smith and DeBeaussaert

**Scheduled Meetings**

**Appropriations** - Tuesday, May 16, and Wednesday, May 17, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Subcommittees -**

**Agriculture** - Wednesday, May 10, 4:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

**Capital Outlay** - Thursdays, May 11 and 25, 8:45 a.m., House Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Consumer and Industry Services** - Thursday, May 11, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-7350)

**General Government** - Wednesday, May 10, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-3447) (CANCELED)

**Higher Education** - Thursday, May 18, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-3447)

**Judiciary** - Wednesday, May 10, 1:00 p.m., Room 210, Farnum Building (373-2413)

**Natural Resources** - Wednesday, May 10, 1:00 p.m., Room 404, Capitol Building (373-1725)

**Transportation** - Thursday, May 11, 8:30 a.m., and Tuesday, May 16, 11:30 a.m. or later immediately following session, Senate Appropriations Room, 3rd Floor, Capitol Building (373-2426)

**Education** - Wednesday, May 10, 3:00 p.m., Room 110, Farnum Building (373-7350)

**Families, Mental Health and Human Services** - Fridays, May 12, 9:00 a.m., Fetzer Center, Western Michigan University, Kalamazoo and 1:30 p.m., Eberhard Center, Grand Valley State University, Grand Rapids; May 19, 9:00 a.m., Morris Lawrence Building Auditorium, Washtenaw Community College, Ann Arbor; and Wednesday, May 24, 2:00 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower (373-3543)

**Farming, Agribusiness and Food Systems** - Wednesday, May 10, 2:00 p.m., Room 110, Farnum Building (373-1725)

**Government Operations** - Thursday, May 11, 1:00 p.m., Room 100, Farnum Building (373-1707)

**Judiciary** - Wednesday, May 10, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

**Technology and Energy** - Wednesday, May 10, 3:00 p.m. and Thursday, May 11, 11:00 a.m. or later immediately following session, Rooms 402 and 403, Capitol Building (373-2417)

Senator Rogers moved that the Senate adjourn.  
The motion prevailed, the time being 11:05 a.m.

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

CAROL MOREY VIVENTI  
Secretary of the Senate.