

No. 36
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Tuesday, April 11, 2000.

10:00 a.m.

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

The roll was called by the Secretary of the Senate, who announced that a quorum was not present.

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

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

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

Senator George Z. Hart of the 6th District offered the following invocation:

“Just a closer walk with Thee. Grant it, Jesus, is my plea.

Daily walking close to Thee, let it be, dear Lord, let it be.

I am weak, but Thou art strong; Jesus keep me from all wrong.

I’ll be satisfied as long as I walk, let me walk, close with Thee.”

Recess

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

The motion prevailed, the time being 10:04 a.m.

10:39 a.m.

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

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

A quorum of the Senate was present.

Motions and Communications

The following communication was received:

Office of the Auditor General

April 6, 2000

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

Performance Audit of the Fisheries Division, Department of Natural Resources, April 2000.

Sincerely,

Thomas H. McTavish, C.P.A.

Auditor General

The communication was referred to the Secretary for record.

The Secretary announced the printing and placement in the members’ files on Thursday, April 6, of:

Senate Bill Nos. 1200 1201

The Secretary announced the printing and placement in the members’ files on Friday, April 7, of:

Senate Bill Nos. 1202 1203 1204

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

The motion prevailed.

Senator Murphy entered the Senate Chamber.

By unanimous consent the Senate proceeded to the order of

Conference Reports

Senate Bill No. 404, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20902, 20904, 20906, 20908, 20910, 20912, 20915, 20916, 20918, 20919, 20920, 20921, 20923, 20929, 20934, 20950, 20954, 20956, 20958, 20965, 20975, and 20977 (MCL 333.20902, 333.20904, 333.20906, 333.20908, 333.20910, 333.20912, 333.20915, 333.20916,

333.20918, 333.20919, 333.20920, 333.20921, 333.20923, 333.20929, 333.20934, 333.20950, 333.20954, 333.20956, 333.20958, 333.20965, 333.20975, and 333.20977), sections 20902, 20904, 20906, 20908, 20910, 20912, 20915, 20916, 20918, 20923, 20929, 20934, 20950, 20954, 20956, 20958, 20975, and 20977 as added by 1990 PA 179, section 20919 as amended by 1996 PA 192, and sections 20920, 20921, and 20965 as amended by 1997 PA 78.

(For text of conference report, see Senate Journal No. 35, p. 583.)

The question being on the adoption of the conference report,

The first conference report was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 230

Yeas—24

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

Nays—14

Cherry	Hart	Murphy	Smith, V.
DeBeaussaert	Jaye	Peters	Vaughn
Dingell	Leland	Smith, A.	Young
Emerson	Miller		

Excused—0

Not Voting—0

In The Chair: President

Protests

Senators DeBeaussaert, Miller and Jaye, under their constitutional right of protest (Art. 4, Sec. 18), protested against the adoption of first conference report to Senate Bill No. 404.

Senator DeBeaussaert moved that the statement he made during the discussion of the conference report be printed as his reasons for voting “no.”

The motion prevailed.

Senator DeBeaussaert’s statement, in which Senator Jaye concurred, is as follows:

I’m going to be voting against the conference committee report, not specifically on perhaps the issue that was the subject of the most discussion in that conference committee. I did talk to the sponsor of the bill to indicate that, as he suggested, this bill has been around for some time. Since the bill was first voted on by members of the Senate last year, at least in my area of the state, it has created a great deal of controversy. Our local fire chiefs across my county have expressed their great concern about the implications of this bill, both in terms of its cost for training and in terms of its provisions which would require the transportation of some individuals to freestanding facilities which may, in fact, not be eligible for Medicare reimbursement.

I have distributed on the members’ desks a piece of correspondence from the Sterling Heights Fire Department, from the coordinator there, who suggests in that community they anticipate that the cost for training to be between \$187,000 to \$220,000. I also have been advised by the smaller Richmond Lenox Emergency Medical Service in my area that they anticipate that costs of this bill in their community will be about \$55,000. They are very concerned about the implications of this change in transporting individuals to these freestanding facilities.

As I said, it is their belief, their understanding, that they have word from the Medicare officials that kind of transportation will not be eligible for reimbursement. They are concerned that will then put the burden on the local taxpayer, and, in fact, if the taxpayer does not have the funds, it will put the burden then on the local community to make up that difference.

So I am going to be voting against the bill with the hopes that, if, in fact, it is rejected, these issues could have some further discussion. It does have, I think, greater implications than just the specific issue that was debated in the conference committee report. So I will be voting "no."

Senator Miller's statement, in which Senator Jaye concurred, is as follows:

I know the intention of the bill was really, really good, but I want to just echo my colleague's, Senator DeBeaussaert, remarks that he made on the bill. Plus, Mr. President, I would like to let the members know that I have the utmost respect for all the firefighters across Michigan, but especially in Macomb County.

I personally talked with the chief from the Eastpointe Fire Department who was the former president of all the fire departments in Macomb County. They're really, really concerned about this additional training, Mr. President. I think we're looking at saving lives and transporting lives, and I think we went a little bit overboard on this additional training.

We've had great EMS service, and that's why I oppose the bill. I respect the men and women who are in this field, who are the professionals, and who provide the life-saving tactics. I feel confident that they know best when it comes to the training hours they need. So that's why I followed their recommendation and voted against this bill.

Senator Shugars asked and was granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Shugars' first statement is as follows:

The conference committee met on Senate Bill No. 404 and on a 4-2 vote passed it, going back to the Senate's original version. As you remember, we passed it a long time ago, and we included immunity for the clinical preceptor. The preceptor is the one training the student in emergency medical services. So I urge my colleagues' support of the conference report.

Senator Shugars second statement is as follows:

I have spoken with the previous speaker. As you all know, this is a conference report, and the only thing that we're really voting on is the difference between the House version of the immunity and the Senate version on immunity.

I would like to remind my colleagues that the statewide emergency medical services coordination committee worked on this for over two years. We have been working on this policy for over four years. That board has 26 members, and all the members supported this legislation. Let me just list all the associations that are supporting this legislation: Michigan Hospital Association, Michigan College Emergency Physicians, Michigan Association of Ambulance Services, Michigan Association of Fire Chiefs, Michigan Emergency Medical Technician Instructor Coordinators, Michigan Association of Emergency Medical Technicians, Michigan Association of Air Medical Services, Michigan Association of EMS Systems, and the statewide labor organizations representing EMS employees. There are also two consumers at-large who are on this membership.

I will take the Senator's concerns to this committee, and, in fact, invite him to articulate his concerns to them and work towards trying to satisfy his concerns. So I urge my colleagues to concur with the conference report and send it forward to the House.

By unanimous consent the Senate returned to the order of

Motions and Communications

Senator Rogers moved that rule 3.902 be suspended to allow the guests of Senators Shugars and Johnson admittance to the Senate floor.

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

Senator Rogers moved that rule 3.901 be suspended to allow photographs to be taken from the Senate floor, including the center aisle.

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

Recess

Senator Rogers moved that the Senate recess subject to the call of the President.
The motion prevailed, the time being 10:50 a.m.

11:02 a.m.

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

During the recess, Senators Shugars and Johnson introduced to the Senate Kim Mickevicius and her father, Tom Roe. Senator Johnson presented Ms. Mickevicius with a special tribute in honor of her work with the Gift of Life organization.

Ms. Mickevicius responded briefly.

By unanimous consent the Senate proceeded to the order of

General Orders

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

The motion prevailed, and the President, Lieutenant Governor Posthumus, designated Senator Hoffman as Chairperson.

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

Senate Bill No. 1041, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 167 and 168 (MCL 750.167 and 750.168).

Substitute (S-1).

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

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

Senate Bill No. 1042, entitled

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

Substitute (S-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 returned to the order of

Messages from the Governor

The following messages from the Governor were received:

Date: April 5, 2000

Time: 5:33 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 826 (Public Act No. 77), being

An act to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide

for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 625, 803l, 804, and 904 (MCL 257.625, 257.803l, 257.804, and 257.904), sections 625 and 904 as amended by 1999 PA 73, 803l as amended by 1998 PA 68, and section 804 as amended by 1995 PA 129, and by adding sections 6d, 17b, 30b, 811d, 811e, 811f, 811g, and 811h; and to repeal acts and parts of acts.

(Filed with the Secretary of State on April 7, 2000, at 11:04 a.m.)

Date: April 5, 2000

Time: 5:35 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

Enrolled Senate Bill No. 737 (Public Act No. 78), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 217d (MCL 257.217d), as added by 1980 PA 124.

(Filed with the Secretary of State on April 7, 2000, at 11:06 a.m.)

Respectfully,
John Engler
Governor

The following message from the Governor was received on April 6, 2000, and read:

EXECUTIVE ORDER
NO. 2000-6

**e-Michigan Office
e-Michigan Advisory Council**

Executive Office of the Governor

Whereas, Article V, Section 1, of the Constitution of the state of Michigan of 1963 vests the executive power in the Governor; and

Whereas, Article V, Section 4, of the Constitution of the state of Michigan of 1963 authorizes the establishment of temporary commissions or agencies for special purposes with a life of no more than two years, and provides that such temporary commissions or agencies need not be allocated within a principal department; and

Whereas, there is an identified need for the state to focus on and become active in the development and implementation of electronic government; and

Whereas, electronic government will improve government interaction with citizens by providing more timely, convenient and personalized services, and will reduce the costs and efforts of conducting transactions between the citizens and the state; and

Whereas, a coordinated development of electronic government service will act as a catalyst to reengineer current practices and design better ways of conducting the business of government, contributing to economic growth and enhanced quality of life for all Michigan citizens; and

Whereas, the state of Michigan is a national leader in business, technology and economic development; and

Whereas, Michigan will retain its position of preeminence in economic development and technology through an active and coordinated partnership between government, academia and the private sector.

Now, Therefore, I, John Engler, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan, do hereby order the following:

I. ESTABLISHMENT OF THE E-MICHIGAN OFFICE**A. Establishment**

1. The e-Michigan Office ("Office") is established within the Executive Office of the Governor as a temporary agency pursuant to Article V, Section 4, of the Constitution of the state of Michigan of 1963. It shall have a life of no more than two (2) years commencing May 1, 2000.

B. Director

The Governor shall appoint one person to serve as director of the Office and that person shall serve as director at the pleasure of the Governor. The director shall report to and be directly responsible to the Governor. The director shall, in addition to the other duties and responsibilities given to the director herein or assigned or transferred to the director as head of the Office by statute or executive order, be responsible for the oversight and supervision of employees of the Office and for the operations of the Office. The director shall also perform such other duties and exercise other powers as the Governor may prescribe.

C. Compensation

The director shall receive reasonable compensation.

D. Other Deputies and Assistants

The director may appoint deputies, assistants and employees as necessary. Compensation for whom shall be established according to relevant Department of Civil Service rules and regulations.

II. DUTIES AND RESPONSIBILITIES OF THE E-MICHIGAN OFFICE**A. General duties**

1. The Office, working with the e-Michigan Advisory Council established herein, shall develop a comprehensive statewide strategy for the installation and use of state-of-the-art technologies for allowing the state to exchange information and conduct business-related transactions electronically with private and corporate citizens, state, federal, international and local governments, business partners and its employees. The delivery of services for business and citizens to electronically interact with government shall be known as e-Michigan.

2. The Office shall coordinate and integrate existing electronic government services, as well as identify additional opportunities and any barriers for delivering government services electronically.

3. The Office shall develop the technical, legal, policy, and financial framework and infrastructure necessary to deliver e-Michigan services.

4. The Office, with the cooperation of the Office of the State Chief Information Officer, Department of Management and Budget, shall plan, provide, operate, maintain, and manage the e-Michigan technology infrastructure to be used by all executive branch agencies.

5. The Office shall have the full cooperation of all executive branch agencies in developing and implementing the sharing of data and information across all agencies in order to improve access and delivery of government services to citizens as part of the e-Michigan initiative. Data that is protected under confidentiality laws shall be exempt from this requirement.

6. The Office shall utilize staff of other executive branch agencies for advice and assistance to re-engineer business processes, develop specific government electronic objectives, and establish inter- and intra-agency data sharing requirements, policies, procedures and standards to guide the development of e-Michigan services and transactions for customers of the state of Michigan.

7. State agencies shall cooperate in reengineering their business processes to allow services to be transacted through the Internet, or other electronic means, including but not limited to:

a. Business services, including procurement, application and renewal of professional and occupational licenses, application and renewal of food and dairy permits, business registration filings, business tax filings and payment; and

b. Citizens services, including watercraft, motor vehicle, and recreational vehicle registration, renewal of drivers licenses, personal income tax filings and payments or refunds, and order and payment for vital statistics information; and

c. Outdoor recreation services, including application for hunting and fishing licenses, online reservations for state campgrounds, and off-road vehicle permits.

8. The Office shall design a single state of Michigan portal for easy navigation and customization that integrates user preferences with information relevant to these preferences and captures user profile information, on a voluntary basis, in order to send information and announcements to users based on profile preferences.

9. Additional state services shall be made available to the public through electronic means, including the Internet, where practical. State agencies shall only provide transactions through the Internet that are not prohibited by laws or rules pertaining to privacy or security.

10. The Office shall establish and manage e-Michigan initiative teams, as appropriate.

11. The Office shall promote e-Michigan awareness and acceptance and foster cooperative development of e-Michigan initiatives between government and private sector organizations.

12. The Office shall develop recommendations for future e-Michigan policy, together with guidelines for implementation, including proposed legislation and budget needs that address priorities and investment requirements.

13. The Office shall provide necessary templates to all agencies to collect, assemble and report e-Michigan results of customer satisfaction surveys, process efficiencies achieved, usage rates and other appropriate measurements as requested.

14. At least once annually, all executive branch agencies shall submit e-Michigan reports to the Office. The reports shall comply with the templates created by the Office.

III. ESTABLISHMENT OF THE E-MICHIGAN ADVISORY COUNCIL

A. Establishment

The e-Michigan Advisory Council (Advisory Council) is hereby established by this Executive Order within the e-Michigan Office. It shall have a life of no more than two (2) years commencing May 1, 2000.

B. Members

The Advisory Council shall consist of five (5) members. Four of the members shall be appointed by the Governor and shall serve at the pleasure of the Governor. The fifth member shall be the Governor, or his designee, and shall serve as chair of the Advisory Council.

C. Compensation

Members of the Advisory Council shall serve without compensation. Members of the Advisory Council may receive reimbursement for necessary travel and expenses according to relevant procedures of the Departments of Management and Budget and Civil Service rules and regulations.

IV. DUTIES AND RESPONSIBILITIES OF THE E-MICHIGAN ADVISORY COUNCIL

A. General Duties

1. The Advisory Council shall advise the director of the e-Michigan Office of the following:

- a. The best practices for implementation of e-commerce in all of Michigan government.
- b. The future trends in business, government and education relating to the integration of e-commerce in support of providing services and products in an effective and efficient manner.
- c. The best opportunities for using e-commerce to offer the type of services desired in order to provide consistent levels of services, develop efficient, effective and secure operations, and attain the highest quality of performance.

V. MISCELLANEOUS

A. Bylaws

The Advisory Council may promulgate bylaws, consistent with law and with this Executive Order, to govern its organization and procedure.

B. Quorum, Voting

A majority of the serving members of the Advisory Council constitutes a quorum for the transaction of business at a meeting, notwithstanding the existence of one (1) or more vacancies. Voting upon actions taken shall be conducted by a majority vote of the members present in person at a meeting or present by use of amplified telephonic equipment. The Advisory Council shall meet at the call of the chair and as may be provided in the bylaws of the Advisory Council. Meetings of the Advisory Council may be held anywhere within the state of Michigan.

C. State Agency Cooperation

All executive branch agencies shall cooperate with the Office and Advisory Council in the performance of their respective responsibilities. Agencies shall make every effort to provide the Office and Advisory Council with key staff and other means of support to assist in the performance of their respective duties.

D. Contractors

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

E. Grants and Donations

The Office may accept grants of funds and donations of funds, property, labor or other things of value from any department or office of the state of Michigan and the United States and from any other public or private office or person for the purpose of furthering e-Michigan services.

F. Validity

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

The provisions of this Executive Order shall become effective May 1, 2000.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 5th day of April, in the Year of our Lord, Two Thousand.

John Engler
Governor

By the Governor:
Candice S. Miller
Secretary of State

The Executive Order was referred to the Secretary for record.

The following message from the Governor was received and read:

April 10, 2000

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

Michigan Cherry Committee

Mr. John F. King, 4620 N. M-88, Central Lake, Michigan 49622, county of Antrim, as a member representing District 1 red tart cherry growers, succeeding himself, for a term expiring on February 1, 2003.

Mr. Alan R. Spinniken, 7360 E. Pertner Road, Lake Leelanau, Michigan 49653, county of Leelanau, as a member representing District 1 red tart cherry growers, succeeding himself, for a term expiring on February 1, 2003.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

By unanimous consent the Senate proceeded to the order of

Statements

Senators Dingell and V. Smith asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Dingell's statement is as follows:

There's been a lot of talk around the Capitol in recent weeks about the way various levels of government conduct business with the private sector. As my Democratic colleagues and I have repeatedly pointed out over the years, the way the state grants contracts leaves much to be desired.

In order to get the most for taxpayer dollars, the state is supposed to competitively bid contracts. A look at the record, however, shows a worsening track record for the state of Michigan. In 1996, 67.5 percent of state contracts over \$25,000 were not competitively bid. In 1997, 78 percent of those contracts were not competitively bid. In 1998, 86 percent were not competitively bid. And in 1999, nearly all of those contracts, 90.6 percent were not competitively bid.

This is outrageous. Clearly, the state is going in the wrong direction. Each year there is less competition. To get the best value for the taxpayers, we must use the market to get the lowest prices. When we don't, it smacks of cronyism. This may help the administration's friends, but it isn't getting the best value for Michigan taxpayers.

My Democratic colleagues and I have tried to change this situation and force some accountability into the way contracts are bid. Repeatedly our contracts are shot down by the other side of the aisle who argue that nothing is wrong with the fact that each year the bidding is less and less.

At the current rate, in a few years, there will be no state contract bidding at all. And those few that do get bid raise questions that those raised this past weekend over the contract for FIA office space in Grand Rapids. DMB's reversal and decision to rebid that contract looks suspicious because of who lost the first time. Once again it looks like political friends are being put ahead of getting a good value for the taxpayers.

Bidding contracts are supposed to be the fair way to get a good deal. The way it's currently being handled, however, makes it look instead like we have fox guarding the hen house.

Michigan citizens deserve better. They deserve a bidding process that doesn't reek of favoritism. My colleagues and I will continue fighting for a truly competitive bidding process that spends the taxpayers' money wisely.

Senator V. Smith's statement is as follows:

I was absent on Thursday, April 6, 2000. I had constituent business in the district that I had made previous commitments for that I had to attend. As a result, I was absent for a number of votes. In those votes, I would have voted "yes" on the following bills: Senate Bill Nos. 1078, 1164, 1043, 1186, 612, 613, 983, and 269 and House Bill Nos. 4766, 5196, 4400, 5443, 5444, 4927, 4928, 4929, 4930, 4931, and 4932.

By unanimous consent the Senate returned to the order of

Introduction and Referral of Bills

Senators McManus, Gast, North, Koivisto, A. Smith, Gougeon, Sikkema, Dingell and Hammerstrom introduced **Senate Bill No. 1205, entitled**

A bill to prescribe a tax on the sale and use of certain types of fuel in motor vehicles on the public roads or highways of this state and on certain other types of gas; to prescribe the manner and the time of collection and payment of this tax and the duties of officials and others pertaining to the payment and collection of this tax; to provide for the licensing of persons involved in the sale, use, or transportation of motor fuel and the collection and payment of the tax imposed by this act; to prescribe fees; to prescribe certain other powers and duties of certain state agencies and other

persons; to provide for exemptions and refunds and for the disposition of the proceeds of this tax; to provide for appropriations from the proceeds of this tax; to prescribe remedies and penalties for the violation of this act; 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 Finance.

Committee Reports

The Committee on Judiciary reported

House Bill No. 4414, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2552 (MCL 600.2552), as amended by 1994 PA 154.

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

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

William Van Regenmorter
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Judiciary reported

House Bill No. 5083, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 931 (MCL 600.931), as amended by 1989 PA 100.

With the recommendation that the bill pass.

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

William Van Regenmorter
Chairperson

To Report Out:

Yeas: Senators Van Regenmorter, McCotter, Bullard, Schuette and Peters

Nays: Senator Dingell

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Judiciary submits the following:

Meeting held on Wednesday, April 5, 2000, at 1:00 p.m., Rooms 402 and 403, Capitol Building

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

The Committee on Education reported

House Bill No. 5291, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 167 (MCL 388.1767), as amended by 1997 PA 93.

With the recommendation that the bill pass.

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

Loren N. Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Emmons, Stille and Peters

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education reported

House Bill No. 5292, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 9208 (MCL 333.9208).

With the recommendation that the bill pass.

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

Loren N. Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Emmons, Stille and Peters

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education reported

House Bill No. 5293, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1177 (MCL 380.1177), as amended by 1996 PA 399.

With the recommendation that the bill pass.

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

Loren N. Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Emmons, Stille and Peters

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Education submits the following:

Meeting held on Wednesday, April 5, 2000, at 3:30 p.m., Room 110, Farnum Building

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

The Committee on Government Operations reported

Senate Bill No. 957, entitled

A bill to designate December 7 of each year as Pearl Harbor day in the state of Michigan.

With the recommendation that the bill pass.

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

Thaddeus G. McCotter
Chairperson

To Report Out:

Yeas: Senators McCotter, Hammerstrom and Miller

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Government Operations reported

Senate Concurrent Resolution No. 10.

A concurrent resolution to express support for the recognition of the Republic of China on Taiwan.

(For text of resolution, see Senate Journal No. 34 of 1999, p. 508.)

With the recommendation that the following amendments be adopted and that the concurrent resolution then be adopted:

1. Amend the title, line 1, after "resolution" by inserting "congratulating the newly elected president of Taiwan, President Chen Shui-bian, and".

2. Amend the first Resolving clause, line 2, after "we" by inserting "congratulate the new President of Taiwan, President Chen Shui-bian, and".

3. Amend the second Resolving clause, line 1, after "to" by inserting "President Chen Shui-bian,".

Thaddeus G. McCotter
Chairperson

To Report Out:

Yeas: Senators McCotter, Hammerstrom and Miller

Nays: None

The concurrent resolution was placed on the order of Resolutions.

The Committee on Government Operations reported
Senate Concurrent Resolution No. 11.

A concurrent resolution to urge the administration to press the People's Republic of China to acknowledge and respect the culture and sovereignty of Taiwan.

(For text of resolution, see Senate Journal No. 34 of 1999, p. 508.)

With the recommendation that the concurrent resolution be adopted.

Thaddeus G. McCotter
Chairperson

To Report Out:

Yeas: Senators McCotter, Hammerstrom and Miller

Nays: None

The concurrent resolution was placed on the order of Resolutions.

COMMITTEE ATTENDANCE REPORT

The Committee on Government Operations submits the following:

Meeting held on Thursday, April 6, 2000, at 2:24 p.m., Room 110, Farnum Building

Present: Senators McCotter (C), Hammerstrom and Miller

Excused: Senators Sikkema and V. Smith

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Higher Education submits the following:

Meeting held on Wednesday, March 8, 2000, at 1:30 p.m., Senate Appropriations Room, Capitol Building

Present: Senators Schwarz (C), McManus, Hoffman, Koivisto and A. Smith

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Family Independence Agency submits the following:

Meeting held on Tuesday, April 4, 2000, at 1:00 p.m., Room 100, Farnum Building

Present: Senators Goschka (C) and Gougeon

Absent: Senator Emerson

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Natural Resources submits the following:

Meeting held on Tuesday, April 4, 2000, at 3:00 p.m., Senate Appropriations Room, Capitol Building

Present: Senators McManus (C), Gast, Koivisto and DeBeaussaert

Excused: Senator Hoffman

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, April 5, 2000, at 3:00 p.m., Room 100, Farnum Building

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

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Transportation submits the following:

Meeting held on Thursday, April 6, 2000, at 8:30 a.m., Senate Appropriations Room, Capitol Building

Present: Senators Hoffman (C), Goschka and Young

COMMITTEE ATTENDANCE REPORT

The Conference Committee on Senate Bill No. 404 submits the following:

Meeting held on Thursday, April 6, 2000, at 11:30 a.m., Room S-209, Capitol Building

Present: Senators Shugars (C), Schwarz and Murphy

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, April 6, 2000, at 2:30 p.m., Room 110, Farnum Building

Present: Senators Jaye (C), Byrum and Dingell

Excused: Senators Bullard and Hoffman

COMMITTEE ATTENDANCE REPORT

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

Meeting held on Thursday, April 6, 2000, at 6:00 p.m., Lake Superior State University, Sault Ste. Marie

Present: Senator Sikkema (C)

Excused: Senators Dunaskiss, Gast, Peters and Young

Scheduled Meetings

Appropriations - Wednesday, April 12, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittees -

Agriculture - Wednesdays, April 12 and May 10, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

Career Development Strategic Fund Agency - Tuesday, May 2, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Consumer and Industry Services - Wednesdays, April 12 (CANCELED), May 3, and Thursday, May 11, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-7350)

Environmental Quality - Thursday, May 4, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-7350)

Family Independence Agency - Thursday, April 13, 3:00 p.m., Room 100, Farnum Building; Tuesday, May 2, 1:00 p.m., Room 210, Farnum Building; and Tuesday, May 9, 1:00 p.m., Room 210, Farnum Building (373-1760)

General Government - Tuesday, May 2, 1:00 p.m., Room 404, Capitol Building; Tuesday, May 9, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building; and Wednesday, May 10, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-3447)

Judiciary - Wednesdays, April 12, May 3, and May 10, 1:00 p.m., Room 210, Farnum Building (373-2413)

Natural Resources - Tuesday, May 9, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

Transportation - Thursdays, April 13 and May 11, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2426)

Families, Mental Health and Human Services - Wednesday, April 12, 3:00 p.m., Room 100, Farnum Building (373-3543)

Finance - Wednesday, April 12, 2:00 p.m., Room 100, Farnum Building (373-3760)

Health Policy - Tuesday, May 2, 3:00 p.m., Room 100, Farnum Building (373-0793)

Hunting, Fishing and Forestry - Thursday, April 13, 1:00 p.m., Room 110, Farnum Building (373-7670)

Judiciary - Wednesday, April 12, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

Legislative Retirement Board of Trustees -

Subcommittee -

Investment Issues - Wednesday, April 12, 10:30 a.m., 8th Floor Conference Room, S0830 House Office Building; Tuesday, April 18, 9:00 a.m., 9th Floor Conference Room, S0929 House Office Building; and Wednesday, April 19, 10:30 a.m., 9th Floor Conference Room, S0929 House Office Building (373-0575)

Senator McCotter moved that the Senate adjourn.
The motion prevailed, the time being 11:18 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Wednesday, April 12, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.