

No. 60
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Friday, July 3, 1998.

12:01 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
Berryman—excused
Bouchard—excused
Bullard—present
Byrum—present
Cherry—present
Cisky—excused
Conroy—present
DeBeausaert—present
DeGrow—present
Dingell—present
Dunaskiss—present
Emmons—present

Gast—present
Geake—present
Gougeon—present
Hart—present
Hoffman—present
Jaye—present
Koivisto—present
McManus—present
Miller—present
North—present
O'Brien—present
Peters—present

Posthumus—present
Rogers—present
Schuette—present
Schwarz—present
Shugars—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:

“O beautiful, for spacious skies, for amber waves of grain.

For purple mountains majesty above the fruited plain.

America, America, God shed Thy grace on thee,

And crown thy good with brotherhood from sea to shining sea.”

Motions and Communications

Senator DeGrow moved that Senators Gast, Geake, Hoffman and Posthumus be temporarily excused from today’s session.

The motion prevailed.

Senator DeGrow moved that Senators Bouchard and Cisky be 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.

Senator V. Smith moved that Senator Berryman be excused from today’s session.

The motion prevailed.

Recess

Senator DeGrow moved that the Senate recess subject to the call of the President.

The motion prevailed, the time being 12:04 a.m.

12:55 a.m.

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

During the recess, Senators Gast, Dingell, Dunaskiss, Posthumus, Young and Hoffman entered the Senate Chamber.

The Secretary announced the printing and placement in the members’ files on Thursday, July 2 of:

House Bill Nos. 5973 5974 5975 5976 5977 5979 5980

Messages from the House

Senate Bill No. 733, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7o (MCL 211.7o), as amended by 1996 PA 469.

The House of Representatives has substituted (H-4) the bill.

The House of Representatives has passed the bill as substituted (H-4), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes thereon, and for the collection of taxes levied; making such taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection therewith; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal certain acts and parts of acts in anywise contravening any of the provisions of this act,” (MCL 211.1 to 211.157) by adding section 9f.

Pending the order that, under rule 3.202, the bill be laid over one day,
 Senator DeGrow moved that the rule be suspended.
 The motion prevailed, a majority of the members serving voting therefor.
 The question being on concurring in the substitute made to the bill by the House,
 The substitute was concurred in, a majority of the members serving voting therefor, as follows:

Roll Call No. 675**Yeas—31**

Bennett	Emmons	North	Smith, A.
Bullard	Gast	O'Brien	Smith, V.
Byrum	Gougeon	Peters	Steil
Conroy	Hart	Posthumus	Stille
DeBeaussaert	Hoffman	Rogers	Van Regenmorter
DeGrow	Koivisto	Schuetz	Vaughn
Dingell	McManus	Schwarz	Young
Dunaskiss	Miller	Shugars	

Nays—2

Cherry	Jaye
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Excused—4

Berryman	Bouchard	Cisky	Geake
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Not Voting—0

In The Chair: Schwarz

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

Senate Bill No. 905, entitled

A bill to make appropriations for various state departments and agencies for the fiscal year ending September 30, 1998; and to provide for the expenditure of the appropriations.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal years ending September 30, 1997, September 30, 1998, and September 30, 1999; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

Pending the order that, under rule 3.202, the bill be laid over one day,
 Senator DeGrow moved that the rule be suspended.

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

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

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

Roll Call No. 676**Yeas—31**

Bennett	Dunaskiss	North	Smith, A.
Bullard	Gast	O'Brien	Smith, V.
Byrum	Gougeon	Peters	Steil
Cherry	Hart	Posthumus	Stille
Conroy	Hoffman	Rogers	Van Regenmorter
DeBeaussaert	Koivisto	Schuetten	Vaughn
DeGrow	McManus	Schwarz	Young
Dingell	Miller	Shugars	

Nays—2

Emmons	Jaye
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Excused—4

Berryman	Bouchard	Cisky	Geake
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Not Voting—0

In The Chair: Schwarz

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

Protest

Senator Emmons, under her constitutional right of protest (Art. 4, Sec. 18), protested against concurring in the House substitute to Senate Bill No. 905.

Senator Emmons' statement is as follows:

I voted against this bill because there is an exclusive contract for the AAAs in here, and it hurts my local service agencies that are providing services to my seniors. I think this is a rip-off.

Senator Geake entered the Senate Chamber.

Senate Bill No. 928, entitled

A bill to supplement and adjust appropriations for various state departments and agencies for the fiscal years ending September 30, 1997 and September 30, 1998; and to provide for the expenditure of the appropriations.

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

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to make, supplement and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 1998; and to provide for the expenditure of the appropriations.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator DeGrow moved that the rule be suspended.

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

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

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

Roll Call No. 677**Yeas—33**

Bennett
Bullard
Byrum
Cherry
Conroy
DeBeaussaert
DeGrow
Dingell
Dunaskiss

Emmons
Gast
Geake
Gougeon
Hart
Hoffman
Koivisto
McManus

Miller
North
O'Brien
Peters
Posthumus
Rogers
Schuette
Schwarz

Shugars
Smith, A.
Smith, V.
Steil
Stille
Van Regenmorter
Vaughn
Young

Nays—1

Jaye

Excused—3

Berryman

Bouchard

Cisky

Not Voting—0

In The Chair: Schwarz

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 title as amended.

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

By unanimous consent the Senate proceeded to the order of

Resolutions**House Concurrent Resolution No. 113.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives and Senate adjourn on Friday, July 3, 1998, they stand adjourned until Tuesday, September 15, 1998.

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 DeGrow moved that the rule be suspended.

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

The concurrent resolution was adopted.

Committee Reports**COMMITTEE ATTENDANCE REPORT**

The Conference Committee on House Bill No. 5594 submits the following:

Meeting held on Tuesday, June 30, 1998, at 9:00 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Hoffman (C) and Young

Absent: Senator DeGrow

COMMITTEE ATTENDANCE REPORT

The Conference Committee on House Bill No. 5593 submits the following:
Meeting held on Tuesday, June 30, 1998, at 9:30 a.m., Room 110, Farnum Building
Present: Senators Cisky (C), Hoffman and Vaughn

COMMITTEE ATTENDANCE REPORT

The Conference Committee on House Bill No. 5597 submits the following:
Meeting held on Tuesday, June 30, 1998, at 9:50 a.m., Room 110, Farnum Building
Present: Senators Cisky (C), Hoffman and Vaughn

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 911 submits the following:
Meeting held on Tuesday, June 30, 1998, at 1:45 p.m., Senate Appropriations Room, Capitol Building
Present: Senators Schwarz (C), Cisky and Koivisto

COMMITTEE ATTENDANCE REPORT

The Conference Committee on House Bill No. 5591 submits the following:
Meeting held on Tuesday, June 30, 1998, at 2:00 p.m., House Appropriations Room, Capitol Building
Present: Senators McManus (C), Gast and Koivisto

COMMITTEE ATTENDANCE REPORT

The Conference Committee on House Bill No. 5589 submits the following:
Meeting held on Tuesday, June 30, 1998, at 3:00 p.m., Room 426, Capitol Building
Present: Senators McManus (C), Gast and A. Smith

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 907 submits the following:
Meeting held on Tuesday, June 30, 1998, at 5:00 p.m., Senate Appropriations Room, Capitol Building
Present: Senators Gast (C), DeGrow and Vaughn

COMMITTEE ATTENDANCE REPORT

The Conference Committee on House Bill No. 5596 submits the following:
Meeting held on Wednesday, July 1, 1998, at 8:00 a.m., House Appropriations Room, Capitol Building
Present: Senators Steil and A. Smith
Absent: Senator DeGrow (C)

COMMITTEE ATTENDANCE REPORT

The Conference Committee on House Bill No. 5594 submits the following:
Meeting held on Wednesday, July 1, 1998, at 8:30 a.m., Rooms 425 and 426, Capitol Building
Present: Senators Hoffman (C), DeGrow and Young

COMMITTEE ATTENDANCE REPORT

The Conference Committee on House Bill No. 5589 submits the following:
Meeting held on Wednesday, July 1, 1998, at 9:00 a.m., Room 426, Capitol Building
Present: Senators McManus (C), Gast and A. Smith

COMMITTEE ATTENDANCE REPORT

The Conference Committee on House Bill No. 5588 submits the following:

Meeting held on Wednesday, July 1, 1998, at 9:00 a.m., Room 405, Capitol Building

Present: Senators McManus (C), Gast and Koivisto

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 909 submits the following:

Meeting held on Wednesday, July 1, 1998, at 9:00 a.m., Senate Appropriations Room, Capitol Building

Present: Senators Cisky (C), Hoffman and Vaughn

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 907 submits the following:

Meeting held on Wednesday, July 1, 1998, at 9:00 a.m., Senate Appropriations Room, Capitol Building

Present: Senators Gast (C) and Vaughn

Absent: Senator DeGrow

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 911 submits the following:

Meeting held on Wednesday, July 1, 1998, at 9:30 a.m., Senate Appropriations Room, Capitol Building

Present: Senators Schwarz (C), Cisky and Koivisto

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 904 submits the following:

Meeting held on Thursday, July 2, 1998, at 9:00 a.m., Rooms 402 and 403, Capitol Building

Present: Senators Bennett (C), McManus and DeBeaussaert

Senator DeGrow moved that the Senate adjourn.

The motion prevailed, the time being 1:18 a.m.

Pursuant to House Concurrent Resolution 113, the President pro tempore, Senator Schwarz, declared the Senate adjourned until Tuesday, September 15, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

