

No. 81
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, November 30, 1999.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Dick Posthumus.

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

Senator Walter H. North of the 37th District offered the following invocation:

Dear God, we thank You for this lovely fall-like, U.P.-like day. We thank You for the safe return of all the members of this body. As we deal with the problems that are facing this state that we are capable of solving, please grant us the wisdom, compassion, and the vision to arrive at solutions that are fair and just to all of our citizens. We thank Thee for this opportunity to serve not only the people in our district and the residents of this state, but more importantly, to serve Thee.

All this we ask in Thy name. Amen.

Senator V. Smith entered the Senate Chamber.

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.

11:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Posthumus.

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

A quorum of the Senate was present.

Motions and Communications

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

The following communications were received:
Department of State

Administrative Rules Notices of Filing

October 22, 1999

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 1:10 p.m. this date, administrative rule (99-10-14) for the Department of Consumer and Industry Services, Safety Standards Division, entitled "*General Industry Safety Standards. Part 90. Confined Space Entry*," effective 15 days hereafter.

October 22, 1999

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 1:12 p.m. this date, administrative rule (99-10-15) for the Department of Consumer and Industry Services, Safety Standards Division, entitled "*Occupational Health Standards—Permit—Required Confined Spaces*," effective 15 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Helen Kruger, Supervisor
Office of the Great Seal

The communications were referred to the Secretary for record.

The following communication was received:
Department of Consumer and Industry Services

November 12, 1999

Pursuant to Section 315 of P.A. 122 of 1999, we are enclosing a copy of the special investigation report #9C0103015 conducted on Maxey Boys Training School—Summit Center, 9036 East M-36, Whitmore Lake, Michigan. This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions.

If you have any questions regarding this information, please feel free to contact me at 373-3892.

Sincerely,
John R. Suckow, C.P.A.
Director, Finance and Administrative Services

The communication was referred to the Secretary for record.

The following communications were received:
Office of the Auditor General

November 16, 1999

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

Financial Audit, including the Provisions of the Single Audit of the Department of Agriculture, October 1, 1996, through September 30, 1998.

November 19, 1999

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

Performance Audit of the Property Development and Manufactured Housing Divisions within the Corporation, Securities, and Land Development Bureau, Department of Consumer and Industry Services, November 1999.

November 19, 1999

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

Performance Audit of the African American Male Initiative, Department of Community Health, November 1999.

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

The communications were referred to the Secretary for record.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, November 10:

House Bill Nos. 4154 4155 5054 5055 5056 5057 5058 5060 5061 5064 5088

The Secretary announced that the following House bills were received in the Senate and filed on Friday, November 12:

House Bill Nos. 4523 4776 5050 5059

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, November 10, for his approval the following bills:

Enrolled Senate Bill No. 157 at 3:00 p.m.

Enrolled Senate Bill No. 288 at 3:02 p.m.

Enrolled Senate Bill No. 717 at 3:04 p.m.

The Secretary announced the enrollment printing and presentation to the Governor on Monday, November 15, for his approval the following bills:

Enrolled Senate Bill No. 106 at 9:58 a.m.

Enrolled Senate Bill No. 218 at 10:00 a.m.

Enrolled Senate Bill No. 430 at 10:02 a.m.

Enrolled Senate Bill No. 436 at 10:04 a.m.

Enrolled Senate Bill No. 706 at 10:06 a.m.

The Secretary announced the enrollment printing and presentation to the Governor on Thursday, November 18, for his approval the following bills:

Enrolled Senate Bill No. 505 at 3:48 p.m.

Enrolled Senate Bill No. 506 at 3:50 p.m.

The Secretary announced the printing and placement in the members' files on Wednesday, November 10 of:
House Bill No. 5112

The Secretary announced the printing and placement in the members' files on Friday, November 12 of:

Senate Bill Nos.	883	884	886	887	888	889							
House Bill Nos.	5105	5106	5107	5108	5109	5110	5111	5113	5114	5115	5116	5117	5118
	5119	5120	5121	5122	5123	5124	5125	5126	5127	5128	5129	5130	5131
	5132	5133	5134										

Messages from the Governor

The following messages from the Governor were received:

Date: November 10, 1999

Time: 11:50 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 513 (Public Act No. 170), being

An act to amend 1980 PA 299, entitled "An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 2601, 2603, 2605, 2607, 2609, 2611, 2613, 2615, 2617, 2619, 2621, 2623, 2625, 2627, 2629, 2633, 2635, and 2637 (MCL 339.2601, 339.2603, 339.2605, 339.2607, 339.2609, 339.2611, 339.2613, 339.2615, 339.2617, 339.2619, 339.2621, 339.2623, 339.2625, 339.2627, 339.2629, 339.2633, 339.2635, and 339.2637), section 2601 as amended by 1994 PA 125 and sections 2603, 2605, 2607, 2609, 2611, 2613, 2615, 2617, 2619, 2621, 2623, 2625, 2627, 2629, 2633, 2635, and 2637 as added by 1990 PA 269, and by adding sections 2614 and 2636.

(Filed with the Secretary of State on November 10, 1999, at 2:26 p.m.)

Date: November 10, 1999

Time: 11:52 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 514 (Public Act No. 171), being

An act to amend 1979 PA 152, entitled "An act to provide for the establishment and collection of fees for the regulation of certain occupations and professions, and for certain agencies and businesses; to create certain funds; and to prescribe certain powers and duties of certain state agencies and departments," by amending sections 2, 6, and 38 (MCL 338.2202, 338.2206, and 338.2238), sections 2 and 6 as added by 1988 PA 461 and section 38 as added by 1990 PA 268.

(Filed with the Secretary of State on November 10, 1999, at 2:28 p.m.)

Date: November 15, 1999

Time: 4:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 554 (Public Act No. 172), being

An act to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or

generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 248 (MCL 257.248), as amended by 1998 PA 384.

(Filed with the Secretary of State on November 16, 1999, at 10:00 a.m.)

Date: November 16, 1999

Time: 4:00 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 809 (Public Act No. 182), being

An act to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; and to declare the effect of this act," by amending the title and section 14 (MCL 205.14), the title as amended and section 14 as added by 1998 PA 368.

(Filed with the Secretary of State on November 17, 1999, at 1:55 p.m.)

Date: November 23, 1999

Time: 3:30 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 157 (Public Act No. 183), being

An act to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 803j, 803k, 803l, 803n, and 803o (MCL 257.803j, 257.803k, 257.803l, 257.803n, and 257.803o), as amended by 1998 PA 68.

(Filed with the Secretary of State on November 24, 1999, at 9:55 a.m.)

Date: November 23, 1999

Time: 3:32 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 717 (Public Act No. 184), being

An act to amend 1975 PA 228, entitled "An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities;

to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation," by amending section 38e (MCL 208.38e), as added by 1996 PA 593.

(Filed with the Secretary of State on November 24, 1999, at 9:57 a.m.)

Date: November 23, 1999

Time: 3:35 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 106 (Public Act No. 185), being

An act to amend 1931 PA 328, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 535a (MCL 750.535a), as amended by 1988 PA 140.

(Filed with the Secretary of State on November 24, 1999, at 9:59 a.m.)

Date: November 23, 1999

Time: 3:37 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 288 (Public Act No. 186), being

An act to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide 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 16z of chapter XVII (MCL 777.16z), as added by 1998 PA 317.

(Filed with the Secretary of State on November 24, 1999, at 10:01 a.m.)

Date: November 23, 1999

Time: 3:42 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 706 (Public Act No. 187), being

An act to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to

provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” (MCL 380.1 to 380.1852) by adding section 1317.

(Filed with the Secretary of State on November 24, 1999, at 3:55 p.m.)

Date: November 23, 1999

Time: 3:45 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 218 (Public Act No. 188), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 7410 (MCL 333.7410), as amended by 1994 PA 174.

(Filed with the Secretary of State on November 24, 1999, at 3:57 p.m.)

Date: November 24, 1999

Time: 3:15 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 430 (Public Act No. 189), being

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 316 (MCL 750.316), as amended by 1996 PA 21.

(Filed with the Secretary of State on November 24, 1999, at 4:00 p.m.)

Date: November 24, 1999

Time: 3:18 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 436 (Public Act No. 190), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts

and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending section 17745a (MCL 333.17745a), as added by 1993 PA 305.

(Filed with the Secretary of State on November 24, 1999, at 4:02 p.m.)

Respectfully,
John Engler
Governor

The following message from the Governor was received on November 17, 1999, and read:

EXECUTIVE ORDER
No. 1999 - 13

**Michigan Commission on Public Pension and
Retiree Health Benefits**

Whereas, Article IX, Section 24 of the Constitution of the state of Michigan of 1963 provides that the accrued financial benefits of each pension plan and retirement system of the state and its political subdivisions shall be a contractual obligation thereof which shall not be diminished or impaired thereby; and further provides that financial benefits arising on account of services rendered in each fiscal year shall be funded during that year and that such funds are not to be used for financing unfunded accrued liabilities; and

Whereas, the funding, management, oversight, and fiscal integrity of public pension and retirement systems is a matter of paramount public importance which bears directly upon the fiscal integrity of the state and its political subdivisions; and

Whereas, it is an appropriate time to assemble a group of Michigan citizens who have demonstrated particular knowledge of and interest in public pension and retirement systems for the purpose of conducting a comprehensive review of relevant practices and issues.

Now, Therefore, I, John Engler, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan, do hereby establish the Michigan Commission on Public Pension and Retiree Health Benefits.

The Commission is charged with the following responsibilities:

1. Review those state laws that govern or affect the funding, management, oversight, and fiscal integrity of public pension and retirement systems.
2. Review the adequacy of funding for public pension and retirement systems and the extent of unfunded accrued liabilities.
3. Consider, recommend and report such modifications in state laws governing or affecting public pension and retirement systems as the Commission shall think appropriate in the circumstances.

The Commission shall consist of nine members who shall be appointed by, and serve at the pleasure of, the Governor. The Governor shall appoint one member of the Commission as Chairperson. Members of the Commission shall serve during the existence of the Commission, which shall complete its work not later than one year after the Commission is appointed.

The Commission shall be staffed by personnel within the Department of Treasury, to be designated by the State Treasurer.

All principal departments and other state agencies shall cooperate with the Commission in the performance of its responsibilities. The Commission may request, and principal departments and other state agencies shall provide, such policy and technical information as is required by the Commission in the discharge of its responsibilities.

The Commission may hire or retain such contractors, sub-contractors, advisors, consultants and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of and the performance of its duties as the State Treasurer may deem advisable and necessary, in accordance with the relevant statutes, rules and procedures of the Civil Service Commission and the Department of Management and Budget.

Members of the Commission shall not receive compensation, but members may receive necessary expenses for the performance of Commission functions, based on existing state rates.

Executive Order 1999-8 is hereby rescinded.

The provisions of this Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 16th day of November, in the Year of our Lord, One Thousand Nine Hundred Ninety-nine.

John Engler
Governor

By the Governor:
Candice S. Miller
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received on November 29, 1999, and read:

EXECUTIVE ORDER
No. 1999 - 14

**Michigan Solid Waste Importation Task Force
Michigan Department of Environmental Quality**

Whereas, Michigan has a finite amount of landfill capacity available and uncontrolled imports of solid waste will require the siting of additional, unnecessary disposal capacity with the potential to negatively impact Michigan's many unique natural resources; and

Whereas, Michigan needs to have the ability to regulate the importation of solid waste to ensure that landfill capacity is available for disposal of Michigan's waste; and

Whereas, out-of-state imports of solid waste total over twelve percent of all solid waste disposed of in Michigan landfills; and

Whereas, Michigan's counties have engaged in long-term comprehensive solid waste planning to ensure that the long-term disposal needs of their citizens can be met in an environmentally sound, cost effective manner; and

Whereas, many communities in Michigan have made significant commitments to waste reduction, recycling, and composting programs as part of their solid waste planning efforts that will be undermined by significant, uncontrolled imports of waste from out-of-state; and

Whereas, the United States Constitution's Commerce Clause (US Const, art I, § 8, cl 3, hereafter "Commerce Clause") reserves to the United States Congress the authority to regulate commerce between the states and with foreign countries; and

Whereas, since 1992, Michigan and other states have worked with Congress to seek federal legislation that would authorize states and affected local governments to regulate imports of solid waste from other states and countries; and

Whereas, given the limitations of states to address this issue, it is essential that solid waste imports be addressed through federal legislation.

Now, Therefore, I, John Engler, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan, do hereby establish the Michigan Solid Waste Importation Task Force ("Task Force") within the Michigan Department of Environmental Quality.

The Task Force is charged with the following responsibilities:

1. Identify trends, causes, and consequences of the importation of solid waste;
2. Meet with members of the Michigan Congressional Delegation and other members of Congress to encourage passage of federal legislation to allow Michigan to control the importation of solid waste; and
3. Provide recommendations to the Governor and the Director of the Michigan Department of Environmental Quality concerning the control of interstate and international waste imports.

The members of the Task Force shall serve at the pleasure of the Governor. The Governor shall appoint one member of the Task Force as Chairperson and such member shall serve as Chairperson at the pleasure of the Governor. The Michigan Department of Environmental Quality shall staff the Task Force.

The Task Force shall consist of members as follows: six members shall be appointed by the Governor, two members representing each of the following: environmental organizations, local government, and the business community.

Additionally, two members may be appointed by the Speaker of the House of Representatives, and two members may be appointed by the Senate Majority Leader.

All state departments, agencies, boards, commissions, or officers of the state shall cooperate and provide any necessary assistance required by the Task Force, or any member or representative thereof, in the performance of its duties. This shall include free access to any books, records, or documents in the custody of the department, agency, board, commission, or officer that is within the scope of the inquiry, study, or review of the Task Force.

Members of the Task Force shall not receive compensation, but may receive reimbursement for necessary travel and expenses for the performance of Task Force functions, based on existing state rates.

The Task Force may adopt rules of procedure, not inconsistent with Michigan law and with this Executive Order, governing its organization and operations. A majority of the serving members constitutes a quorum for the transaction of business at a meeting, notwithstanding the existence of one (1) or more vacancies. Voting upon actions taken by the Task Force shall be conducted by a majority vote.

Unless extended by the Governor, the Task Force shall complete its work and issue a final report and recommendations to the Governor and the Director of the Michigan Department of Environmental Quality by December 1, 2000.

The invalidity of any portion of this Order shall not affect the validity of the remainder thereof.

Executive Order 1999-3 is hereby rescinded.

The provisions of this Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 24th day of November, in the Year of our Lord, One Thousand Nine Hundred Ninety-nine.

John Engler
Governor

By the Governor:
Candice S. Miller
Secretary of State

The Executive Order was referred to the Secretary for record.

Senators Schwarz, Hammerstrom and Bennett entered the Senate Chamber.

The following messages from the Governor were received and read:

November 16, 1999

There is herewith presented for consideration and confirmation by the Senate, the following appointment to office:
Construction Code Commission

Mr. William David Blumhardt, 1409 Sugar Maple Lane, Houghton, Michigan 49931, county of Houghton, as a member representing industrial management, succeeding Mr. Homer E. Kunselman of Midland, whose term has expired, for a term expiring on January 31, 2001.

November 16, 1999

There are herewith presented for consideration and confirmation by the Senate, the following appointments and reappointments to office:

Michigan Education Trust Board of Directors

Mr. Taylor C. Segue III, 1411 Joliet Place, Detroit, Michigan 48207, county of Wayne, as a member representing the general public, succeeding himself, for a term expiring on December 31, 2001.

Mr. Michael J. Crandall, 3062 Bryn Mawr Drive, Portage, Michigan 49024, county of Kalamazoo, as a member representing the Senate Majority Leader, succeeding himself, for a term expiring on December 31, 2002.

Mr. Thomas P. Sullivan, 9835 Whisperwood, Brighton, Michigan 48116, county of Livingston, as a member representing independent colleges and universities, succeeding himself, for a term expiring on December 31, 2002.

Dr. Marilyn Liddell, 415 Centreville Street, Constantine, Michigan 49042, county of St. Joseph, as a member representing community colleges, succeeding Dr. Philip G. Ward of Sturgis, who has resigned, for a term expiring on December 31, 2000.

Ms. Mary Ellen Agar, 6024 Avon Street, Portage, Michigan 49024, county of Kalamazoo, as a member representing the Speaker of the Michigan House of Representatives, succeeding Mr. D. Martin Nystrom of Jackson, whose term has expired, for a term expiring on December 31, 2002.

November 19, 1999

There are herewith presented for consideration and confirmation by the Senate, the following reappointments to office:

Michigan Underground Storage Tank Financial Assurance Policy Board

Dr. V. Harry Adrounie, 1905 N. Broadway, Hastings, Michigan 49058, county of Barry, as a member representing the general public, succeeding himself, for a term expiring on September 17, 2001.

Mr. Jeffery E. Weston, 37641 Dorchester Drive, Farmington Hills, Michigan 48331, county of Oakland, as a member representing petroleum refiner-supplier trade associations, succeeding himself, for a term expiring on September 17, 2001.

Mr. John Malium Dimmick, 57276 Sodaman Road, Marcellus, Michigan 49067, county of Cass, as a member representing independent petroleum distributors, succeeding himself, for a term expiring on September 17, 2001.

Mr. Terrell W. Burns, 11660 South Green Road, Riverdale, Michigan 48877, county of Gratiot, as a member representing service station dealer's trade associations, succeeding himself, for a term expiring on September 17, 2001.

Ms. Linda M. Stout, 47595 Andrea Court, Shelby Township, Michigan 48315, county of Macomb, as a member representing local government, succeeding herself, for a term expiring on September 17, 2001.

Mr. Billy G. Vollenweider, 26621 East River Road, Grosse Ile, Michigan 48138, county of Wayne, as a member representing truck stop operators trade association, succeeding himself, for a term expiring on September 17, 2001.

Mr. Jerry L. Stephan, 285 Waxwing, Traverse City, Michigan 49686, county of Grand Traverse, as a member representing the general public, succeeding himself, for a term expiring on September 17, 2001.

Mr. Robert A. Hayes, 1240 Sherwood, Williamston, Michigan 48895, county of Ingham, as a member representing environmental public interest organizations, succeeding himself, for a term expiring on September 17, 2001.

November 23, 1999

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

Worker's Compensation Board of Magistrates

Ms. Melody A. Paige, 4040 Cullen Road, Fenton, Michigan 48430, county of Genesee, as a member representing the general public, succeeding Mr. Craig R. Petersen of Lansing, who has resigned, for a term expiring on January 26, 2002.

November 24, 1999

There are herewith presented for consideration and confirmation by the Senate, the following appointment and reappointments to office:

Barrier Free Design Board

Mr. Jack L. Edington II, 8225 W. Huron River Drive, Dexter, Michigan 48130, county of Washtenaw, as a member representing visually-impaired persons, succeeding himself, for a term expiring on October 31, 2002.

Dr. Robert I. Wittick, 3883 Trailwood Drive, Okemos, Michigan 48864, county of Ingham, as a member representing hearing-impaired persons, succeeding himself, for a term expiring on October 31, 2002.

Mr. Fredrick L. Hall, 3055 Appleton Court NE, Grand Rapids, Michigan 49526-3126, county of Kent, as a member representing architects, succeeding himself, for a term expiring on October 31, 2002.

Mr. Bryan E. Graham, 404 E. Broad Street, Bellaire, Michigan 49615, county of Antrim, as a member representing severe mobility-limited persons, succeeding Mr. John L. Masucci of Ontonagon, who has resigned, for a term expiring on October 31, 2001.

November 24, 1999

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

Manufactured Housing Commission

Mr. Jeffery Beltaire, 2446 Anchor Bay Lane, West Bloomfield, Michigan 48324, county of Oakland, as a member representing financial institutions, succeeding himself, for a term expiring on May 9, 2002.

Mr. William C. Teachout, 2789 U.S. 31 South Lot 22, Alanson, Michigan 49706, county of Emmet, as a member representing mobile home parks with less than 100 units, succeeding Mr. Floyd M. DeYoung of Belmont, who has resigned, for a term expiring on May 9, 2002.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Messages from the House

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 appointed Reps. Law, DeWeese and Schauer as conferees to join with Senators Shugars, Schwarz and Murphy.

The message was referred to the Secretary for record.

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 appointed Reps. Law, DeWeese and Schauer as conferees to join with Senators Shugars, Schwarz and Murphy.

The message was referred to the Secretary for record.

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 appointed Reps. Law, DeWeese and Schauer as conferees to join with Senators Shugars, Schwarz and Murphy.

The message was referred to the Secretary for record.

Senate Bill No. 462, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 2521; and to repeal acts and parts of acts.

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. 198, entitled

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

The House of Representatives has substituted (H-10) the bill.

The House of Representatives has passed the bill as substituted (H-10) and amended the title to read as follows:

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

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

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

Senator Rogers moved that the following bills be placed at the head of the Third Reading of Bills calendar:

House Bill No. 4628

House Bill No. 4629

Senate Bill No. 668

House Bill No. 4618

Senate Bill No. 756

The motion prevailed.

The following bill was read a third time:

House Bill No. 4628, entitled

A bill to amend 1959 PA 168, entitled "An act to provide for township planning; for the creation, organization, powers and duties of township planning commissions; for the regulation and subdivision of land; and to prescribe penalties and provide remedies," by amending section 9 (MCL 125.329).

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. 598**Yeas—37**

Bennett

Bullard

Byrum

Cherry

DeBeaussaert

DeGrow

Dingell

Gast

Goschka

Gougeon

Hammerstrom

Hart

Hoffman

Jaye

Leland

McCotter

McManus

Miller

Murphy

North

Peters

Shugars

Sikkema

Smith, A.

Smith, V.

Steil

Stille

Van Regenmorter

Dunaskiss
Emerson
Emmons

Johnson
Koivisto

Rogers
Schwarz

Vaughn
Young

Nays—0

Excused—1

Schuette

Not Voting—0

In The Chair: President

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 of the bill.

The following bill was read a third time:

House Bill No. 4629, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," by amending section 72a (MCL 41.72a), as amended by 1996 PA 465.

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. 599

Yeas—37

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson
Emmons

Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Johnson
Koivisto

Leland
McCotter
McManus
Miller
Murphy
North
Peters
Rogers
Schwarz

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

Nays—0

Excused—1

Schuette

Not Voting—0

In The Chair: President

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 of the bill.

The following bill was read a third time:

Senate Bill No. 668, entitled

A bill to amend 1988 PA 161, entitled "Consumer financial services act," by amending sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, and 19 (MCL 487.2052, 487.2053, 487.2054, 487.2055, 487.2056, 487.2057, 487.2058, 487.2059, 487.2060, 487.2061, 487.2062, 487.2064, 487.2065, 487.2066, 487.2067, and 487.2069), sections 5, 7, 8, 11, 12, and 15 as amended by 1992 PA 76, and by adding sections 10a, 10b, 10c, 10d, 10e, 16a, and 16b; and to repeal acts and parts of acts.

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. 600

Yeas—37

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

Nays—0

Excused—1

Schuette

Not Voting—0

In The Chair: President

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4618, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2441 (MCL 600.2441).

The question being on the passage of the bill,

Senator V. Smith offered the following amendments:

1. Amend page 2, line 5, by striking out "\$200.00" and inserting "\$100.00".
2. Amend page 2, line 10, after "ENTERED," by striking out "\$100.00" and inserting "\$50.00".

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

Senator Van Regenmorter offered the following amendment:

1. Amend page 2, line 12, by striking out “January 1, 2000” and inserting “April 1, 2001”.

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

The question being on the passage of the bill,

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

Roll Call No. 601

Yeas—36

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

Nays—1

Jaye

Excused—1

Schuette

Not Voting—0

In The Chair: President

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

The recommendation was not concurred in, 2/3 of the members serving not voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“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.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 756, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 411 (MCL 750.411).

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. 602

Yeas—37

Bennett	Gast	Leland	Shugars
Bullard	Goschka	McCotter	Sikkema

Byrum	Gougeon	McManus	Smith, A.
Cherry	Hammerstrom	Miller	Smith, V.
DeBeaussaert	Hart	Murphy	Steil
DeGrow	Hoffman	North	Stille
Dingell	Jaye	Peters	Van Regenmorter
Dunaskiss	Johnson	Rogers	Vaughn
Emerson	Koivisto	Schwarz	Young
Emmons			

Nays—0

Excused—1

Schuette

Not Voting—0

In The Chair: President

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 President, Lieutenant Governor Posthumus, designated Senator Dingell as Chairperson.

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

Senate Bill No. 373, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 10, 11, 12, and 34 of chapter IX and sections 5, 11, 12, 13, 14, 15, 16a, 16b, 16c, 16d, 16e, 16f, 16g, 16h, 16i, 16j, 16k, 16l, 16m, 16n, 16o, 16p, 16q, 16r, 16s, 16t, 16u, 16v, 16w, 16x, 16y, 16z, 17, 18, 19, 21, 31, 35, 41, 42, 43, 46, 48, and 57 of chapter XVII (MCL 769.10, 769.11, 769.12, 769.34, 777.5, 777.11, 777.12, 777.13, 777.14, 777.15, 777.16a, 777.16b, 777.16c, 777.16d, 777.16e, 777.16f, 777.16g, 777.16h, 777.16i, 777.16j, 777.16k, 777.16l, 777.16m, 777.16n, 777.16o, 777.16p, 777.16q, 777.16r, 777.16s, 777.16t, 777.16u, 777.16v, 777.16w, 777.16x, 777.16y, 777.16z, 777.17, 777.18, 777.19, 777.21, 777.31, 777.35, 777.41, 777.42, 777.43, 777.46, 777.48, and 777.57), sections 10, 11, 12, and 34 of chapter IX as amended and sections 5, 11, 12, 13, 14, 15, 16a, 16b, 16c, 16d, 16e, 16f, 16g, 16h, 16i, 16j, 16k, 16l, 16m, 16n, 16o, 16p, 16q, 16r, 16s, 16t, 16u, 16v, 16w, 16x, 16y, 16z, 17, 18, 19, 21, 31, 35, 41, 42, 43, 46, 48, and 57 of chapter XVII as added by 1998 PA 317, and by adding sections 11b, 11d, 12b, 12d, 12f, 12h, 13b, 13d, 13f, 13h, 13j, 13l, 13n, 14b, 14d, 14f, 14h, 14j, and 15b to chapter XVII; and to repeal acts and parts of acts.

Substitute (S-9).

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

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

House Bill No. 4640, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 34 of chapter IX and sections 31, 43, 46, and 48 of chapter XVII (MCL 769.34, 777.31, 777.43, 777.46, and 777.48), section 34 of chapter IX as amended and sections 31, 43, 46, and 48 of chapter XVII as added by 1998 PA 317.

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

1. Amend page 2, line 7, after "sentence" by inserting "FOR AN INDIVIDUAL SENTENCED TO THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS".

2. Amend page 2, line 11, after "sentence" by striking out "OR A SENTENCE THAT EXCEEDS THE RECOMMENDED SENTENCE RANGE BUT IS LESS THAN THE MANDATORY MINIMUM SENTENCE".

3. Amend page 2, line 11, after "section." by inserting "IF A STATUTE MANDATES A MINIMUM SENTENCE FOR AN INDIVIDUAL SENTENCED TO THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS AND THE STATUTE AUTHORIZES THE SENTENCING JUDGE TO DEPART FROM THAT MINIMUM SENTENCE, A SENTENCE THAT EXCEEDS THE RECOMMENDED SENTENCE RANGE BUT IS LESS THAN THE MANDATORY MINIMUM SENTENCE IS NOT A DEPARTURE UNDER THIS SECTION.".

4. Amend page 11, following line 16, by inserting:

"Sec. 57. (1) Prior record variable 7 is subsequent or concurrent felony convictions. Score prior record variable 7 by determining which of the following apply and by assigning the number of points attributable to the one that has the highest number of points:

(a) The offender has 2 or more subsequent or concurrent convictions20 points

(b) The offender has 1 subsequent or concurrent conviction10 points

(c) The offender has no subsequent or concurrent convictions 0 points

(2) All of the following apply to scoring record variable 7:

(a) Score the appropriate point value if the offender was convicted of multiple felony counts or was convicted of a felony after the sentencing offense was committed.

(b) Do not score a felony firearm conviction in this variable.

(c) Do not score a concurrent felony conviction if a MANDATORY consecutive sentence will result from that conviction."

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

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

House Bill No. 4010, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," by amending sections 1 and 2 (MCL 691.1401 and 691.1402), section 1 as amended by 1986 PA 175 and section 2 as amended by 1996 PA 150, and by adding section 2a.

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

1. Amend page 6, line 3, after "(3)" by striking out "TOWNSHIP" and inserting "A MUNICIPAL CORPORATION'S".

2. Amend page 6, line 7, after "act," by inserting "and section 2a, as added by this amendatory act,".

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

Resolutions

Senate Concurrent Resolution No. 8.

A concurrent resolution to memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained.

(For text of resolution, see Senate Journal No. 29, p. 450.)

The House of Representatives has substituted (H-1) the concurrent resolution as follows:

A concurrent resolution to memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained or improved.

Whereas, With the move to a balanced federal budget, many people are concerned over the impact of increasingly limited funds for vitally important services. An area of special concern is the health care provided to our veterans, especially through the facilities and programs of the Department of Veterans Affairs; and

Whereas, For those who served our country with sacrifice and valor in the Armed Forces, the VA health programs represent a fulfillment of a promise. The programs and facilities are literally a lifeline for many. This promise on the part of our nation—to care for our veterans in their times of need—cannot be forgotten or abandoned. The move to bring austerity and fiscal responsibility to government spending cannot override the needs of the veterans who now rely on us as we relied on them in our nation's times of need; and

Whereas, Funding to care for veterans who have suffered grave injuries must not be jeopardized. Veterans bedridden by injuries and dependent on VA health services have every right to the same level of dedication they gave to America in battles to preserve our way of life. To decrease our financial and emotional commitment to these patriots through inadequate care is wrong. Continuing cutbacks in funding and reductions in service and personal care represent a flawed approach to caring for men and women who have earned our lasting gratitude; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to assure that quality and access to health care for veterans are maintained or improved; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The House of Representatives has adopted the concurrent resolution as substituted (H-1) and named Reps. Ehardt, Van Woerkom, Woronchak, Shackleton, Julian, Kowall, Voorhees, LaSata, Richner, DeVuyst, Patterson, Kuipers, Scott, Scranton, Rocca, Perricone, Mead, Mortimer, Raczkowski, Vander Roest, Vear, Wojno, Rick Johnson, Allen, Jansen, Howell, Faunce, Pappageorge, DeRossett, Koetje, Jellema, Kelly, Gosselin, Bishop, DeHart, Schermesser, DeWeese, Garcia, Richardville, Jammick, Hart, Vaughn, Bovin, Woodward, Tesanovich, Thomas, LaForge, Spade, Brater, Hager, Schauer and Shulman as co-sponsors.

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

Senators McManus, Gougeon, Stille, Emmons, Sikkema, Hammerstrom, Schuette and McCotter offered the following concurrent resolution:

Senate Concurrent Resolution No. 29.

A concurrent resolution to memorialize the Congress of the United States to grant to the President fast-track negotiating authority for future trade agreements.

Whereas, For twenty years, beginning in 1974, all Presidents had fast-track authority with regard to the negotiation of trade agreements with other countries. Under the fast-track process, the President can submit a negotiated trade agreement to the Congress for a yes or no vote within 90 days. This mechanism is designed to strengthen our country's position in international trade negotiations and to increase our nation's credibility by assuring a swift resolution of a pending agreement. This authority puts the United States on an even basis with other countries, which generally have the power to enter into binding agreements; and

Whereas, With the increasing vitality of the global marketplace, international trade is growing in its significance to the overall economy of the United States. Michigan is strongly influenced by access to foreign markets. Fast-track authority is an important tool to expand trade and to extend commerce; and

Whereas, Beginning in late 1999, a host of agricultural agreements are scheduled to be negotiated through the World Trade Organization. Michigan's strong position in the production and distribution of several crops gives us a strong interest in any and all steps that can be taken to advance the ability of our country to attain fair provisions in international trade negotiations; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to grant to the President fast-track negotiating authority for future trade agreements; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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

Senator Rogers moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

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

The motion prevailed.

Senators McManus, Gougeon, Stille, Emmons, Sikkema, Hammerstrom, Schuette and McCotter offered the following concurrent resolution:

Senate Concurrent Resolution No. 30.

A concurrent resolution calling for better access to credit for farmers, food processors, and agricultural cooperatives.

Whereas, The agriculture industry in Michigan and across much of the country is facing serious difficulties. The severity of this problem is best explained in this state by the steady and significant decline in the number of farms operating in Michigan and the total acreage in agricultural production. The traditional family farm, with farming as the sole occupation, is disappearing in many parts of the state; and

Whereas, Although farming has always depended a great deal on access to capital for the enormous costs of operations, this situation has become more severe as corporate farming increases and places pressure on smaller farms. The economic crisis facing farming is also strongly tied to the difficulties faced by processors and cooperatives. The same difficulties in obtaining capital threaten smaller facilities performing the services of handling and storing crops on their way to the market; and

Whereas, In recent years, with expansion of markets and freer trade in agricultural products, a new wave of economic and political considerations are bringing added pressures to Michigan agriculture. The availability of credit to finance farming is further strained and further favors massive operations; and

Whereas, The credit problems facing farms, processors, and cooperatives must not be ignored. The production of food will always be critical to our state's economy and future. Stronger efforts must be made to open up credit to assure the viability of Michigan agriculture; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we call for better access to credit for farmers, food processors, and agricultural cooperatives; and be it further

Resolved, That copies of this resolution be transmitted to the United States Department of Agriculture and Michigan Department of Agriculture.

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

Senator Rogers moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

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

The motion prevailed.

Senator Goschka was named co-sponsor of the concurrent resolution.

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

Senate Resolution No. 103

Senate Resolution No. 104

The resolution consent calendar was adopted.

Senator Rogers offered the following resolution:

Senate Resolution No. 103.

A resolution honoring the life and memory of Elton Smith.

Whereas, It is a privilege to join with the citizens of Michigan to honor the memory of Elton Smith, Michigan Farm Bureau president for 22 years; and

Whereas, Elton Smith was widely respected and recognized as a leader not only in Michigan agriculture, but on the national and international scenes; and

Whereas, A graduate from a two-year agricultural short course at what is now Michigan State University in 1931, Elton began his farming career with 120 acres of rented land and built Med-O-Bloom, an 800-acre, 500-head dairy farm nationally renowned for its red-and-white Holstein herd; and

Whereas, He devoted much of his life to the promotion of Michigan and American agriculture. As president of the Michigan Farm Bureau from 1964 to 1986, his talents were often tapped by U.S. presidents, Michigan governors, and secretaries of agriculture. He served as vice president of the American Farm Bureau Federation and served on U.S. trade committees appointed by four different U.S. presidents. He led trade missions to Japan, Europe, and Israel; and

Whereas, Elton Smith was considered one of Michigan's leading proponents of agriscience education, and research. He served as a board member of the Michigan FFA Foundation and was an avid 4-H supporter. He believed in the promise of young farmers and emphasized the need to keep young people involved in agriculture; and

Whereas, The passing of Elton Smith marks the end of an outstanding career and the end of an era in Michigan agriculture. His leadership and service have been greatly appreciated by the citizens of this state; now, therefore, be it

Resolved by the Senate, That the highest tribute be hereby accorded to honor the memory of Elton Smith and his many accomplishments; and be it further

Resolved, That a copy of this resolution be transmitted to the family of Elton Smith and the Michigan Farm Bureau as evidence of our admiration and esteem.

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

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

Senator Rogers offered the following resolution:

Senate Resolution No. 104.

A resolution commemorating November 1999 as Adoption Awareness Month in Michigan.

Whereas, November is National Adoption Awareness Month, a time for families to come together to celebrate, educate, and advocate for adoption; and

Whereas, For over 20 years, adoptive family organizations and the entire adoption community have observed November as Adoption Awareness Month; and

Whereas, There are hundreds of thousands of children residing in foster care homes awaiting permanent adoptive homes; and

Whereas, Efforts need to be taken to dispel myths about adoptive life and focus on the joys and triumphs of adoptive families; and

Whereas, November is a great time of year to celebrate uniting families and to give thanks for every child; now, therefore, be it

Resolved by the Senate, That in recognition of the benefit of promoting adoption in the state of Michigan, we hereby commemorate November 1999 as Adoption Awareness Month in Michigan.

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

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

Senator DeGrow offered the following resolution:

Senate Resolution No. 105.

A resolution offered as a memorial for Ted Rusesky.

Whereas, We were saddened to learn of the passing of Ted Rusesky of the Legislative Service Bureau's Legislative Research Division. During his 20-year career working on behalf of the Michigan Legislature, this conscientious professional served the people of our state with exemplary skill and enthusiasm for public service. We offer our sympathies to his family and co-workers and wish them to know of the widespread respect and affection held for Ted in so many legislative offices; and

Whereas, To many people in and around the Capitol, Ted Rusesky was an invaluable resource. His quick mind and keen interest in current events combined with his deep understanding of Michigan government and law made him one of the most valuable Legislative Service Bureau staff members. Ted provided information used in the creation of legislation and located and explained statutes for legislators, staff, and constituents. An excellent writer, he produced some of the most widely used public information documents in the Legislature and was known for his expertise on several issues. He was the author of a host of valuable reports on topics ranging from apportionment to local government. A theme of much of his work was presenting the historical perspective of public policies; and

Whereas, Fittingly, for a man with Ted's tenacity and gift for research, he became an expert on the treatment options for multiple myeloma, the cancer that took his life. He became fluent in the literature of the illness and ongoing clinical research. Much as he did professionally with legislators and staff, he reached out to others stricken with the disease, providing information, counsel, and encouragement to help them make wise decisions; and

Whereas, While Ted took great pride in his work with the Legislative Service Bureau, no task was more significant to him than his responsibilities to his family. He was fiercely proud of his wife's dedication as a public school teacher and devoted to their sons, Teddy, Joe, and Andrew. To them, we offer our deepest sympathies; now, therefore, be it

Resolved by the Senate, That we offer this expression of respect as a memorial for Ted Rusesky, who served the Michigan Legislature through the Legislative Service Bureau for 20 years; and be it further

Resolved, That a copy of this resolution be transmitted to Ted's wife, Martha, and their sons as a reflection of the admiration we hold for his memory.

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

Senator Rogers moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Rogers moved that the resolution be read.

The motion prevailed.

The resolution was adopted by a unanimous standing vote of the Senate.

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

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

By unanimous consent the Senate proceeded to the order of
Statements

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

The motion prevailed.

Senator McManus' statement is as follows:

Well, I came to you today as a proud grandfather of one of the players on the Traverse City St. Francis Football team, John Ryan McManus. The Gladiators took the Division VII Title over at the Silverdome last Saturday with a score of 23 to 6 against the Gobles team. This St. Francis team, the fighting Irish of Traverse City, which also happens to be my alma mater from high school, contains not only my grandson but two of my grandnephews, Tim Wolf and Steve Gallagher. Wolf is definitely an all-state type and caught an impossible pass in that game on Saturday. This is an outstanding team not only for their football expertise, they went to the semi-finals last year and got beat by Senator Gougeon's Sebewaing team. They worked their way up over the four years they have been in high school to finally make it at the Dome. But these boys are not only good football players, but an outstanding academic group with a very high grade point average that some college or more than one should be looking at for their enrollment. And the other thing about them is they are a team with a lot of character. They are some tremendous boys. I want to congratulate them, and I hope you join me in congratulating them on a very successful season with their win Saturday at the Silverdome.

By unanimous consent the Senate returned to the order of
Introduction and Referral of Bills

Senator Jaye introduced
Senate Bill No. 890, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 509t, 726, 759a, and 769 (MCL 168.509t, 168.726, 168.759a, and 168.769), section 509t as amended by 1998 PA 21, section 759a as amended by 1996 PA 207, and section 769 as amended by 1995 PA 261, and by adding sections 750a, 750b, and 750c.

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

Senator Jaye introduced
Senate Bill No. 891, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11 of chapter XVII (MCL 777.11), as amended by 1999 PA 90.

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

Senators Steil, Van Regenmorter, Sikkema, Shugars, Bennett, Gougeon, Jaye, Stille, Goschka, V. Smith and Koivisto introduced

Senate Bill No. 892, entitled

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; and to declare the effect of this act," by amending section 28 (MCL 205.28), as amended by 1998 PA 221.

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

House Bill No. 4154, entitled

A bill to amend 1929 PA 48, entitled "An act levying a specific tax to be known as the severance tax upon all producers engaged in the business of severing oil and gas from the soil; prescribing the method of collecting the tax; requiring all producers of such products or purchasers thereof to make reports; to provide penalties; to provide

exemptions and refunds; to prescribe the disposition of the funds so collected; and to exempt those paying such specific tax from certain other taxes,” by amending section 14 (MCL 205.314), as amended by 1994 PA 307.

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. 4155, entitled

A bill to amend 1929 PA 48, entitled “An act levying a specific tax to be known as the severance tax upon all producers engaged in the business of severing oil and gas from the soil; prescribing the method of collecting the tax; requiring all producers of such products or purchasers thereof to make reports; to provide penalties; to provide exemptions and refunds; to prescribe the disposition of the funds so collected; and to exempt those paying such specific tax from certain other taxes,” (MCL 205.301 to 205.317) by adding section 14a.

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. 4523, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending section 35 (MCL 169.235), as amended by 1989 PA 95.

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 Government Operations.

House Bill No. 4776, entitled

A bill to create a veterans speakers program within the department of military and veterans affairs; and to prescribe duties for certain state officials.

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 Human Resources, Labor, Senior Citizens and Veterans Affairs.

House Bill No. 5050, entitled

A bill to regulate the erection of certain signs or markers by the state transportation department for certain purposes.

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. 5054, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 2, 42, 73, 74, 283, 284, 393, 394, 509n, 544b, 662, 686, 686a, 759a, and 879 (MCL 168.2, 168.42, 168.73, 168.74, 168.283, 168.284, 168.393, 168.394, 168.509n, 168.544b, 168.662, 168.686, 168.686a, 168.759a, and 168.879), section 284 as amended by 1990 PA 7, section 509n as added by 1994 PA 441, sections 662 and 759a as amended by 1996 PA 207, section 686a as amended by 1988 PA 116, and section 879 as amended by 1995 PA 261, and by adding section 30; and to repeal acts and parts of acts.

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 Government Operations.

House Bill No. 5055, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 558, 826, 845, and 933 (MCL 168.558, 168.826, 168.845, and 168.933), sections 558 and 933 as amended by 1997 PA 137 and section 826 as amended by 1995 PA 261.

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 Government Operations.

House Bill No. 5056, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending sections 16 and 32 (MCL 169.216 and 169.232), section 16 as amended by 1992 PA 188 and section 32 as amended by 1995 PA 264.

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 Government Operations.

House Bill No. 5057, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 15, 33, 34, and 35 (MCL 169.215, 169.233, 169.234, and 169.235), section 15 as amended by 1996 PA 590, section 33 as amended by 1995 PA 264, and sections 34 and 35 as amended by 1989 PA 95.

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 Government Operations.

House Bill No. 5058, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 15 (MCL 169.215), as amended by 1996 PA 590.

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 Government Operations.

House Bill No. 5059, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 5, 22, 24, 26, 28, 29, 41, and 42 (MCL 169.205, 169.222, 169.224, 169.226, 169.228, 169.229, 169.241, and 169.242), sections 5, 26, and 29 as amended by 1995 PA 264, section 22 as amended by 1989 PA 95, and sections 24, 28, 41, and 42 as amended by 1994 PA 117, and by adding section 18; and to repeal acts and parts of acts.

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 Government Operations.

House Bill No. 5060, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 53, 71, 161, 163, 191, 193, 224, 254, 281, 322, 342, 349, 391, 404, 409, 409b, 409c, 409l, 411, 413, 413a, 414, 424, 424a, 426b, 426d, 431, 433, 433a, 434, 444, 467, 467b, 467c, 467d, 467m, 544d, 624, 644f, 667, and 795 (MCL 168.53, 168.71, 168.161, 168.163, 168.191, 168.193, 168.224, 168.254, 168.281, 168.322, 168.342, 168.349, 168.391, 168.404, 168.409, 168.409b, 168.409c, 168.409l, 168.411, 168.413, 168.413a, 168.414, 168.424, 168.424a, 168.426b, 168.426d, 168.431, 168.433, 168.433a, 168.434, 168.444, 168.467, 168.467b, 168.467c, 168.467d, 168.467m, 168.544d, 168.624, 168.644f, 168.667, and 168.795), sections 53, 163, 193, 224, 254, 322, 349, 409b, 413, 426d, 433, 467b, and 624 as amended by 1996 PA 583, sections 71, 161, 191, 281, 342, 391, 409, 411, 426b, 431, and 467 as amended by 1982 PA 505, sections 409l, 424, 424a, 444, 467c, and 467m as amended by 1990 PA 32, section 544d as amended by 1988 PA 116, section 644f as amended by 1990 PA 7, and section 795 as amended by 1998 PA 21, and by adding section 544f; and to repeal acts and parts of acts.

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 Government Operations.

House Bill No. 5061, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 471, 472a, 474a, 475, 476, 477, 544c, and 961 (MCL 168.471, 168.472a, 168.474a, 168.475, 168.476, 168.477, 168.544c, and 168.961), section 544c as amended by 1993 PA 137 and section 961 as amended by 1982 PA 456, and by adding sections 9a and 473b.

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 Government Operations.

House Bill No. 5064, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 31, 552, 961a, and 963 (MCL 168.31, 168.552, 168.961a, and 168.963), section 31 as amended by 1998 PA 215, section 552 as amended by 1990 PA 7, and sections 961a and 963 as amended by 1982 PA 456.

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 Government Operations.

House Bill No. 5088, entitled

A bill to require tobacco product manufacturers to place funds in escrow for medical expenses incurred by the state due to tobacco related illnesses; to establish a formula for determining the amount of the escrow; to establish the conditions for release of funds from escrow; to prescribe powers and duties of the attorney general; and to provide for civil penalties for violation of this act.

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 Appropriations.

Committee Reports

The Committee on Transportation and Tourism reported

Senate Bill No. 392, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 627a (MCL 257.627a), as amended by 1996 PA 574.

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.

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Steil, North, Leland and Hart

Nays: None

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

The Committee on Transportation and Tourism reported

Senate Bill No. 732, entitled

A bill to amend 1998 PA 116, entitled "Personal watercraft safety act," by amending section 31 (MCL 281.1431).

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Steil and North

Nays: None

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

The Committee on Transportation and Tourism reported

Senate Bill No. 737, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 217d (MCL 257.217d), as added by 1980 PA 124.

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

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Steil, North, Leland and Hart

Nays: None

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

The Committee on Transportation and Tourism reported

Senate Bill No. 857, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 660 (MCL 257.660), as amended by 1994 PA 348, and by adding section 25b.

With the recommendation that the bill pass.

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Steil, North, Leland and Hart

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Tourism reported

House Bill No. 5040, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811n.

With the recommendation that the bill pass.

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

Bill Bullard, Jr.
Chairperson

To Report Out:

Yeas: Senators Bullard, Steil, North, Leland and Hart

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Tourism reported

House Bill No. 5041, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811k.

With the recommendation that the bill pass.

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

Bill Bullard, Jr.

Chairperson

To Report Out:

Yeas: Senators Bullard, Steil, North, Leland and Hart

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Transportation and Tourism reported

House Bill No. 5042, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811i.

With the recommendation that the bill pass.

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

Bill Bullard, Jr.

Chairperson

To Report Out:

Yeas: Senators Bullard, Steil, North, Leland and Hart

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Tourism submits the following:

Meeting held on Tuesday, November 9, 1999, at 3:00 p.m., Room 100, Farnum Building

Present: Senators Bullard (C), Steil, North, Leland and Hart

The Committee on Financial Services reported

Senate Bill No. 808, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 5400, 5402, 5800, 5901, 5905, 5911, 5913, and 5915 (MCL 500.5400, 500.5402, 500.5800, 500.5901, 500.5905, 500.5911, 500.5913, and 500.5915), section 5800 as amended by 1998 PA 457, sections 5901 and 5915 as amended by 1998 PA 121, and sections 5905, 5911, and 5913 as added by 1995 PA 215, and by adding sections 5403 and 5803 and chapter 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.

Bill Bullard, Jr.

Chairperson

To Report Out:

Yeas: Senators Bullard, Emmons, Miller and Leland

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 Financial Services submits the following:

Meeting held on Wednesday, November 10, 1999, at 9:30 a.m., Room 110, Farnum Building

Present: Senators Bullard (C), Emmons, Miller and Leland

Excused: Senators Dunaskiss, Shugars and Jaye

The Committee on Appropriations reported

Senate Bill No. 802, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 32 (MCL 388.1632), as added by 1999 PA 119.

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

1. Amend page 1, line 9, after "and" by striking out "at least 8% of".
2. Amend page 1, line 9, after "the" by inserting "NUMBER OF".
3. Amend page 1, line 9, after "pupils" by striking out "IN MEMBERSHIP".
4. Amend page 1, line 10, after "1998-99" by striking out "must" and inserting "THAT".
5. Amend page 2, line 3, after "91-230" by inserting a comma and "MUST EQUAL OR EXCEED 8% OF THE DISTRICT'S MEMBERSHIP".
6. Amend page 2, line 24, after "instruction" by striking out "not later than December 1, 1999".
7. Amend page 2, line 27, by striking out "not later than October 15, 1999".
8. Amend page 3, line 5, by striking out "not later than February 1, 2000".

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

Harry Gast
Chairperson

To Report Out:

Yeas: Senators Gast, Schwarz, McManus, Johnson, Hoffman, North, Gougeon, Bennett, Stille, A. Smith, Koivisto, Young, Vaughn, DeBeaussaert and Emerson

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submits the following:

Meeting held on Wednesday, November 10, 1999, at 1:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Gast (C), Schwarz, McManus, Johnson, Hoffman, North, Gougeon, Bennett, Stille, Goschka, A. Smith, Koivisto, Young, Vaughn, DeBeaussaert and Emerson

The Committee on Natural Resources and Environmental Affairs reported

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.

With the recommendation that the bill pass.

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

Ken Sikkema
Chairperson

To Report Out:

Yeas: Senators Sikkema, Dunaskiss, Gast, Peters and Young

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submits the following:

Meeting held on Tuesday, November 9, 1999, at 1:00 p.m., Room 810, Farnum Building

Present: Senators Sikkema (C), Dunaskiss, Gast, Peters and Young

The Committee on Natural Resources and Environmental Affairs reported

Senate Bill No. 550, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20126 (MCL 324.20126), as amended by 1996 PA 115.

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.

Ken Sikkema
Chairperson

To Report Out:

Yeas: Senators Sikkema, Gast and Peters

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 Natural Resources and Environmental Affairs submits the following:

Meeting held on Wednesday, November 10, 1999, at 9:30 a.m., Room 405, Capitol Building

Present: Senators Sikkema (C), Gast and Peters

Excused: Senators Dunaskiss and Young

The Committee on Economic Development, International Trade and Regulatory Affairs reported

Senate Bill No. 135, entitled

A bill to amend 1929 PA 48, entitled "An act levying a specific tax to be known as the severance tax upon all producers engaged in the business of severing oil and gas from the soil; prescribing the method of collecting the tax; requiring all producers of such products or purchasers thereof to make reports; to provide penalties; to provide exemptions and refunds; to prescribe the disposition of the funds so collected; and to exempt those paying such specific tax from certain other taxes," by amending section 14 (MCL 205.314), as amended by 1994 PA 307.

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

1. Amend page 2, line 8, after "1," by striking out "1999" and inserting "2000".

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

Bill Schuette
Chairperson

To Report Out:

Yeas: Senators Schuette, McCotter, Jaye, Leland and Peters

Nays: None

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

The Committee on Economic Development, International Trade and Regulatory Affairs reported

Senate Bill No. 136, entitled

A bill to amend 1929 PA 48, entitled "An act levying a specific tax to be known as the severance tax upon all producers engaged in the business of severing oil and gas from the soil; prescribing the method of collecting the tax; requiring all producers of such products or purchasers thereof to make reports; to provide penalties; to provide exemptions and refunds; to prescribe the disposition of the funds so collected; and to exempt those paying such specific tax from certain other taxes," (MCL 205.301 to 205.317) by adding section 14b.

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

1. Amend page 1, following line 6, by inserting:

"Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 135 of the 90th Legislature is enacted into law."

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

Bill Schuette
Chairperson

To Report Out:

Yeas: Senators Schuette, McCotter, Jaye, Leland and Peters

Nays: None

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

The Committee on Economic Development, International Trade and Regulatory Affairs reported

Senate Bill No. 137, entitled

A bill to amend 1929 PA 48, entitled "An act levying a specific tax to be known as the severance tax upon all producers engaged in the business of severing oil and gas from the soil; prescribing the method of collecting the tax; requiring all producers of such products or purchasers thereof to make reports; to provide penalties; to provide exemptions and refunds; to prescribe the disposition of the funds so collected; and to exempt those paying such specific tax from certain other taxes," (MCL 205.301 to 205.317) by adding section 14a.

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

1. Amend page 1, following line 6, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 135 of the 90th Legislature is enacted into law.”.

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

Bill Schuette
Chairperson

To Report Out:

Yeas: Senators Schuette, McCotter, Jaye, Leland and Peters

Nays: None

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

The Committee on Economic Development, International Trade and Regulatory Affairs reported

Senate Bill No. 742, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” (MCL 436.1101 to 436.2303) by adding section 516.

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

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

Bill Schuette
Chairperson

To Report Out:

Yeas: Senators Schuette, McCotter, Leland and Peters

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 Economic Development, International Trade and Regulatory Affairs submits the following:

Meeting held on Tuesday, November 9, 1999, at 1:18 p.m., Room 110, Farnum Building

Present: Senators Schuette (C), McCotter, Jaye, Leland and Peters

The Committee on Education reported

Senate Bill No. 588, entitled

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending section 13 (MCL 15.243), as amended by 1996 PA 553.

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.

Loren N. Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Emmons, Stille, Peters and Leland

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 Education submits the following:

Meeting held on Wednesday, November 10, 1999, at 3:00 p.m., Room 810, Farnum Building

Present: Senators Bennett (C), Emmons, Stille, Peters and Leland

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 803, entitled

A bill to amend 1970 PA 74, entitled “Corner recordation act,” by amending sections 2, 3, 6, 7, 8, 10, 13, and 14 (MCL 54.202, 54.203, 54.206, 54.207, 54.208, 54.210, 54.210c, and 54.210d), sections 2, 6, 8, 13, and 14 as amended by 1988 PA 26; and to repeal acts and parts of acts.

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, Van Regenmorter and Miller

Nays: None

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

The Committee on Local, Urban and State Affairs reported

Senate Bill No. 866, entitled

A bill to amend 1955 PA 233, entitled "An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies," by amending section 4b (MCL 124.284b), as added by 1985 PA 178.

With the recommendation that the bill pass.

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

Thaddeus G. McCotter
Chairperson

To Report Out:

Yeas: Senators McCotter, Shugars, Van Regenmorter, Miller and Murphy

Nays: None

The bill was 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, November 10, 1999, at 3:00 p.m., Room 405, Capitol Building

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

The Committee on Judiciary reported

Senate Bill No. 120, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 285.

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, Rogers, 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. 885, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 160 of chapter XVII (MCL 777.160), 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, Rogers, Peters, V. Smith and Dingell

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 Judiciary submits the following:

Meeting held on Wednesday, November 10, 1999, at 1:00 p.m., Rooms 402 and 403, Capitol Building

Present: Senators Van Regenmorter (C), McCotter, Bullard, Rogers, Peters, V. Smith and Dingell

The Committee on Hunting, Fishing and Forestry reported

Senate Bill No. 512, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43502 and 43537 (MCL 324.43502 and 324.43537), as amended by 1996 PA 585.

With the recommendation that the bill pass.

Dave Jaye
Chairperson

To Report Out:

Yeas: Senators Jaye, Bullard, Hoffman and Dingell

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Hunting, Fishing and Forestry submits the following:

Meeting held on Wednesday, November 10, 1999, at 2:00 p.m., Room 110, Farnum Building

Present: Senators Jaye (C), Bullard, Hoffman and Dingell

Excused: Senator Byrum

The Committee on Farming, Agribusiness and Food Systems reported

Senate Bill No. 705, entitled

A bill to provide regulations and prohibitions concerning wolf-dog crosses; to require the licensing of wolf-dog crosses; to impose fees; to prescribe the powers and duties of certain federal, state, and local governmental entities and officials; to provide standards for the care of wolf-dog crosses; and to prescribe penalties and provide remedies.

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

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

George A. McManus, Jr.
Chairperson

To Report Out:

Yeas: Senators McManus, Stille, Gougeon, Byrum and Hart

Nays: None

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

The Committee on Farming, Agribusiness and Food Systems reported

Senate Bill No. 782, entitled

A bill to regulate the ownership, possession, and care of certain exotic animals; to prohibit the ownership and possession of certain exotic animals; to impose fees; to prescribe the powers and duties of certain governmental entities and officials; and to prescribe penalties and provide remedies.

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

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

George A. McManus, Jr.
Chairperson

To Report Out:

Yeas: Senators McManus, Stille, Gougeon, Byrum and Hart

Nays: None

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

The Committee on Farming, Agribusiness and Food Systems reported

Senate Resolution No. 102.

A resolution to urge the United States Environmental Protection Agency to make its regulatory decisions under the Food Quality Protection Act on the basis of sound science and to approve the use of certain products.

(For text of resolution, see Senate Journal No. 80, p. 1774.)

With the recommendation that the resolution be adopted.

George A. McManus, Jr.
Chairperson

To Report Out:

Yeas: Senators McManus, Stille, Byrum and Hart

Nays: None

The resolution was placed on the order of Resolutions.

The Committee on Farming, Agribusiness and Food Systems reported

Senate Concurrent Resolution No. 28.

A concurrent resolution to urge the United States Environmental Protection Agency to make its regulatory decisions under the Food Quality Protection Act on the basis of sound science and to approve the use of certain products.

(For text of resolution, see Senate Journal No. 80, p. 1773.)

With the recommendation that the concurrent resolution be adopted.

George A. McManus, Jr.
Chairperson

To Report Out:

Yeas: Senators McManus, Stille, Byrum and Hart

Nays: None

The concurrent resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Farming, Agribusiness and Food Systems submits the following:

Meeting held on Wednesday, November 10, 1999, at 1:00 p.m., Room 810, Farnum Building

Present: Senators McManus (C), Stille, Gougeon, Byrum and Hart

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Joint Capital Outlay submits the following:

Meeting held on Thursday, September 30, 1999, at 8:45 a.m., House Appropriations Room, Capitol Building

Present: Senators Gast (C), McManus, Gougeon, Johnson, Koivisto, Schwarz and Emerson

Excused: Senator Young

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Health submits the following:

Meeting held on Tuesday, October 26, 1999, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Gougeon (C), Schwarz, Johnson, A. Smith and Emerson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Health submits the following:

Meeting held on Tuesday, November 2, 1999, at 1:00 p.m., Room 210, Farnum Building

Present: Senators Gougeon (C), Schwarz, Johnson, A. Smith and Emerson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Joint Capital Outlay submits the following:

Meeting held on Wednesday, November 10, 1999, at 8:45 a.m., House Appropriations Room, Capitol Building

Present: Senators Gast (C), McManus, Gougeon, Johnson, Koivisto and Young

Excused: Senators Schwarz and Emerson

COMMITTEE ATTENDANCE REPORT

The Committee on Health Policy submits the following:

Meeting held on Wednesday, November 10, 1999, at 1:30 p.m., Room 100, Farnum Building

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

Scheduled Meetings

Administrative Rules Joint Committee - Wednesday, December 1, at 8:30 a.m., Rooms 402 and 403, Capitol Building (3-6476).

Appropriations Committee - Wednesday, December 1, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-6960).

Conference Committee on HB 4485 - Wednesday, December 1, at 9:30 a.m., Room 424, Capitol Building (3-0793).

Conference Committee on HB 4486 - Wednesday, December 1, at 9:30 a.m., Room 424, Capitol Building (3-0793).

Conference Committee on HB 4487 - Wednesday, December 1, at 9:30 a.m., Room 424, Capitol Building (3-0793).

Conference Committee on SB 463 - Wednesday, December 1, at 9:00 a.m., Room 405, Capitol Building (3-1707).

Education Committee - Wednesday, December 1, at 3:00 p.m., Room 810, Farnum Building (3-7350).

Families, Mental Health and Human Services Committee - Wednesday, December 1, at 3:00 p.m., Room 100, Farnum Building (3-3543).

Gaming and Casino Oversight Committee - Wednesday, December 1, at 3:00 p.m., Room 210, Farnum Building (3-1801).

Government Operations Committee - Thursday, December 2, at 1:00 p.m., Room 405, Capitol Building (3-1707).

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

Legislative Retirement Board of Trustees - Wednesday, December 1, at 8:15 a.m., MSU Capitol Access Office, 15th Floor, Comerica Building, 101 N. Washington Square (3-0575).

State Police and Military Affairs Appropriations Subcommittee - Wednesday, December 8, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-2426).

Technology and Energy Committee - Wednesday, December 1, at 3:00 p.m., Rooms 402 and 403, Capitol Building (3-2417).

Transportation Appropriations Subcommittee - Tuesday, December 7, at 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-2426).

Senator Rogers moved that the Senate adjourn.
The motion prevailed, the time being 12:00 Noon.

The Assistant President pro tempore, Senator Hoffman, declared the Senate adjourned until Wednesday, December 1, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.