

No. 7
JOURNAL OF THE SENATE

Senate Chamber, Lansing, Wednesday, February 2, 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—excused
DeBeaussaert—present
DeGrow—present
Dingell—present
Dunaskiss—present
Emerson—excused
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—excused
Miller—present
Murphy—present
North—present
Peters—present

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

Senator Joe Young, Jr., of the 1st District offered the following invocation:

Dear Lord, let us not forget that children become young adults, young adults become mature adults, and mature adults become seniors. It is important that we address all cycles of life in making sure that we provide the opportunity and not hinder individuals from becoming constructive and productive citizens. Amen.

Motions and Communications

Senators Jaye and Koivisto entered the Senate Chamber.

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

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

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

The following communication was received:
Automobile Theft Prevention Authority

January 28, 2000

As chair of the Michigan Automobile Theft Prevention Authority (ATPA) Board of Directors, I am pleased to submit our 1999 Annual Report to the Senate. I am proud to report that Michigan is carrying on its fight against automobile theft.

This report is in accordance with provisions of Act 174 of 1992. Copies have also been delivered to Governor Engler and the Clerk of the House. Furthermore, individual reports are being mailed to all members of the legislature.

If you would like additional copies, please feel free to contact the ATPA at (517) 336-6197.

Sincerely,
Col. Michael D. Robinson
Director

The communication was referred to the Secretary for record.

The Secretary announced that the following House bill was received in the Senate and filed on Tuesday, February 1:
House Bill No. 4620

Messages from the Governor

The following messages from the Governor were received and read:

February 1, 2000

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

Liquor Control Commission

Mr. Walter R. Keck, 4471 Sherman Road, Charlotte, Michigan 48813, county of Eaton, as a member representing Republicans, succeeding himself, for a term expiring on June 12, 2003.

The Honorable Claudia L. Gartin, 2086 Hyde Park Drive, Detroit, Michigan 48207-4999, county of Wayne, as a member representing Democrats, succeeding Mr. Seymour E. Podolsky of Detroit, whose term has expired, for a term expiring on June 12, 2003.

February 1, 2000

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

Chair of the Worker's Compensation Board of Magistrates

Mr. Crary Rick Grattan, 3699 Powderhorn, Okemos, Michigan 48864, county of Ingham, as the chair, succeeding Mr. Craig R. Petersen of Lansing, whose term has expired, for a term expiring at the pleasure of the Governor.

February 1, 2000

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

Worker's Compensation Board of Magistrates

Mr. John J. Rabaut, 830 Lincoln, Grosse Pointe, Michigan 48230, county of Wayne, as a member representing the general public, succeeding Mr. Richard J. Anderson of Grand Rapids, who has resigned, for a term expiring on January 26, 2003.

February 1, 2000

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

Director of Bureau of Worker's Disability Compensation

Mr. Craig R. Petersen, 3737 Springbrook Lane, Lansing, Michigan 48917, county of Ingham, as a member representing the general public, succeeding Mr. Jack F. Wheatley of Royal Oak, whose term has expired, for a term expiring on February 1, 2003.

Sincerely,
John Engler
Governor

The appointments were referred to the Committee on Government Operations.

Messages from the House

Senator Dunaskiss entered the Senate Chamber.

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

Senate Bill No. 385, entitled

A bill to prohibit certain state agencies and certain local governmental units from placing certain information on certain documents; to impose certain duties on certain state officials; and to prescribe remedies and penalties.

Substitute (H-3).

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

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

Roll Call No. 3

Yeas—34

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

Nays—0

Excused—4

Cherry	Emerson	McManus	Schuette
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Not Voting—0

In The Chair: President

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

Senate Bill No. 46, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 722 (MCL 257.722), as amended by 1993 PA 22.

Substitute (H-3).

The question being on concurring in the substitute made to the bill by the House,
 Senator Stille offered the following amendments to the substitute:

1. Amend page 3, line 3, after “COMMODITIES” by striking out “OR A PERSON HAULING PROPANE GAS”.
 2. Amend page 3, line 5, after the second “FARM” by striking out “OR THE PERSON WHO DELIVERS THE PROPANE GAS”.
 3. Amend page 4, line 7, after “COMMODITIES” by striking out “OR PROPANE GAS”.
 4. Amend page 7, line 4, after “COMMODITIES” by striking out “OR PROPANE GAS”.
- The amendments to the substitute were adopted.

The question being on concurring in the House substitute, as amended,

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

Roll Call No. 4

Yeas—33

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

Nays—1

Jaye

Excused—4

Cherry	Emerson	McManus	Schuette
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Not Voting—0

In The Chair: President

Senate Bill No. 657, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 1995 PA 126, and by adding section 16348 and part 185; and to repeal acts and parts of acts.

The House of Representatives has amended the bill as follows:

1. Amend page 9, line 10, after "MCL" by striking out "339.1946" and inserting "330.1946".

2. Amend page 10, line 10, after "Section" by striking out "2245" and inserting "45".

The House of Representatives has passed the bill as amended, 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

Introduction and Referral of Bills

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

Senate Bill No. 957, entitled

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

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

Senator Jaye introduced

Senate Bill No. 958, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 4b to chapter IX.

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

House Bill No. 4620, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1224 (MCL 500.1224), as amended by 1981 PA 1.

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 Financial Services.

Scheduled Meetings

Community Health Appropriations Subcommittee - Tuesdays, February 8, February 15, February 22, and March 7, at 2:00 p.m., Rooms 402 and 403, Capitol Building (3-1777).

Corrections Appropriations Subcommittee - Tuesday, February 8, at 1:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (3-2413).

Health Policy Committee - Tuesday, February 8, at 3:00 p.m., Room 100, Farnum Building (3-0793).

Senator Rogers moved that the Senate adjourn.

The motion prevailed, the time being 10:25 a.m.

The President, Lieutenant Governor Posthumus, declared the Senate adjourned until Thursday, February 3, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

