

**No. 26**  
**JOURNAL OF THE SENATE**

---

Senate Chamber, Lansing, Thursday, March 16, 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 present.

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

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

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

Senator George A. McManus, Jr., of the 36th District offered the following invocation:

May the road rise up to meet you. May the wind always be at your back. May the sun shine brightly on your face, the rain fall softly on your fields, and may God hold you in the palm of His hand until we meet again. Amen.

Senators Miller, Schwarz, Jaye, Sikkema, Rogers, Cherry and Dingell entered the Senate Chamber.

### Motions and Communications

Senator Emerson moved that Senator Murphy be temporarily excused from today's session.  
The motion prevailed.

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

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

Senator Rogers moved that rule 3.902 be suspended to allow the staff and guests of Senator Van Regenmorter 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 on 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 10:09 a.m.

10:18 a.m.

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

During the recess, Senator Van Regenmorter introduced to the Senate Diet Eman, honored for her heroic efforts during World War II.

Ms. Eman responded briefly.

During the recess, Senator Murphy entered the Senate Chamber.

The Secretary announced that the following House bills were received in the Senate and filed on Wednesday, March 15:  
**House Bill Nos. 5273 5280 5443 5485 5486 5487 5488 5489 5490 5491 5492 5493**

The Secretary announced that the following House bills were received in the Senate and filed on Thursday, March 16:  
**House Bill Nos. 4400 5444 5445 5494 5495 5496 5497 5498**

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

**Enrolled Senate Bill No. 766 at 3:04 p.m.**

**Enrolled Senate Bill No. 1036 at 3:06 p.m.**

**Enrolled Senate Bill No. 1038 at 3:08 p.m.**

The Secretary announced the printing and placement in the members' files on Wednesday, March 15, of:

**Senate Bill No. 1166**

**House Bill Nos. 5505 5506 5507 5508**

**Messages from the Governor**

The following messages from the Governor were received:

Date: March 14, 2000  
Time: 12:40 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 866 (Public Act No. 24), being**

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

(Filed with the Secretary of State on March 15, 2000, at 11:30 a.m.)

Date: March 14, 2000  
Time: 12:42 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 910 (Public Act No. 25), being**

An act to designate the Bristol road overpass that spans the railroad tracks located on Michigan highway M-121 in Genesee county as the “Preston Schmidt Overpass”; and to prescribe the duties of the state transportation department.

(Filed with the Secretary of State on March 15, 2000, at 11:32 a.m.)

Date: March 14, 2000  
Time: 1:05 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 589 (Public Act No. 26), being**

An act to amend 1980 PA 350, entitled “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,” by amending section 401 (MCL 550.1401), as amended by 1998 PA 135.

(Filed with the Secretary of State on March 15, 2000, at 11:34 a.m.)

Date: March 14, 2000  
Time: 1:07 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 590 (Public Act No. 27), being**

An act to amend 1956 PA 218, entitled “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," (MCL 500.100 to 500.8302) by adding section 3407b.

(Filed with the Secretary of State on March 15, 2000, at 11:36 a.m.)

Date: March 14, 2000

Time: 1:10 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 591 (Public Act No. 28), being**

An act to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding section 21072a.

(Filed with the Secretary of State on March 15, 2000, at 11:40 a.m.)

Date: March 14, 2000

Time: 1:12 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 593 (Public Act No. 29), being**

An act to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or

consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending 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.

(Filed with the Secretary of State on March 15, 2000, at 11:42 a.m.)

Date: March 14, 2000

Time: 1:14 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 594 (Public Act No. 30), being**

An act to amend 1990 PA 250, entitled “An act to provide for a DNA identification profiling system; to provide for the collection of samples from certain prisoners, convicted offenders, and juvenile offenders and the analysis of those samples; and to prescribe the powers and duties of certain state departments and county agencies,” by amending section 6 (MCL 28.176), as amended by 1996 PA 508.

(Filed with the Secretary of State on March 15, 2000, at 11:44 a.m.)

Date: March 14, 2000

Time: 1:16 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 595 (Public Act No. 31), being**

An act to amend 1956 PA 205, entitled “An act to confer upon circuit courts jurisdiction over proceedings to compel and provide support of children born out of wedlock; to prescribe the procedure for determination of such liability; to authorize agreements providing for furnishing of such support and to provide for the enforcement thereof; and to prescribe penalties for the violation of certain provisions of this act,” by amending sections 1, 6, and 6a (MCL 722.711, 722.716, and 722.716a), section 1 as amended by 1999 PA 157 and section 6 as amended and section 6a as added by 1998 PA 113.

(Filed with the Secretary of State on March 15, 2000, at 11:46 a.m.)

Date: March 14, 2000

Time: 1:18 p.m.

To the President of the Senate:

Sir—I have this day approved and signedI have this day approved and signed

**Enrolled Senate Bill No. 815 (Public Act No. 32), being**

An act to amend 1976 PA 220, entitled “An act to define the civil rights of persons with disabilities; to prohibit discriminatory practices, policies, and customs in the exercise of those rights; to prescribe penalties and to provide remedies; and to provide for the promulgation of rules,” 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.

(Filed with the Secretary of State on March 15, 2000, at 11:48 a.m.)

Date: March 14, 2000

Time: 1:46 p.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 807 (Public Act No. 33), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for

the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending section 5431 (MCL 333.5431), as amended by 1999 PA 138.

(Filed with the Secretary of State on March 15, 2000, at 11:50 a.m.)

Date: March 15, 2000

Time: 10:30 a.m.

To the President of the Senate:

Sir—I have this day approved and signed

**Enrolled Senate Bill No. 803 (Public Act No. 34), being**

An act to amend 1970 PA 74, entitled "An act to protect and perpetuate public land survey corners; to require the establishment of monuments and the recording of information concerning public land survey corners; to prescribe the duties of the register of deeds; and to provide penalties," by amending sections 2, 3, 6, 7, 8, 10, 13, and 14 (MCL 54.202, 54.203, 54.206, 54.207, 54.208, 54.210, 54.210c, and 54.210d), sections 2, 6, 8, 13, and 14 as amended by 1988 PA 26; and to repeal acts and parts of acts.

(Filed with the Secretary of State on March 15, 2000, at 11:52 a.m.)

Respectfully,  
John Engler  
Governor

### Messages from the House

**Senate Bill No. 57, entitled**

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending sections 5, 7, 10, 10a, 17, 19, and 55 (MCL 257.1805, 257.1807, 257.1810, 257.1810a, 257.1817, 257.1819, and 257.1855), section 7 as amended by 1992 PA 227, section 10 as amended by 1996 PA 191, section 10a as added by 1990 PA 322, and section 55 as amended by 1991 PA 184.

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

The House of Representatives has passed the bill as substituted (H-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

By unanimous consent the Senate proceeded to the order of

### Conference Reports

**House Bill No. 4305, entitled**

A bill to make, supplement, and adjust appropriations for the department of environmental quality for the fiscal year ending September 30, 2000 and other fiscal periods; to prescribe the powers and duties of certain state agencies and officials; and to provide for the expenditure of the appropriations.

The House of Representatives has adopted the report of the Committee of Conference and ordered that the bill be given immediate effect.

The Conference Report was read as follows:

### FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

**House Bill No. 4305, entitled**

A bill to make, supplement, and adjust appropriations for the department of environmental quality for the fiscal year ending September 30, 2000 and other fiscal periods; to prescribe the powers and duties of certain state agencies and officials; and to provide for the expenditure of the appropriations.

Recommends:

First: That the Senate recede from the Substitute of the Senate as passed by the Senate.

Second: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to make, supplement, and adjust appropriations for the department of community health and the department of environmental quality for the fiscal year ending September 30, 2000 and other fiscal periods; to prescribe the powers and duties of certain state agencies and officials; and to provide for the expenditure of the appropriations.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**PART 1**

**LINE-ITEM APPROPRIATIONS**

Sec. 101. There is appropriated for the department of environmental quality to supplement former appropriations for the fiscal year ending September 30, 2000, from the following funds:

**APPROPRIATION SUMMARY:**

Full-time equated classified positions .....	8.0	
GROSS APPROPRIATION .....		\$ 84,270,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		0
ADJUSTED GROSS APPROPRIATION .....		\$ 84,270,000
Federal revenues:		
Total federal revenues .....		0
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		0
Total other state restricted revenues .....		84,270,000
State general fund/general purpose .....		\$ 0

**Sec. 102. DEPARTMENT OF COMMUNITY HEALTH**

**(1) APPROPRIATION SUMMARY:**

GROSS APPROPRIATION .....		\$ 5,000,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		0
ADJUSTED GROSS APPROPRIATION .....		\$ 5,000,000
Special revenue funds:		
Clean Michigan initiative fund - lead abatement.....		5,000,000
Total other state restricted revenues .....		5,000,000
State general fund/general purpose .....		\$ 0

**(2) LOCAL HEALTH ADMINISTRATION AND GRANTS**

Lead abatement program.....	\$	5,000,000
GROSS APPROPRIATION .....	\$	5,000,000

Appropriated from:

Special revenue funds:		
Clean Michigan initiative fund - lead abatement.....		5,000,000
State general fund/general purpose .....	\$	0

**Sec. 103. DEPARTMENT OF ENVIRONMENTAL QUALITY**

**(1) APPROPRIATION SUMMARY:**

Full-time equated classified positions .....	8.0	
GROSS APPROPRIATION .....		\$ 79,270,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		0
ADJUSTED GROSS APPROPRIATION .....		\$ 79,270,000
Special revenue funds:		
Clean Michigan initiative fund - administration.....		750,000
Clean Michigan initiative fund - clean water fund .....		26,700,000
Clean Michigan initiative fund - contaminated sediments .....		5,220,000
Clean Michigan initiative fund - nonpoint source .....		100,000
Clean Michigan initiative fund - pollution prevention activities.....		3,000,000
Clean Michigan initiative fund - response activities.....		13,000,000
Clean Michigan initiative fund - waterfront improvements .....		30,000,000
Retired engineers technical assistance fund .....		500,000
Total other state restricted revenues .....		79,270,000
State general fund/general purpose .....	\$	0

	For Fiscal Year Ending Sept. 30, 2000
<b>(2) EXECUTIVE</b>	
Environmental education curriculum.....	\$ 1,000,000
<b>GROSS APPROPRIATION</b> .....	<u>\$ 1,000,000</u>
Appropriated from:	
Special revenue funds:	
Clean Michigan initiative fund - pollution prevention activities.....	1,000,000
State general fund/general purpose .....	\$ 0
<b>(3) FINANCIAL AND BUSINESS SERVICES</b>	
Financial support services.....	\$ 150,000
<b>GROSS APPROPRIATION</b> .....	<u>\$ 150,000</u>
Appropriated from:	
Special revenue funds:	
Clean Michigan initiative fund - administration.....	150,000
State general fund/general purpose .....	\$ 0
<b>(4) SURFACE WATER QUALITY</b>	
Full-time equated classified positions .....	7.0
Water quality monitoring program support—7.0 FTE positions .....	\$ 525,000
Water quality monitoring program .....	1,500,000
Contaminated lake and river sediments cleanup program.....	5,220,000
Voluntary storm water permit grants .....	3,000,000
Failing on-site septic systems .....	5,000,000
Protecting high quality waters.....	3,000,000
Illicit storm sewer connection grant program.....	5,000,000
Remedial action plan and lakewide management plan implementation grant program .....	5,000,000
Conservation reserve enhancement program match.....	3,000,000
Volunteer river, stream, and creek cleanup program.....	100,000
<b>GROSS APPROPRIATION</b> .....	<u>\$ 31,345,000</u>
Appropriated from:	
Special revenue funds:	
Clean Michigan initiative fund - administration.....	525,000
Clean Michigan initiative fund - clean water fund .....	25,500,000
Clean Michigan initiative fund - contaminated sediments.....	5,220,000
Clean Michigan initiative fund - nonpoint source .....	100,000
State general fund/general purpose .....	\$ 0
<b>(5) ENVIRONMENTAL RESPONSE</b>	
Brownfield grants and loans program.....	\$ 13,000,000
Waterfront redevelopment program .....	30,000,000
<b>GROSS APPROPRIATION</b> .....	<u>\$ 43,000,000</u>
Appropriated from:	
Special revenue funds:	
Clean Michigan initiative fund - response activities.....	13,000,000
Clean Michigan initiative fund - waterfront improvements .....	30,000,000
State general fund/general purpose .....	\$ 0
<b>(6) DRINKING WATER PROTECTION AND RADIOLOGICAL HEALTH</b>	
Abandoned well management grants program.....	\$ 1,200,000
<b>GROSS APPROPRIATION</b> .....	<u>\$ 1,200,000</u>
Appropriated from:	
Special revenue funds:	
Clean Michigan initiative fund - clean water fund .....	1,200,000
State general fund/general purpose .....	\$ 0
<b>(7) ENVIRONMENTAL ASSISTANCE DIVISION</b>	
Full-time equated classified positions .....	1.0
Pollution prevention program support—1.0 FTE position .....	\$ 75,000
Retired engineers technical assistance program .....	500,000
Household hazardous waste collection program.....	1,000,000
Regional pollution prevention grant program.....	1,000,000
<b>GROSS APPROPRIATION</b> .....	<u>\$ 2,575,000</u>

For Fiscal Year  
Ending Sept. 30,  
2000

Appropriated from:  
Special revenue funds:

Clean Michigan initiative fund - administration.....	\$	75,000
Clean Michigan initiative fund - pollution prevention activities.....		2,000,000
Retired engineers technical assistance fund .....		500,000
State general fund/general purpose .....	\$	0

PART 2  
PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS**

Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending in this appropriation act is \$84,270,000.00 and state appropriations to be paid to local units of government are estimated at \$64,200,000.00. The following itemized statement identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF ENVIRONMENTAL QUALITY  
GRANTS

Abandoned well management grants program.....		1,200,000
Brownfield grants and loans program.....		13,000,000
Failing on-site septic systems .....		5,000,000
Household hazardous waste collection program.....		1,000,000
Illicit storm sewer connection grant program.....		5,000,000
Protecting high quality waters.....		3,000,000
Remedial action plan and lakewide management plan implementation grant program .....		2,500,000
Voluntary stormwater permit grants .....		3,000,000
Volunteer river, stream, and creek cleanup program.....		100,000
Water quality monitoring program .....		400,000
Waterfront redevelopment program .....		30,000,000
TOTAL.....	\$	64,200,000

(2) If it appears to the principal executive officer of a department or agency that state spending to local units of government will be less than the amount that was projected to be expended under subsection (1), the principal executive officer shall immediately give notice of the approximate shortfall to the state budget director, the senate and house appropriations committees, and the senate and house fiscal agencies.

Sec. 202. As used in this act:

- (a) "Department" means the department of environmental quality.
- (b) "FTE" means full-time equated.

Sec. 203. The expenditures and fund sources authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 204. The department of civil service shall bill departments and agencies at the end of the first fiscal quarter for the 1% charges authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 205. (1) From funds appropriated under part 1, the department shall prepare the following reports:

(a) A report, to be made available on the department's website, that lists all of the following regarding grant, loan, or grant and loan programs administered by the department for the fiscal year ending on September 30, 2000:

- (i) The name of each program.
  - (ii) The goals, the criteria, including filing fees, and the nominating procedures, eligibility requirements, processes, and deadlines for each program.
  - (iii) The maximum and minimum grant and loan available and whether there is a match requirement for each program.
  - (iv) The amount of any required match, and whether in-kind contributions may be used as part or all of a required match.
  - (v) Information pertaining to the application process, timeline for each program, and the contact people within the department.
  - (vi) The source of funds for each program, including the citation of pertinent authorizing acts.
  - (vii) Information regarding plans for the next fiscal year for the phaseout, expansion, or changes for each program.
- (b) A report that lists all recipients of grants or loans awarded by the department by type and the amount of the grant or loan.

(2) The reports required under subsection (1)(a) shall be available on the department's website not less than 30 days after the appropriations are enacted. Notification of the availability of the report on the department's website shall be submitted to the senate and house appropriations committees and the senate and house fiscal agencies 30 days after

appropriations are enacted. The reports required under subsection (1)(b) shall be submitted to the senate and house appropriations committees and the senate and house fiscal agencies not less than 5 business days before notice of grant awards are provided to grant applicants.

Sec. 206. The state budget director shall provide a list of proposed work projects funded, in whole or in part, from appropriations in this act to the house and senate appropriations committees on November 15, 2000. This list shall provide detailed information including a description of project activities and services, the total work project funding level, spending for the fiscal year ending September 30, 2000, and the amount of budget authority required to complete the project.

Sec. 207. (1) The department shall report all of the following information relative to allocations made in part 1 of this act, the brownfield grants and loans program, the national priority list municipal landfill match grants program, the waterfront redevelopment grant program, the contaminated lake and river sediments cleanup program, the nonpoint source pollution prevention and control projects program, and the environmental projects under section 19508(7) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19508, to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies:

- (a) The name of location of the site for which an allocation is made.
  - (b) The nature of the problem encountered at the site.
  - (c) The estimated time necessary to prepare plans or complete any necessary study if the allocation is for plans or a study.
  - (d) A brief description of how the problem will be resolved if the allocation is for a response activity.
  - (e) The estimated time to complete the response activity if the allocation is for a response activity.
  - (f) The amount of the allocation, or the anticipated financing for the site.
  - (g) A summary of the sites and the total amount of funds expended at the sites at the conclusion of the fiscal year.
  - (h) The number of sites that would qualify as brownfields that were redeveloped.
- (2) The report prepared under subsection (1) shall also include the status of all sites that are on the list compiled under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142, in which the state is liable under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142.

(3) The report prepared under this section shall be made available by June 2000.

Sec. 208. The appropriations in part 1 for environmental education curriculum, contaminated lake and river sediments cleanup, voluntary stormwater permit grants, failing on-site septic systems, protecting high quality waters, illicit storm sewer connection grants, remedial action plan and lakewide management plan implementation grants, volunteer river, stream, and creek cleanup grants, brownfield grants and loans, waterfront redevelopment, abandoned well management grants, household hazardous waste collection, and regional pollution prevention grants are appropriated for the period October 1, 1999 through September 30, 2002. Any unexpended or unencumbered funds shall lapse to the clean Michigan initiative fund and be subject to reappropriation.

Sec. 209. By March 1, 2000, the department of environmental quality shall submit to the senate and house of representatives appropriations committees and the standing committees of the senate and house of representatives with jurisdiction over issues primarily pertaining to natural resources and the environment, a plan for reporting on the expenditure of the proceeds of bonds issued under the clean Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108. The plan shall contain a proposal for preparation and distribution of reports to be issued beginning in 2003 and every 5 years thereafter until all bond proceeds have been expended and a final report that shall be issued within 1 year after all bond proceeds have been expended. The reports shall include, but are not limited to, all of the following:

- (a) A cumulative update on the progress and accomplishments attributable to the expenditure of bond proceeds.
- (b) The amount of bonds sold.
- (c) The amount of bond proceeds expended.
- (d) The number of and locations of sites in which bond proceeds have been expended.
- (e) The number of and locations of sites that have been redeveloped with bond proceeds.
- (f) A summary of the data collected with bond proceeds.
- (g) A summary of the overall effectiveness of bond proceed expenditures.

#### **EXECUTIVE**

Sec. 301. The appropriation in part 1 for environmental education curriculum shall be used to support educator training, education material development, and distribution of environmental education curriculum materials. The department shall work with the department of education and a technical advisory committee to develop and distribute environmental education curriculum. The department shall not distribute materials that duplicate materials currently used by middle school educators.

#### **SURFACE WATER QUALITY**

Sec. 401. The department shall expend not less than \$146,000.00 for contracts and grants to local health departments or other nonprofit agencies to monitor critical bathing beaches including, but not limited to, those located in state parks and state recreation areas. The department shall begin development of a centralized statewide database to track bathing beach monitoring and results that will be made available electronically to the public. The department shall implement this section in accordance with the department's document entitled "A strategic environmental quality monitoring program for Michigan's surface waters", dated January 1997, which is the first priority for the expenditure of the clean water fund as specified under section 8807 of 1998 PA 287.



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

### Third Reading of Bills

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

**Senate Bill No. 769**  
**Senate Bill No. 1051**  
**House Bill No. 5143**  
**Senate Bill No. 257**  
**Senate Bill No. 893**  
**Senate Bill No. 894**  
**Senate Bill No. 1162**  
 The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 769, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8121 (MCL 600.8121), as amended by 1994 PA 138.

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. 85**

**Yeas—35**

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

**Nays—1**

Dingell

**Excused—2**

Schuette

Smith, V.

**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. 1051, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 8151 and 8152 (MCL 600.8151 and 600.8152), section 8152 as amended by 1990 PA 54.

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. 86**

**Yeas—36**

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

**Nays—0**

**Excused—2**

Schuette	Smith, V.
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**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. 5143, entitled**

A bill to amend 1959 PA 228, entitled “An act to promote the development of the Michigan fruit and vegetable industry; to define certain types and methods of fruit and vegetable storage; to prohibit the sale of fruits and vegetables misbranded as to type of storage; to provide for records; to provide for licensing of certain fruit and vegetable storage facilities; to provide for registration and permits for packers or repackers; to provide for revocation of licenses; to provide for the enforcement of this act; and to provide penalties for violation of this act,” by amending sections 1, 2, 3, 4, 5, 6, and 9 (MCL 286.371, 286.372, 286.373, 286.374, 286.375, 286.376, and 286.379) and by adding sections 2a and 4a; and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

**Roll Call No. 87**

**Yeas—36**

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





**Roll Call No. 90****Yeas—36**

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

**Nays—0****Excused—2**

Schuette                      Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

Senators Van Regenmorter, Hoffman, Goschka, Jaye, Bennett, McManus, Gougeon, Dunaskiss, Sikkema, McCotter, North, Peters, Miller, DeBeaussaert, Byrum, Koivisto, A. Smith, Hart, Vaughn and Murphy moved that they be named co-sponsors of the following bills:

**Senate Bill No. 893****Senate Bill No. 894**

The motion prevailed.

The following bill was read a third time:

**Senate Bill No. 1162, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 1999 PA 39.

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. 91****Yeas—36**

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

**Nays—0**

**Excused—2**

Schuette

Smith, V.

**Not Voting—0**

In The Chair: Schwarz

The Senate agreed to the title of the bill.

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 Committee Reports, be placed on the General Orders calendar for consideration today:

**House Bill No. 5341**

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

By unanimous consent the Senate proceeded to the order of

**General Orders**

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

The motion prevailed, and the President pro tempore, Senator Schwarz, designated Senator Dunaskiss 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. 892, entitled**

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

Substitute (S-2).

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

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

**Senate Bill No. 801, entitled**

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

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:  
**House Bill No. 5341, entitled**

A bill to amend 1978 PA 361, entitled "Michigan exposition and fairgrounds act," by amending sections 2, 5, 6, 7, 8, 9, and 11 (MCL 285.162, 285.165, 285.166, 285.167, 285.168, 285.169, and 285.171) and by adding sections 14a and 15a; and to repeal acts and parts of acts.

Substitute (S-3).

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 at the head of the Third Reading of Bills calendar:

**House Bill No. 5341**

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**

The following bill was read a third time:

**House Bill No. 5341, entitled**

A bill to amend 1978 PA 361, entitled "Michigan exposition and fairgrounds act," by amending sections 2, 5, 6, 7, 8, 9, and 11 (MCL 285.162, 285.165, 285.166, 285.167, 285.168, 285.169, and 285.171) and by adding sections 14a and 15a; and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

**Roll Call No. 92**

**Yeas—32**

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

**Nays—4**

Dunaskiss	Johnson	McCotter	Shugars
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**Excused—2**

Schuette	Smith, V.
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**Not Voting—0**

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 control and management of certain state exposition centers and fairgrounds; to create a state exposition center and fairgrounds council; to prescribe its powers and duties; to provide for the appointment of a state exposition center and fairgrounds manager and to prescribe the manager’s powers and duties; to designate the method of financing state exposition centers and fairgrounds; and to repeal certain acts and parts of acts.”.

The Senate agreed to the full title.

### Protest

Senator McCotter, under his constitutional right of protest (Art. 4, Sec. 18), protested against the passage of House Bill No. 5341.

Senator McCotter’s statement is as follows:

I oppose the bill for the simple reason that I think it is a very bad idea for government to go into competition with the private sector. It amounts to using taxpayers’ money against themselves.

### Resolutions

Senators Hammerstrom and Sikkema offered the following resolution:

#### **Senate Resolution No. 146.**

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

Whereas, For many people of our state, hunting is much more than a seasonal diversion or recreation. Avid hunters build traditions and memories around the outdoors. This is very apparent in the thousands of applicants for annual lottery programs to allocate a limited number of permit tags for certain game, such as bear. To those who are selected for one of the limited number of permits, the opportunity presents the thrill of a lifetime; and

Whereas, There is interest in the development of a special selection process to offer people with a terminal illness a better opportunity to claim one of the tags to hunt game covered under one of the limited permit programs. Just as the Make a Wish Foundation tries to fulfill the dreams of young people with little time left, a hunting program for the terminally ill could bring happiness to many. In most cases, hunters who would be seeking the special permits would be people who have spent a lifetime participating in and enjoying Michigan’s recreational resources; and

Whereas, A program to offer separate opportunities for a terminally ill hunter to secure a permit to hunt certain game would be subject to the unique circumstances for the type of game involved. The number of licenses should be based on both the population of game and the number of applications. The requirements for participation should include documentation from a licensed physician to affirm the condition of applicant. Applicants should be capable of hunting safely and otherwise qualified to be issued a license. A person should be eligible to receive such a permit only once. If such a program is created, it would be helpful if a report could be issued annually to monitor its usefulness; and

Whereas, Implementing a program to offer special outdoors opportunities for those with a terminal illness to pursue bear, elk, or other game would be an expression of loyalty to Michigan’s hunters and a positive recognition of the value of the outdoors to so many of our citizens; now, therefore, be it

Resolved by the Senate, That we urge the Natural Resources Commission to implement a program to provide hunters with a terminal illness additional opportunities for permits for game taken under a lottery selection process; and be it further

Resolved, That copies of this resolution be transmitted to the Natural Resources Commission.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Rogers moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Rogers moved that the resolution be referred to the Committee on Natural Resources and Environmental Affairs.

The motion prevailed.

Senator Goschka was named co-sponsor of the resolution.

**House Concurrent Resolution No. 88.**

A concurrent resolution to waive the legislative prior notice requirement for increases in rates of compensation for certain employees in the state classified service.

Whereas, The Constitution of the State of Michigan of 1963 provides in Article XI, Section 5 that:

Increases in rates of compensation authorized by the commission may be effective only at the start of a fiscal year and shall require prior notice to the governor, who shall transmit such increases to the legislature as part of his budget. The legislature may, by a majority vote of the members elected to and serving in each house, waive the notice and permit increases in rates of compensation to be effective at a time other than the start of a fiscal year.

; and

Whereas, On January 20, 2000, the Civil Service Commission authorized increases in rates of compensation for members of the Safety and Regulatory Bargaining Unit with an effective date of October 1, 1999. These increases in rates of compensation were approved by the Civil Service Commission after the budget message for that fiscal year was presented on February 11, 1999. Therefore, the required prior notice has not been given; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, as provided in Article XI, Section 5 of the Constitution of the State of Michigan of 1963, the Michigan Legislature waives the prior notice requirement to permit increases in rates of compensation for members of the Safety and Regulatory Bargaining Unit to take effect retroactively on October 1, 1999; and be it further

Resolved, That copies of this resolution be transmitted to the Civil Service Commission.

The House of Representatives has adopted the concurrent resolution.

Pursuant to rule 3.204, the concurrent resolution was referred to the Committee on Government Operations.

Senators DeGrow and Cherry offered the following resolution:

**Senate Resolution No. 147.**

A resolution to honor the memory of Stanley G. Thayer, former member of the Michigan Senate.

Whereas, With the recent passing of Stanley Thayer, the Ann Arbor community, as well as our entire state, has lost a gentleman of strong commitment and conviction. We extend our condolences to his beloved family as we express our gratitude for the gifts he gave to others through elective public service, devotion to the law, and exemplary civic leadership; and

Whereas, A native of East Grand Rapids, Stanley Thayer devoted himself to service throughout his entire life. He was an Army officer during World War II who was called back into active duty in 1950. In between those responsibilities, he studied at the University of Michigan, where he earned his bachelor's degree, was a member of the marching band, and graduated from law school. He served as a justice of the peace and acting municipal judge in Ypsilanti and Ann Arbor prior to his 1960 election to the Michigan Senate; and

Whereas, In his four years in the Senate, Stanley Thayer exerted strong leadership in several policy areas. A gentleman who commanded respect from colleagues on both sides of the aisle, he worked for tax reform and civil rights changes in Michigan law. Throughout his legislative service, as in his entire life, he was noted for not only for his understanding, but also for his generous spirit and kind-hearted approach to life; and

Whereas, Stanley Thayer's talents and integrity contributed to the work of the Liquor Control Commission for many years, and he also practiced law in the Detroit area following his retirement as the chairperson of the commission. In addition, he contributed to a host of civic groups with the same spirit of unselfishness that marked everything he did; now, therefore, be it

Resolved by the Senate, That we offer this expression of our deep respect for the life and memory of Stanley Thayer, former member of this legislative body; and be it further

Resolved, That copies of this resolution be transmitted to Mr. Thayer's family as evidence of the lasting esteem that will be held for his memory.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations, Senator Rogers moved that the rule be suspended.

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

Senator Rogers move that the resolution be read.

The motion prevailed.

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

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

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

By unanimous consent the Senate proceeded to the order of  
**Statements**

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

The motion prevailed.

Senator Miller's statement is as follows:

I rise to say that I had the privilege, being in this chamber here, to meet former colleague Stan Thayer. Trust me, he was a really, really great individual, and his family, I am sure, is very proud of his accomplishments. The state is fortunate that we had a man of his wisdom and demeanor to be part of this institution.

Mr. President, I did not have the privilege to know him when he was a member of the Senate. I knew him when he was chairman of the Liquor Control Commission. He enforced the law in this state and made Michigan's liquor laws a lot tougher for minors and a lot better for the economic development of this state. Michigan has been a better place with the presence and activity in community affairs and public affairs of a man of his stature and position.

I just feel so bad to hear that we lost a great public servant, and his family lost a great leader as part of their family. He was truly Michigan's asset in making this a better state for all of us.

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

Senators Van Regenmorter, Gougeon, Steil, Shugars, Bennett, Sikkema, Goschka, Stille, Hoffman, Emmons, North, Koivisto and Miller introduced

**Senate Bill No. 1170, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2970.

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

**House Bill No. 4400, entitled**

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

The House of Representatives has passed the bill.

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

**House Bill No. 5273, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

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 Appropriations.

**House Bill No. 5280, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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 Appropriations.

**House Bill No. 5443, entitled**

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

The House of Representatives has passed the bill.

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

**House Bill No. 5444, entitled**

A bill to provide for the establishment of obsolete property rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local government officials; and to provide penalties.

The House of Representatives has passed the bill.

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

**House Bill No. 5445, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 9i. 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 Finance.

**House Bill No. 5485, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 23e of chapter X and sections 2, 13a, and 18 of chapter XIIA (MCL 710.23e, 712A.2, 712A.13a, and 712A.18), section 23e of chapter X as amended by 1994 PA 373, sections 2 and 13a of chapter XIIA as amended by 1998 PA 530, and section 18 of chapter XIIA as amended by 1999 PA 86.

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 Families, Mental Health and Human Services.

**House Bill No. 5486, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 816, 841, 880, 880b, 880c, 1021, 1517, and 2922 (MCL 600.816, 600.841, 600.880, 600.880b, 600.880c, 600.1021, 600.1517, and 600.2922), section 816 as amended by 1995 PA 14, sections 841 and 1517 as amended and section 1021 as added by 1996 PA 388, section 880 as amended and sections 880b and 880c as added by 1993 PA 189, and section 2922 as amended by 1985 PA 93.

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 Families, Mental Health and Human Services.

**House Bill No. 5487, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 498h, 498j, 604, and 632 (MCL 330.1498h, 330.1498j, 330.1604, and 330.1632), section 498h as amended by 1996 PA 588 and section 498j as added by 1984 PA 186.

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 Families, Mental Health and Human Services.

**House Bill No. 5488, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 1106, 5653, and 5654 (MCL 333.1106, 333.5653, and 333.5654), section 1106 as amended by 1996 PA 307 and sections 5653 and 5654 as added by 1996 PA 594.

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 Families, Mental Health and Human Services.

**House Bill No. 5489, entitled**

A bill to amend 1996 PA 193, entitled "Michigan do-not-resuscitate procedure act," by amending section 2 (MCL 333.1052).

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 Families, Mental Health and Human Services.

**House Bill No. 5490, entitled**

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 6b (MCL 722.26b), as amended by 1993 PA 259.

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 Families, Mental Health and Human Services.

**House Bill No. 5491, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 11b and 115j (MCL 400.11b and 400.115j), section 11b as amended by 1990 PA 122 and section 115j as added by 1994 PA 238.

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 Families, Mental Health and Human Services.

**House Bill No. 5492, entitled**

A bill to amend 1999 PA 276, entitled "Banking code of 1999," by amending section 4402 (MCL 487.14402).

The House of Representatives has passed the bill by a 2/3 vote 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 Families, Mental Health and Human Services.

**House Bill No. 5493, entitled**

A bill to amend 1996 PA 354, entitled "Savings bank act," by amending section 422 (MCL 487.3422).

The House of Representatives has passed the bill by a 2/3 vote 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 Families, Mental Health and Human Services.

**House Bill No. 5494, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 236 (MCL 257.236), as amended by 1990 PA 181.

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 Families, Mental Health and Human Services.

**House Bill No. 5495, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20101b and 80312 (MCL 324.20101b and 324.80312), section 20101b as added by 1995 PA 71 and section 80312 as added by 1995 PA 58.

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 Families, Mental Health and Human Services.

**House Bill No. 5496, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 145n (MCL 750.145n), as added by 1994 PA 149.

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 Families, Mental Health and Human Services.

**House Bill No. 5497, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 834 (MCL 600.834), as amended by 1996 PA 388.

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 Families, Mental Health and Human Services.

**House Bill No. 5498, entitled**

A bill to amend 1967 PA 224, entitled "Powers of appointment act of 1967," by amending section 4 (MCL 556.114). 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 Families, Mental Health and Human Services.

**Committee Reports**

The Committee on Appropriations reported

**Senate Bill No. 964, entitled**

A bill to make appropriations for the department of community health and certain state purposes related to aging, mental health, public health, and medical services for the fiscal year ending September 30, 2001; to provide for the expenditure of such appropriations; to create funds; to provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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.

Harry Gast  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Appropriations reported

**Senate Bill No. 965, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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.

Harry Gast  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Appropriations reported

**Senate Bill No. 966, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2001; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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.

Harry Gast  
Chairperson

To Report Out:

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

Nays: None

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

The Committee on Appropriations reported  
**Senate Bill No. 1044, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 8, 11, 11f, 11g, 19, 20, 20j, 21b, 24, 26a, 31a, 31c, 31d, 32, 36, 36a, 40, 41, 51a, 53a, 54, 56, 57, 61a, 62, 63, 67, 68, 74, 81, 91b, 91c, 94, 99, 101, 102, 104a, 105b, 105c, 107, 147, 151, 152, and 163 (MCL 388.1603, 388.1606, 388.1608, 388.1611, 388.1611f, 388.1611g, 388.1619, 388.1620, 388.1620j, 388.1621b, 388.1624, 388.1626a, 388.1631a, 388.1631c, 388.1631d, 388.1632, 388.1636, 388.1636a, 388.1640, 388.1641, 388.1651a, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1663, 388.1667, 388.1668, 388.1674, 388.1681, 388.1691b, 388.1691c, 388.1694, 388.1699, 388.1701, 388.1702, 388.1704a, 388.1705b, 388.1705c, 388.1707, 388.1747, 388.1751, 388.1752, and 388.1763), sections 6, 11, 11f, 11g, 20, 24, 26a, 31a, 31c, 36, 36a, 41, 51a, 53a, 54, 56, 57, 61a, 62, 63, 67, 68, 74, 81, 91b, 94, 99, 101, 104a, 107, and 147 as amended by 1999 PA 119, and sections 20j, 31d, 32, and 105c as added by 1999 PA 119, and section 8 as amended by 1997 PA 142, and sections 3 and 151, as amended by 1997 PA 93, and section 105b as added by 1997 PA 24, and sections 19, 21b, 102, and 163 as amended by 1996 PA 300, and section 91c as added by 1995 PA 130, and section 152 as amended by 1993 PA 175, and section 40 as amended by 1991 PA 118, and by adding sections 22a, 22b, 22c, 51c, 94a, 101b, and 108a; and to repeal acts and parts of acts.

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

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

Harry Gast  
 Chairperson

To Report Out:

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

Nays: Senator Emerson

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submits the following:

Meeting held on Tuesday, March 14, 2000, at 2:00 p.m., Senate Appropriations Room, Capitol Building

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

The Committee on Farming, Agribusiness and Food Systems reported

**House Bill No. 5341, entitled**

A bill to amend 1978 PA 361, entitled "Michigan exposition and fairgrounds act," by amending sections 2, 5, 6, 7, 8, 9, and 11 (MCL 285.162, 285.165, 285.166, 285.167, 285.168, 285.169, and 285.171) and by adding sections 14a and 15a; and to repeal acts and parts of acts.

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

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

George A. McManus, Jr.  
 Chairperson

To Report Out:

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

Nays: None

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

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on Wednesday, March 15, 2000, at 1:00 p.m., Room 405, Capitol Building

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

#### COMMITTEE ATTENDANCE REPORT

The Committee on Transportation and Tourism submits the following:

Meeting held on Tuesday, March 14, 2000, at 3:00 p.m., Room 100, Farnum Building

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

Excused: Senator North

### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Transportation submits the following:

Meeting held on Wednesday, March 15, 2000, at 9:00 a.m., Senate Appropriations Room, Capitol Building

Present: Senators Hoffman (C) and Young

Excused: Senator Goschka

### Scheduled Meetings

#### Appropriations -

##### Subcommittees -

**Career Development Strategic Fund Agency** - Tuesdays, March 28, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building; April 11, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building; and May 2, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

**Consumer and Industry Services** - Wednesdays, March 29, April 5, and April 12, 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-7350)

**Family Independence Agency** - Thursday, March 23, 1:00 p.m., Room 100, Farnum Building; Thursday, March 30, 1:00 p.m., Room 100, Farnum Building; Tuesday, April 4, 1:00 p.m., Room 210, Farnum Building; Thursday, April 6, 1:00 p.m., Room 100, Farnum Building; Tuesday, April 11, 1:00 p.m., Room 210, Farnum Building; 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)

**Transportation** - Thursdays, April 6, April 13, and May 11, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2426)

**Economic Development, International Trade and Regulatory Affairs** - Tuesday, March 21, 1:00 p.m., Room 110, Farnum Building (373-7946)

**Natural Resources and Environmental Affairs** - Thursday, March 23, 6:00 p.m., Northwestern Michigan College, Oleson Center - Rooms 1 and 2, 1701 East Front Street, Traverse City; Thursday, April 6, 6:00 p.m., Lake Superior State University, Cislser Student and Conference Center - Ontario-Michigan Room, 650 Easterday Avenue, Sault Ste. Marie; and Monday, April 10, 6:00 p.m., Monroe City Hall, Council Chamber, 120 East First Street, Monroe (373-0797)

**Transportation and Tourism** - Tuesday, March 21, 3:00 p.m., Room 110, Farnum Building (373- 1758)

Senator Rogers moved that the Senate adjourn.

The motion prevailed, the time being 11:06 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Tuesday, March 21, at 10:00 a.m.

CAROL MOREY VIVENTI  
Secretary of the Senate.