

No. 72
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Thursday, October 21, 1999.

10:00 a.m.

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

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

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

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

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

Reverend Robert Starkey of First Congregational Church of Port Huron offered the following invocation:

Our good and gracious God, we invoke Your presence here in this legislative body because when You are present, we are less likely to center on ourselves and our agendas. We invoke Your help because with Your help we are less likely to be limited by our own vision and resources. We ask You to work with us to achieve the best of which the people of Michigan are capable because we have set our sights higher than we can reach alone. May Your presence, guidance, and love be felt this very day as we seek our best, Your best, and the best for the people of Michigan, through the inner working of Your Holy Spirit. Amen.

Motions and Communications

Senator Rogers moved that Senator Jaye be temporarily excused from today's session.

The motion prevailed.

Senator V. Smith moved that Senators Murphy and Vaughn be excused from today's session.

The motion prevailed.

The following communications were received:

Department of State

Administrative Rules Notices of Filing

August 16, 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 1:00 p.m. this date, administrative rule (99-08-6) for the Department of Consumer and Industry Services, Director's Office, entitled "*Methylene Chloride*," effective 15 days hereafter.

October 1, 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 10:50 a.m. this date, administrative rule (99-10-1) for the Department of Consumer and Industry Services, Director's Office, entitled "*Asbestos Standards for Construction*," effective 15 days hereafter.

October 1, 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 10:52 a.m. this date, administrative rule (99-10-2) for the Department of Consumer and Industry Services, Director's Office, entitled "*1,3 Butadiene*," effective 15 days hereafter.

October 1, 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 10:54 a.m. this date, administrative rule (99-10-3) for the Department of Consumer and Industry Services, Director's Office, entitled "*Methylenedianiline*," effective 15 days hereafter.

October 1, 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 10:56 a.m. this date, administrative rule (99-10-4) for the Department of Consumer and Industry Services, Director's Office, entitled "*Formaldehyde*," effective 15 days hereafter.

October 1, 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 10:58 a.m. this date, administrative rule (99-10-5) for the Department of Consumer and Industry Services, Director's Office, entitled "*Coke Oven Emissions*," effective 15 days hereafter.

October 7, 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 (99-10-7) for the Department of Consumer and Industry Services, Director's Office, entitled "*General Rules: Part 9. Hearings, Appeals, and Declaratory Rulings*," 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

October 15, 1999

Pursuant to Section 315 of P.A. 122 of 1999, we are enclosing a copy of the special investigation reports #9C0102010 conducted on Bay Pines Center and #9C0103019 conducted on Maxey Training School-Summit Center. These reports were 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 Secretary announced that the following House bills were received in the Senate and filed on Wednesday, October 20:

House Bill Nos. 4628 4629 4876 4880

The Secretary announced the enrollment printing and presentation to the Governor on Wednesday, October 20, for his approval the following bill:

Enrolled Senate Bill No. 587 at 11:40 a.m.

The Secretary announced the printing and placement in the members' files on Wednesday, October 20 of:

House Bill Nos. 5008 5009 5010 5016

Senator Jaye entered the Senate Chamber.

Senator Rogers moved that rule 3.902 be suspended to allow the guests of Senator North admittance to the Senate floor.

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

Senators North, Rogers and A. Smith asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator North's statement is as follows:

Well, tomorrow is the last day of service to the Senate by one of the Secretary of the Senate's Session Bill Clerks, Susan Lyon. Susan has been with the Secretary of the Senate's office for seven years. She started her service in 1992 as a temporary worker. In 1994, she was promoted to an Enrolling Clerk, and she is now the Session Bill Clerk.

Susan has demonstrated a wonderful demeanor, certainly, in the five years that I've been in the Senate. She has worked in administrative positions prior to her Senate service for Christman Construction Company and also a radio station in East Lansing.

The Senate's loss, tomorrow as Susan's last day, will be the Secretary of State's gain. Susan is going to work for the Secretary of State Candice Miller's office as an administrative assistant to her deputy, Jamie Roe.

Sue's mother and aunt are also here.

One other thing about Susan that many of you may not know is that she served three years in the United States Marine Corps. If her dedication and service in the military equaled her dedication and service here, I would suggest that the Marine Corps' recruitment slogan be altered to say, "Looking for a few good women and men."

It gives me a great deal of pleasure to present a tribute, on behalf of my colleagues, for seven years of wonderful service to Sue Lyon.

Senator Rogers' statement is as follows:

As I am the new floor leader this year, I have to send my compliments not only on behalf of my office and my staff but all the Legislators and staff here for the fine work Sue has done to keep us out of trouble. We are going to miss her in a lot of different areas. We're going to miss her talent, certainly, in the administration of this fine chamber, but also she is star of the Legislative Ski Day, when she shows up. She has a unique form to get from the top of the hill to the bottom, and a lot of that is really dealing with close contact with the ground. It's a very unique thing to see, Mr. President. I'd encourage you to be there next year, hopefully, as she competes for the Secretary of the State.

I also want to wish her well. I want to thank her for dedicating her time and her talent to caring about others and to making sure we didn't do something wrong and to keep us out of trouble.

The only fault that we have is that it was the United State Marines. I think it would have been a finer resume had that been the United States Army, but we'll forgive her that small indiscretion.

I will say that there is hope for this chamber, Mr. President, as my office sent someone to the Secretary of State that we were able to recapture very shortly thereafter. My hope is that Susan will rethink and be back shortly. We wish her well in her new career. We know that she's going to do great things at the Secretary of State. God's speed and God bless you.

Senator A. Smith's statement is as follows:

I would like to join my colleagues on the other side of the aisle in a salute to Sue Lyon. Sue has done, as they have all said, a tremendous job working for the Secretary of the Senate. She has been one of the very pleasant people who we work with. They are all extremely pleasant.

But I am especially going to miss the opportunity to have Sue's daughter on the floor with us on Take Your Daughter to Work week. So, Sue, here's a standing invitation for you to send your daughter back. Thanks for your service.

Messages from the House

Senate Bill No. 513, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," 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.

Substitute (H-1).

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

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

Roll Call No. 494

Yeas—36

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

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.
The Senate agreed to the full title.
The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senate Bill No. 514, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," 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.

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.

By unanimous consent the Senate proceeded to the order of

Third Reading of Bills

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

Senate Bill No. 55, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 16277 and 20190.

The above bill was read a third time.

The question being on the passage of the bill,

Senator Murphy offered the following amendments:

1. Amend page 2, following line 6, by inserting:

"(3) BEFORE A LICENSEE OR REGISTRANT PROVIDES A PATIENT WITH HEALTH CARE DESCRIBED IN SUBSECTION (1), THE LICENSEE OR REGISTRANT SHALL PROVIDE THE PATIENT WITH A WRITTEN DISCLOSURE THAT DESCRIBES THE LIMITATION OF LIABILITY CONTAINED IN SUBSECTION (1) AND THAT STATES THAT THE HEALTH CARE IS FREE AND PAYMENT FOR THE HEALTH CARE WILL NOT BE REQUESTED FROM ANY SOURCE." and renumbering the remaining subsection.

2. Amend page 2, following line 21, by inserting:

"(2) BEFORE A HEALTH FACILITY OR AGENCY PROVIDES A PATIENT WITH HEALTH CARE DESCRIBED IN SUBSECTION (1), THE HEALTH FACILITY OR AGENCY SHALL PROVIDE THE PATIENT WITH A WRITTEN DISCLOSURE THAT DESCRIBES THE LIMITATION OF LIABILITY CONTAINED IN SUBSECTION (1) AND THAT STATES THAT THE HEALTH CARE IS FREE AND PAYMENT FOR THE HEALTH CARE WILL NOT BE REQUESTED FROM ANY SOURCE." and renumbering the remaining subsection.

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

Senator A. Smith offered the following amendments:

1. Amend page 2, line 1, after "ORGANIZED" by inserting "AND OPERATED".

2. Amend page 2, line 4, after "ORGANIZED" by inserting "AND OPERATED".

The question being on the adoption of the amendments,

Senator A. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 495**Yeas—13**

Byrum
Cherry
DeBeaussaert
Dingell

Emerson
Gast
Hart

Leland
Miller
Peters

Smith, A.
Smith, V.
Young

Nays—23

Bennett
Bullard
DeGrow
Dunaskiss
Emmons
Goschka

Gougeon
Hammerstrom
Hoffman
Jaye
Johnson
Koivisto

McCotter
McManus
North
Rogers
Schuette
Schwarz

Shugars
Sikkema
Steil
Stille
Van Regenmorter

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

Senator A. Smith offered the following amendments:

1. Amend page 2, line 8, after "PAYMENT" by inserting "OR VALUE".
2. Amend page 2, line 9, after "PAYMENT" by inserting "FROM ANY SOURCE INCLUDING, BUT NOT LIMITED TO, RECEIPT OF PAYMENT OR EXPECTED RECEIPT OF PAYMENT".
3. Amend page 2, line 23, after the first "PAYMENT" by inserting "OR VALUE".
4. Amend page 2, line 23, after the second "PAYMENT" by inserting "FROM ANY SOURCE INCLUDING, BUT NOT LIMITED TO, RECEIPT OF PAYMENT OR EXPECTED RECEIPT OF PAYMENT".

The question being on the adoption of the amendments,

Senator A. Smith requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were not adopted, a majority of the members serving not voting therefor, as follows:

Roll Call No. 496**Yeas—12**

Byrum
Cherry
DeBeaussaert

Dingell
Emerson
Hart

Leland
Miller
Peters

Smith, A.
Smith, V.
Young

Nays—24

Bennett
Bullard
DeGrow

Goschka
Gougeon
Hammerstrom

Koivisto
McCotter
McManus

Schwarz
Shugars
Sikkema

Dunaskiss
Emmons
Gast

Hoffman
Jaye
Johnson

North
Rogers
Schuette

Steil
Stille
Van Regenmorter

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

Senator Shugars offered the following amendments:

1. Amend page 1, line 11, by striking out “EITHER” and inserting “ANY”.
2. Amend page 2, following line 6, by inserting:

“(C) IN THE OFFICE OF A LICENSEE OR REGISTRANT.”.

The question being on the adoption of the amendments,

Senator Shugars requested the yeas and nays.

The yeas and nays were ordered, 1/5 of the members present voting therefor.

The amendments were adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 497

Yeas—25

Bennett
Bullard
DeGrow
Dingell
Dunaskiss
Emmons
Gast

Goschka
Gougeon
Hammerstrom
Hoffman
Jaye
Johnson

Koivisto
McCotter
McManus
North
Rogers
Schuette

Schwarz
Shugars
Sikkema
Steil
Stille
Van Regenmorter

Nays—11

Byrum
Cherry
DeBeaussaert

Emerson
Hart
Leland

Miller
Peters
Smith, A.

Smith, V.
Young

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

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

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. 498**Yeas—25**

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

Nays—11

Byrum	Dingell	Leland	Smith, V.
Cherry	Emerson	Peters	Young
DeBeaussaert	Hart	Smith, A.	

Excused—2

Murphy	Vaughn
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Not Voting—0

In The Chair: Hoffman

The Senate agreed to the title of the bill.

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

Protests

Senators A. Smith and V. Smith, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 55 and moved that the statements they made during the discussion of the bill be printed as their reasons for voting “no.”

The motion prevailed.

Senator A. Smith’s first statement is as follows:

I voted “no” on this bill not because of what any trial lawyer might have said or what any trial lawyer might have wanted but because of the ethics and values in which I was raised.

Senator A. Smith’s second statement is as follows:

I urge my colleagues to vote “no” on the bill before us, Senate Bill No. 55.

I grew up in a household with two public health care professionals. My mother had a masters degree in public health. My father has a doctorate in public health, and he was on the faculty of the University of Michigan Medical School. My father’s understanding of public health was that we had a charge, he had a charge, to improve the future of our citizenry and our community, not just in the narrow construct of health, but in the construct of public health as it applies to the environment in which we live and the social equity which is provided to all of our citizens and equal justice under the law.

This bill, while it has some good intentions, has the very fatal flaw of establishing two standards of care for health care professionals. That is the standard of care that is insured and has judicial remedy for those who have money or those who have insurance. The second, absent standard of care, is for those who are poor or have no health insurance.

I believe that the caring professionals out in the field are more concerned about the quality of care that they deliver to individuals and their intent is to do it carefully, considerately, and without harm. That is not always what happens. Those people who have been harmed deserve the same amount of protection under the law as those of us who have health insurance and those of us who have sufficient funds to pay for our own care.

If we proceed on this course, when there are other and appropriate mechanisms to use for providing different kinds of protections for those who would volunteer their service, I think we are making a grave error in departing from what we consider to be a fair and equitable standard of equal justice under the law in this state and in this country. I urge rejection of the bill.

Senator A. Smith's third statement is as follows:

All any person who has a health care problem wants to do is see a doctor or see a dentist for that health care problem. Many of us are fortunate enough to have insurance that covers us and protects us. Others of us are not! We don't have taxpayers buying our health care insurance. We don't have companies buying our health care insurance. We have the privilege of going into a health care setting, receiving care, and if there is negligence in that care, understanding that we have a remedy. But what we would do with those who do not have resources who need to see a doctor is to say very clearly to them, "You may come into a facility where care is provided, but if it is negligent, you do not have a remedy." That is a dual standard of protection under the law, and I believe it's unconstitutional. I also believe it is unethical. I urge my colleagues to reject the bill.

Senator V. Smith's statement is as follows:

Mr. President, I understand the good Senator from the 24th District. I understand some of his argument, but what I think he fails to grasp with the nature of this bill is it's dual system. The dual system will allow hospital administrators, if there was a problem in terms of the machine itself, the maintenance of the machine, or the calibration of the machine, to possibly escape liability on the maintenance of that machine because the person does not have the ability to pay.

We surely want to see poor people have access to medical care, but should they have access to medical care that is a different standard from those who do have the ability to pay? This bill will move along that line. It will set up this two-fold system of if you have the ability to pay than you have the right to go into court and challenge negligence on behalf of the administrators of the hospital or the people who maintain this machine at the hospital or the manufacturer of the machine. To exclude them from liability from the maintenance of their equipment just because a person does not have the ability to pay is, I think, unconscionable, and I find it hard to believe that my colleagues on the other side of the aisle cannot see the logic of that argument. I would hope that you would vote "no."

Senators Shugars, Hammerstrom, Johnson, Gast, Emmons, McManus, Gougeon, Steil, Dunaskiss, Hoffman and McCotter moved that they be named co-sponsors of the following bill:

Senate Bill No. 55

The motion prevailed.

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

Senate Bill No. 726, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding section 3a.

The above bill was read a third time.

The question being on the passage of the bill,

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

Roll Call No. 499

Yeas—30

Bennett	Emmons	Leland	Schwarz
Bullard	Gast	McCotter	Shugars
Byrum	Goschka	McManus	Sikkema
Cherry	Gougeon	Miller	Smith, A.
DeBeaussaert	Hammerstrom	North	Steil
DeGrow	Jaye	Rogers	Stille
Dunaskiss	Johnson	Schuetz	Van Regenmorter
Emerson	Koivisto		

Nays—5Dingell
Hart

Peters

Smith, V.

Young

Excused—2

Murphy

Vaughn

Not Voting—1

Hoffman

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Protests

Senators Young and V. Smith, under their constitutional right of protest (Art. 4, Sec. 18), protested against the passage of Senate Bill No. 726.

Senator Young's statement, in which Senator V. Smith concurred, is as follows:

Today we have been asked to change the way Detroit residents elect their city council representatives. A member of this august body has decided that the long reach of Lansing should meddle in local affairs.

Unfortunately, the distance between Lansing and Detroit obscures facts. Many of my colleagues in this body may not know the history and reasons behind at-large city council elections. For many years, Detroit's city council members were elected from wards. But the wards served only to promote segregation—sometimes racial and ethnic, but primarily economic. Ward elections made Detroit a divided city. Many of us fought for years to change the system to an at-large system, enabling all Detroit residents to vote for all city council members. The current system creates accountability citywide.

This legislation severely undermines our historical gains. It also violates the basic separation of powers between the state and local government. I do not believe that members of this body would tolerate a federal government mandate changing the state Legislature. We would rightfully argue that we are protected by a separation of power between levels of government.

This bill carries no public mandate; we have not heard a swell of complaint from Detroit residents about the way they elect city council members. Supporting this legislation serves only to reduce the citizenry's right to vote for whomever they choose to elect.

We live in a time of public cynicism. Citizens are weary of government because they suspect that it operates for only the benefit of a few.

Senate Bill No. 726 suggests that we, the Legislature, do not trust citizens to be able to elect their own representatives. Those who support this legislation have confirmed their worst suspicions.

We have not inflicted this indignity on any other community. Many of us would not dare to inflict this indignity on our local city councils. Yet once again, the long arm of Lansing has formed a fist. Political might will force this issue on Detroit residents. Is it because we fear that approaching the community with an open hand would not yield the results that some of us desire? Surely we know political might cannot make right.

The following bill was read a third time:

House Bill No. 4479, entitled

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

The 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. 500**Yeas—34**

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

Nays—0**Excused—2**

Murphy	Vaughn
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Not Voting—2

Hoffman	Young
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In The Chair: Schwarz

Senator Rogers moved that Senator Hoffman be temporarily excused from the balance of today's session.
The motion prevailed.

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.

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

"An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts,".

The Senate agreed to the full title.

Senator Young stated that had he been present when the vote was taken on the passage of the following bill, he would have voted "yea":

House Bill No. 4479

The following bill was read a third time:

House Bill No. 4480, entitled

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

The 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. 501**Yeas—35**

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

Nays—0**Excused—3**

Hoffman

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

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

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

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

“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.”.

The Senate agreed to the full title.

Senator Hoffman entered the Senate Chamber.

The following bill was read a third time:

House Bill No. 4481, entitled

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

The 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. 502**Yeas—36**

Bennett	Emmons	Koivisto	Schwarz
Bullard	Gast	Leland	Shugars

Byrum	Goschka	McCotter	Sikkema
Cherry	Gougeon	McManus	Smith, A.
DeBeaussiaert	Hammerstrom	Miller	Smith, V.
DeGrow	Hart	North	Steil
Dingell	Hoffman	Peters	Stille
Dunaskiss	Jaye	Rogers	Van Regenmorter
Emerson	Johnson	Schuette	Young

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

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

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

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4482, entitled

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

The 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. 503**Yeas—34**

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

Nays—0**Excused—2**

Murphy	Vaughn
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Not Voting—2

Emerson	Smith, V.
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In The Chair: Schwarz

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

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

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

“An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4483, entitled

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

The 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. 504**Yeas—36**

Bennett	Emmons	Koivisto	Schwarz
Bullard	Gast	Leland	Shugars

Byrum
Cherry
DeBeaussiaert
DeGrow
Dingell
Dunaskiss
Emerson

Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Johnson

McCotter
McManus
Miller
North
Peters
Rogers
Schuette

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

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4484, entitled

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

The 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. 505**Yeas—36**

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

Nays—0**Excused—2**

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect,
The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

“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.”.

The Senate agreed to the full title.

The following bill was read a third time:

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 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. 506**Yeas—36**

Bennett	Emmons	Koivisto	Schwarz
Bullard	Gast	Leland	Shugars
Byrum	Goschka	McCotter	Sikkema

Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Johnson

McManus
Miller
North
Peters
Rogers
Schuette

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

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

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

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

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

“An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

The following bill was read a third time:

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 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. 507

Yeas—36

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Emmons
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Johnson

Koivisto
Leland
McCotter
McManus
Miller
North
Peters
Rogers
Schuette

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

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

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

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

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

“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,”.

The Senate agreed to the full title.

The following bill was read a third time:

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 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. 508

Yeas—36

Bennett

Bullard

Byrum

Cherry

DeBeaussiaert

DeGrow

Dingell

Dunaskiss

Emerson

Emmons

Gast

Goschka

Gougeon

Hammerstrom

Hart

Hoffman

Jaye

Johnson

Koivisto

Leland

McCotter

McManus

Miller

North

Peters

Rogers

Schuetz

Schwarz

Shugars

Sikkema

Smith, A.

Smith, V.

Steil

Stille

Van Regenmorter

Young

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

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

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

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4310, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2000; and to provide for the expenditure of the appropriations.

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. 509**Yeas—34**Bennett
Bullard
ByrumEmmons
Gast
GoschkaLeland
McCotter
McManusSchwarz
Shugars
Sikkema

Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Johnson

Miller
North
Peters
Rogers
Schuette

Smith, A.
Smith, V.
Steil
Stille
Van Regenmorter

Nays—1

Koivisto

Excused—2

Murphy

Vaughn

Not Voting—1

Young

In The Chair: Schwarz

Senator Rogers moved that the bill be given immediate effect.
The motion prevailed, 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. 754, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” (MCL 701.1 to 712A.32) by adding section 18I to chapter XIIIA.

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. 510

Yeas—36

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Emmons
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Johnson

Koivisto
Leland
McCotter
McManus
Miller
North
Peters
Rogers
Schuette

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

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 757, entitled

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” by amending sections 31 and 32 (MCL 552.631 and 552.632), as amended by 1996 PA 301.

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. 511**Yeas—36**

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

Nays—0**Excused—2**

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senators Miller, Goschka and Johnson moved that they be named co-sponsors of the following bill:

Senate Bill No. 757

The motion prevailed.

The following bill was read a third time:

House Bill No. 4132, entitled

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

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. 512**Yeas—36**

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

Nays—0**Excused—2**

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

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

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

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

“An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates.”

The Senate agreed to the full title.

The following bill was read a third time:

Senate Bill No. 614, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1178 (MCL 380.1178), as amended by 1995 PA 289.

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. 513**Yeas—36**

Bennett	Emmons	Koivisto	Schwarz
Bullard	Gast	Leland	Shugars

Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Johnson

McCotter
McManus
Miller
North
Peters
Rogers
Schuette

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

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 631, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1179.

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. 514

Yeas—36

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Emmons
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Johnson

Koivisto
Leland
McCotter
McManus
Miller
North
Peters
Rogers
Schuette

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

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 706, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1317.

The question being on the passage of the bill,

Senator Stille offered the following amendment:

1. Amend page 3, following line 26, by inserting:

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

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. 515

Yeas—36

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

Nays—0

Excused—2

Murphy Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 762, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending sections 836 and 837 (MCL 418.836 and 418.837), as amended by 1994 PA 271.

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. 516

Yeas—36

Bennett	Emmons	Koivisto	Schwarz
Bullard	Gast	Leland	Shugars
Byrum	Goschka	McCotter	Sikkema
Cherry	Gougeon	McManus	Smith, A.
DeBeaussaert	Hammerstrom	Miller	Smith, V.

DeGrow
Dingell
Dunaskiss
Emerson

Hart
Hoffman
Jaye
Johnson

North
Peters
Rogers
Schuette

Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 735, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 411r.

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. 517

Yeas—36

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Emmons
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Johnson

Koivisto
Leland
McCotter
McManus
Miller
North
Peters
Rogers
Schuette

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

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

Senate Bill No. 735

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 736, entitled

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

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. 518

Yeas—36

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

Nays—0

Excused—2

Murphy Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

House Bill No. 4352, entitled

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

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. 519

Yeas—36

Bennett	Emmons	Koivisto	Schwarz
Bullard	Gast	Leland	Shugars
Byrum	Goschka	McCotter	Sikkema

Cherry	Gougeon	McManus	Smith, A.
DeBeaussaert	Hammerstrom	Miller	Smith, V.
DeGrow	Hart	North	Steil
Dingell	Hoffman	Peters	Stille
Dunaskiss	Jaye	Rogers	Van Regenmorter
Emerson	Johnson	Schuetzte	Young

Nays—0

Excused—2

Murphy Vaughn

Not Voting—0

In The Chair: Schwarz

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

“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,”.

The Senate agreed to the full title.

The following bill was read a third time:

House Bill No. 4354, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 217d.

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. 520

Yeas—36

Bennett	Emmons	Koivisto	Schwarz
Bullard	Gast	Leland	Shugars
Byrum	Goschka	McCotter	Sikkema
Cherry	Gougeon	McManus	Smith, A.
DeBeaussaert	Hammerstrom	Miller	Smith, V.
DeGrow	Hart	North	Steil

Dingell
Dunaskiss
Emerson

Hoffman
Jaye
Johnson

Peters
Rogers
Schuette

Stille
Van Regenmorter
Young

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

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

“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.”.

The Senate agreed to the full title.

By unanimous consent the Senate proceeded to the order of

Resolutions

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

Senate Resolution No. 91

The resolution consent calendar was adopted.

Senators Hart, Young, Dingell, McManus, Leland, V. Smith, DeBeaussaert, Emerson, Steil, Bullard, Peters, Jaye, McCotter, Koivisto, Cherry, North, Emmons, Gougeon, Bennett, Johnson, Hammerstrom, Van Regenmorter and Hoffman offered the following resolution:

Senate Resolution No. 91.

A resolution commemorating a celebration honoring Michael Berry at the Lebanese Heritage House on October 29, 1999.

Whereas, Michael Berry has devoted 50 years of commitment to the law, justice, legal profession, and clients. Although he is concluding his life’s work, he is promising to enjoy a new life with his family, friends, and hobbies; and

Whereas, Michael Berry is a visionary man. Highlights of his accomplishment-filled career are many; and

Whereas, Mr. Berry has been the recipient of many awards, including the Ellis Island Award, Michael Berry International Award, Knights of Cedar of Lebanon Award, Detroit College of Business honorary doctorate of laws, Detroit College of Business Distinguished Service Award, co-honoree with General Motors President John F. Smith, Jr., of the Interfaith Round Table Humanitarian Award, and Detroit College of Law at Michigan State University 1998 Distinguished Alumni Award; and

Whereas, Ability, commitment, and integrity have been reflected in all of Michael Berry’s endeavors throughout the years. He has made many sacrifices on behalf of the community, willingly and unselfishly. Michael has attended many years of meetings and spent much time working cooperatively with government officials. Mr. Berry is ending one career for the beginning of another life; now, therefore, be it

Resolved by the Senate, That this resolution be dedicated to honor and thank Michael Berry for his exceptional efforts on behalf of the people. We offer our best wishes and thanks to his entire family on this happy occasion; and be it further

Resolved, That a copy of this resolution be transmitted to Michael Berry, his family, and the members of the Lebanese-American Heritage Club as a reflection of our gratitude and esteem.

By unanimous consent the Senate returned to the order of
General Orders

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

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

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

Senate Bill No. 809, 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 the title and section 14 (MCL 205.14), the title as amended and section 14 as added by 1998 PA 368.

Substitute (S-1).

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

By unanimous consent the Senate returned to the order of
Motions and Communications

Senator Rogers moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage:

Senate Bill No. 809

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

By unanimous consent the Senate returned to the order of
Third Reading of Bills

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

Senate Bill No. 809, 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 the title and section 14 (MCL 205.14), the title as amended and section 14 as added by 1998 PA 368.

The above bill was read a third time.

The question being on the passage of the bill,

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

Roll Call No. 521

Yeas—36

Bennett
Bullard
Byrum

Emmons
Gast
Goschka

Koivisto
Leland
McCotter

Schwarz
Shugars
Sikkema

Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Gougeon
Hammerstrom
Hart
Hoffman
Jaye
Johnson

McManus
Miller
North
Peters
Rogers
Schuette

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

Nays—0

Excused—2

Murphy

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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

The motion prevailed.

Senator Jaye's statement is as follows:

Mr. President and Senate colleagues, I'd like folks to know that, even if we pass this bill, this isn't going to solve the problem of cigarette sales on Indian reservations or by Indian-owned companies or stores from failing to pay the cigarette tax. I had offered an amendment about a year ago that said, in exchange for the privilege of operating casinos in Michigan, the Indian tribes and their businesses would have to pay the same kinds of taxes—liquor tax, cigarette tax, gas tax, property tax—as every other business, and that amendment failed.

Even though I'm going to support this bill, I want to call to my colleagues' attention that it's not going to solve the problem when the Indian tribes weren't required to pay the same taxes that benefit our school kids like every other business. I want to remind folks that in Connecticut, their state legislature passed a treaty that requires Indian casinos to pay business taxes, sales taxes, and property taxes just like everyone else.

So this is a good bill. It's going to reduce the loophole, but it's still going to be large enough for a semi truck driving cigarettes through to the casinos to be sold to non-native Americans and visitors and once again cheat the school children of the state of Michigan. I hope we'll address that loophole some time in the near future.

By unanimous consent the Senate returned to the order of

General Orders

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

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

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Schwarz, having resumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bills:

Senate Bill No. 725, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20965 (MCL 333.20965), as amended by 1997 PA 78.

House Bill No. 4796, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86.

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

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
House Bill No. 4420, entitled

A bill to amend 1963 PA 17, entitled "An act to relieve certain persons from civil liability when rendering emergency care, when rendering care to persons involved in competitive sports under certain circumstances, or when participating in a mass immunization program approved by the department of public health," by amending section 4 (MCL 691.1504), as added by 1986 PA 21.

Substitute (S-2).

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

By unanimous consent the Senate proceeded to the order of

Statements

Senators McManus, Jaye, North and Emmons asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator McManus' statement is as follows:

Yesterday morning I had a call from a farmer constituent of mine who said that he had heard something on Paul Harvey news that has cause for great alarm to agriculture in the United States. I instructed my staff to dig into what was said, where it was said, and why it was said. It took some doing, and we don't have all the information yet, but we traced it as far as the Wyoming Wool Growers Association to get a printed word on this announcement.

I am going to quote this, "At a recent ceremony at the White House, current Vice President and presidential candidate Al Gore let slip what many have long believed was his real intentions as regards U.S. agriculture." Now this is particularly important because all the way through our task force hearings this past year, we've been trying to figure out, why hasn't the federal government taken an interest in what's happening to agriculture in the United States?

Now let me continue. "While presenting a national award to a Colorado FFA member, Gore asked the student what his life plans were. On hearing that the FFA member wanted to continue on a production agriculture career, Gore reportedly replied that the young person should develop other plans because 'production agriculture is being shifted out of the United States to the Third World.' Gore was instrumental in the development of the United Nations' 'Agenda 2000,' which calls for just such an outcome."

We are continuing in our office to investigate this. We will get a hold of that U.N. resolution, and if 10 percent of this is true, it explains where U.S. agriculture is headed. It's going to Mexico and beyond, and the U.S. government doesn't give a rip.

Senator Jaye's statement is as follows:

I don't often vote for state spending. I did, however, support the Clean Michigan Initiative Bond because this was the element that was earmarked for the park development.

I originally opposed Proposal C because of the \$675 million in the Clean Michigan Initiative Bond. Only \$50 million was earmarked for local parks—only \$50 million. Over half the bond, \$360 million, was earmarked to clean up and redevelop polluted industrial sites. I believe that the responsibility to clean up polluted sites are by the corporate polluters. However, it is prudent and important for us to make an investment in the community, and also the voters approved the clean up of the parks land.

That's why I voted "yes" in favor of that initial appropriation today, the DNR appropriation supplemental bill that was the first installment of the \$50 million.

Senator North's statement is as follows:

As I indicated earlier in debate on Senate Bill No. 55, which this chamber saw the wisdom to pass, this will make a difference for those who are least able to afford or access health care. As I pointed out, this Saturday will be Make a Difference Day, and I am certain this will make a difference in the health care opportunities for the citizens for the state of Michigan.

Senator Emmons' statement is as follows:

I would also add my support for Senate Bill No. 55. We have a desperate need for nonemergency health care in my area. Doctors and dentists in my area have a high degree of integrity and a personal code of ethics that has them treat the poor for free with the same manner that they would use in treating any other patient. They do not leave those qualities at home when they treat the poor. They should be protected with immunity. I am very proud that we have passed a bill that will help and encourage them to treat even more poor people.

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

Senators Hammerstrom, Johnson and Gougeon introduced

Senate Bill No. 836, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100b and 705 (MCL 330.1100b and 330.1705), as added by 1995 PA 290.

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

Senators Johnson, Hammerstrom and Gougeon introduced

Senate Bill No. 837, entitled

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," by amending section 4c (MCL 722.954c), as added by 1997 PA 172.

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

Senators Peters and Van Regenmorter introduced

Senate Bill No. 838, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 227g. The bill was read a first and second time by title and referred to the Committee on Judiciary.

Senators Van Regenmorter and Peters introduced

Senate Bill No. 839, entitled

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

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

Senator Sikkema introduced

Senate Bill No. 840, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 5, 22, 26, 28, 29, 41, and 42 (MCL 169.205, 169.222, 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 28, 41, and 42 as amended by 1994 PA 117, and by adding section 18; and to repeal acts and parts of acts.

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

Senator McCotter introduced

Senate Bill No. 841, 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 bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator Steil introduced

Senate Bill No. 842, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 15, 16, 33, 34, and 35 (MCL 169.215, 169.216, 169.233, 169.234, and 169.235), section 15 as amended by 1996 PA 590, section 16 as amended by 1992 PA 188, section 33 as amended by 1995 PA 264, and sections 34 and 35 as amended by 1989 PA 95.

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

Senator Emmons introduced

Senate Bill No. 843, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 558, 826, 841, and 933 (MCL 168.558, 168.826, 168.841, and 168.933), sections 558 and 993 as amended by 1997 PA 137 and sections 826 and 841 as amended by 1995 PA 261.

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

Senator Johnson introduced

Senate Bill No. 844, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 471, 472a, 474a, 475, 476, 477, 544c, 552, 961, and 961a (MCL 168.471, 168.472a, 168.474a, 168.475, 168.476, 168.477, 168.544c, 168.552, 168.961, and 168.961a), section 544c as amended by 1993 PA 137, section 552 as amended by 1990 PA 7, and sections 961 and 961a as amended by 1982 PA 456, and by adding sections 9a and 473b.

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

Senator Hammerstrom introduced

Senate Bill No. 845, 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, 409l, 411, 413, 424, 424a, 426b, 426d, 431, 433, 444, 467, 467b, 467m, 544c, 544d, 624, 644f, 667, 685, 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, 168.409l, 168.411, 168.413, 168.424, 168.424a, 168.426b, 168.426d, 168.431, 168.433, 168.444, 168.467, 168.467b, 168.467m, 168.544c, 168.544d, 168.624, 168.644f, 168.667, 168.685, 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, and 467m as amended by 1990 PA 32, section 544c as amended by 1993 PA 137, section 544d as amended by 1988 PA 116, section 644f as amended by 1990 PA 7, section 685 as amended by 1990 PA 329, and section 795 as amended by 1998 PA 21, and by adding section 544f; and to repeal acts and parts of acts.

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

Senator Goschka introduced

Senate Bill No. 846, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 31, 476, 552, 961a, and 963 (MCL 168.31, 168.476, 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 bill was read a first and second time by title and referred to the Committee on Government Operations.

Senator Gougeon introduced

Senate Bill No. 847, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 2, 42, 73, 74, 283, 284, 393, 394, 544b, 662, 686, 686a, 759a, and 879 (MCL 168.2, 168.42, 168.73, 168.74, 168.283, 168.284, 168.393, 168.394, 168.544b, 168.662, 168.686, 168.686a, 168.759a, and 168.879), section 284 as amended by 1990 PA 7, 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 bill was read a first and second time by title and referred to the Committee on Government Operations.

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 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 Local, Urban and State Affairs.

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 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 Local, Urban and State Affairs.

House Bill No. 4876, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 506b.

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 Judiciary.

House Bill No. 4880, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 506c. 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 Judiciary.

Committee Reports

The Committee on Health Policy reported

Senate Bill No. 589, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 401 (MCL 550.1401), as amended by 1998 PA 135.

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.

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Hammerstrom, Schwarz and Byrum

Nays: None

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

The Committee on Health Policy reported

Senate Bill No. 590, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3407b.

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.

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Hammerstrom, Schwarz and Byrum

Nays: None

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

The Committee on Health Policy reported

Senate Bill No. 591, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21072a.

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.

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Hammerstrom, Schwarz and Byrum

Nays: None

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

The Committee on Health Policy reported

Senate Bill No. 593, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221 and 16226 (MCL 333.16221 and 333.16226), section 16221 as amended by 1998 PA 227 and section 16226 as amended by 1998 PA 109, and by adding sections 17020 and 17520.

With the recommendation that the substitute (S-4) be adopted and that the bill then pass.

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

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Hammerstrom, Schwarz and Byrum

Nays: None

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

The Committee on Health Policy reported

Senate Bill No. 594, entitled

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending section 6 (MCL 28.176), as amended by 1996 PA 508.

With the recommendation that the bill pass.

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

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Hammerstrom, Schwarz and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Health Policy reported

Senate Bill No. 595, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 1, 6, and 6a (MCL 722.711, 722.716, and 722.716a), sections 1 and 6 as amended and section 6a as added by 1998 PA 113.

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.

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Hammerstrom and Schwarz

Nays: None

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

The Committee on Health Policy reported

Senate Bill No. 807, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5431 (MCL 333.5431), as amended by 1998 PA 88.

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.

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Hammerstrom, Schwarz and Byrum

Nays: None

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

The Committee on Health Policy reported

Senate Bill No. 815, entitled

A bill to amend 1976 PA 220, entitled "Persons with disabilities civil rights act," by amending sections 201 and 202 (MCL 37.1201 and 37.1202), section 201 as amended by 1990 PA 121 and section 202 as amended by 1998 PA 20.

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.

Dale L. Shugars
Chairperson

To Report Out:

Yeas: Senators Shugars, Hammerstrom, Schwarz and Byrum

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 Health Policy submits the following:

Meeting held on Tuesday, October 19, 1999, at 3:00 p.m., Room 100, Farnum Building

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

Excused: Senator Murphy

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, October 20, 1999, at 3:00 p.m., Room 100, Farnum Building

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

Excused: Senator Vaughn

Scheduled Meetings

Community Health Appropriations Subcommittee - Tuesday, October 26, at 1:00 p.m., Room 110, Farnum Building (3-1777).

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

Health Policy Committee - Tuesday, October 26, at 3:00 p.m., Room 100, Farnum Building (3-0793).

Judiciary Committee - Wednesday, October 27, at 1:00 p.m., Rooms 402 and 403, Capitol Building (3-6920).

Legislative Retirement Board of Trustees, Investment Issues Subcommittee - Tuesday, October 26, at 10:30 a.m., Room S929, 9th Floor Conference Room, House Office Building (3-0575).

Natural Resources and Environmental Affairs Committee - Tuesday, October 26, at 1:00 p.m., 8th Floor Conference Room, Farnum Building (3-0797).

Transportation Appropriations Subcommittee - Tuesdays, October 26, at 2:00 p.m. and November 2, at 2:30 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-2426).

Transportation and Tourism Committee - Tuesday, October 26, at 3:00 p.m., Room 110, Farnum Building (3-1758).

Senator Rogers moved that the Senate adjourn.

The motion prevailed, the time being 12:23 p.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Tuesday, October 26, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.